

WAHOO CITY COUNCIL AGENDA
Tuesday, April 22, 2025 - 7:00 PM
Wahoo Public Library, 637 N Maple St, Wahoo, NE 68066

NOTICE IS HEREBY GIVEN that the Mayor and Council of the City of Wahoo meet on the second and fourth Tuesdays of each month at the Wahoo Public Library, 637 N Maple Street Wahoo, Nebraska, at 7:00 p.m. Notice of special meetings shall be given by posting a notice thereof on the bulletin board in City Hall, U.S. Post Office, and FirstBank of Nebraska, at least 24 hours before the special meeting. All Council meetings are open to the public and the agenda, which is kept continually current, is available for public inspection at the office of the City Clerk at City Hall during normal business hours.

Individuals requiring physical or sensory accommodations, individual interpreter service, Braille, large print or recorded material, please contact the ADA Coordinator at City Hall, 605 North Broadway, Wahoo, Nebraska, 68066, telephone 402-443-3222 as far in advance as possible, but no later than 48 hours before the scheduled event.

{{Name: Agenda Item Name}}

Pledge of Allegiance

Announcement of the Open Meetings Act

Call to order and roll call

Proclamation

Audience comments on items not listed on the agenda

Department head reports

1. City Administrator
 - 1.A. LARM Annual Report - 2023-24

Consent Agenda

1. Acceptance of excused absence of Mayor or Council member(s)
2. Approval of the April 8, 2025, minutes of the City Council
3. Approval of Zach Homolka as a new member of the Fire Department
4. City of Wahoo Pay Scale - minor job title changes and deletion of titles no longer applicable (no wage changes)
5. Acceptance of Annual TIF report
6. Approval of claims

Public hearing and associated action items

Action items not requiring a public hearing

1. Approval to move to an Online Burn Permit solution
2. Approval of Resolution 2025-04 an amendment to the Master Fee Schedule to add cost for burn permits.
3. Ordinance to authorize the acquisition of two electrical easements located along the west boundary of Lots 73R and 74R, Wilmer Ridge Subdivisions
4. Approval of an Ordinance to amend nuisance policies and procedures
5. Approval of an Ordinance to renew the Conditional Use Permit for Liberty House
6. Approval of an ordinance to renew the Condition Use Permit for Titles Beer Garden
7. Discussion regarding tree cleanup along Wahoo Creek

Mayor's comments on items not listed on the agenda


Council Comments on items not listed on the agenda

Adjourn

Upcoming planned meeting dates and agenda deadlines

ACKNOWLEDGEMENT OF RECEIPT OF NOTICE OF MEETING

The undersigned members of the governing body of the City of Wahoo, Nebraska, hereby acknowledge receipt of advance notice of a meeting of said body and the agenda for such meeting held at the Wahoo Public Library on Monday April 22, 2025.



Gerald Johnson, Mayor



Stuart Krejci, Council member




Shane Sweet, Council member



Carl Warford, Council member



Patrick Nagle, Council member



Christopher Rapp, Council member



Ryan Ideus, Council member


I certify that _____ was absent from the City and did not return until after the meeting and to my personal knowledge was notified of the meeting.



Christina Fasel, City Clerk

April 18, 2025

TO: Mayor & Council

FROM: Melissa Harrell, City Administrator 

RE: Chickens/Ducks

Earlier this year there were two citizens, on separate occasions, that approached the City Council about the City of Wahoo allowing chickens within City Limits. I previously prepared a report explaining how chickens are currently regulated (and prohibited) through our municipal code and zoning regulations. I have included this in the attachments to this document. You requested information on what other communities are doing with regards to chickens: Are they allowed, if so how are they regulated, what is the licensing process, etc.

Information was gathered from 29 communities across the state (ranging in population from 27,602 to 296). Of those, 8 did not allow chickens (Prague, Yutan, Aurora, Wayne, La Vista, Papillion, and Fremont). Of those communities that do allow chickens, the regulations were gathered from the following communities for further review: Blair, Gretna, Hickman, Nebraska City, Norfolk, Seward, Valley, and Waverly. This data was gathered from the NE City Managers Association listserv, through direct contact with some, with supplemental information gathered from city websites. A summary sheet of the data collected is attached as well as all permits/regulations from the communities review in greater depth. I am confident this information provides us with sufficient data to answer your questions. Below is a summary of my findings from those communities that do allow and regulate chickens:

What fowl is included in the regulations?

Most communities only allow chickens. Some specified hens, hen bantams. Some specifically excluded ducks. Norfolk specifically allows ducks.

What is the maximum number of chickens allowed?

- Blair – 6
- Gretna – 4 (on lot of 1 acre or less), 10 (on lot of more than 1 acre)
- Hickman – 4 (on lot of 1 acre or less), 6 (on lot of more than 1 acre)
- NE City – 4 on any one zoning lot
- Norfolk – 4 (chickens or ducks in any combination) with each being less than 5 lbs.
- Seward – 10 on any one lot. Excludes chickens under age of 30 days
- Valley – 6 on any one lot
- Waverly – 3 (on lot of 1 acre or less), 4 (on lot of more than 1 acre)

Is a permit/license required?

Across the board any community allowing chickens requires a permit or license.

How often is it issued?

Generally, permits were annual permits, renewed during the month of December, with a calendar year expiration date, giving folks one month to complete the renewal process. Blair renews them on the anniversary of the application

How much is the permit/license?

Fees range from \$10 to \$50 per year.

Is the permit transferable?

No community allows the permit to be transferable or assignable. Norfolk goes on to state “in the event a new tenant leases property for which a permit was previously issued to a prior tenant, the new tenant is required to obtain his/her own permit in order to keep chickens on the leased property” making it very clear that a new tenant must re-apply.

What is required as part of the permit application?

We were not able to get all application forms, but generally the applicant must be the property owner, and if not the property owner, then the property owner must provide signature that they are aware the tenant is applying for a permit to keep chickens. Three communities (Blair, Gretna, Waverly) required there to be a statement of how the offal, manure and waste material accumulating from the chickens will be sanitarly disposed of as part of the application. Gretna and Waverly required the applicant to agree to removal of this material at least once every seven (7) days. Blair and Hickman required a plot plan with dimensions to all buildings and property lines be submitted as part of the application. Seward requires a certificate from a licensed veterinarian verifying that the animal has no health problems that could adversely affect the health, safety and welfare of the citizens of Seward

Is an inspection of the facility/coop required? Who is that done by?

Blair was the only community requiring an inspection prior to the issuance or renewal of the permit. It stated that City personnel shall investigate the facts presented. No permit (new or renewal) can be issued until all requirements have been satisfied.

Who handles the enforcement of the licensing?

Communities placed responsibility for enforcement of licensing to a Police Officer, Code Enforcement Officer, Building Inspector, Health Official or Zoning Official.

What is the penalty for violation of the regulations?

Communities referred to their standard penalties section for a violation of municipal code. In most communities this is a misdemeanor, with a fine of up to \$500 per offense. A new

offense occurs every 24 hours. Two communities (Blair and Norfolk) specifically stated that the chicken permit would be revoked.

Is permission required from the abutting property owners or property owners in the area? Is 100% concurrence required from the abutting property owners?

Four of the seven communities studied in depth require abutting (or further) property owner and resident approval. However, in the overall survey many communities do not have that requirement.

- Blair – applicant must give notice of the pending permit to all located within 100' of any part of the covered enclosure and fenced pen area and evidence of this must be provided (either by signature or certified return receipt mail). If any of those notified object within 10 days of the date of the notice, the permit will not be issued. All must agree or the permit will not be issued.
- Norfolk – applicant must distribute neighbor consent forms provided by the City and they must all be submitted (both for an against) with the application – within 200' of property boundaries. Their regulations provide specific diagrams of where the consent forms must be collected from, and if the diagrams don't address a layout, the zoning official makes that determination. 75% of the property owners (not tenants) must approve, but there must be 100% approval of those properties abutting the applicant's property
- Seward – applicant must provide proof that there are no objections from property owners or residents within 75' in all directions of property lines. No objections allowed, but permits can be issued at the discretion of the City Administrator with appeal to the City Council
- Waverly – applicant must provide evidence that the applicant has notified all property owners or residents within 150' of the property lines of the property on which the chickens will be located. Their code states: "The City may consider resident objections in deciding whether to issue a permit under this Section."

What are the requirements of residency?

All communities studied only allowed chickens on property of a single-family dwelling. Several communities specifically stated chickens were not allowed at a duplex, condos or multi-family dwellings.

Requirements of the facility (coop, fenced area or run, food storage):

- No community allows roosters or crowing hens.
- No communities allow chickens to roam or be out of their enclosed coop or fenced area.
- All but one community prohibits slaughter of any chicken. Norfolk does not allow the slaughter of chickens outside or at any place where the neighbor or the general public can see.
- Structure requirements – includes coop or fenced in area
 - Chickens must have covered enclosure

- Coop must have a minimum amount of square feet per chicken – ranges from 3 to 4 sq ft (two list 3 cubic feet per occupant chicken)
- Flooring in coop - approximately half of the communities studied in depth require “flooring must be waterproof, hard-surfaced, non-porous material”
- Maximum size of enclosure (coop) varied:
 - Blair – max of 120 square feet, 12’ tall
 - Gretna – on lots 1 acre or less – less than 8’ tall and less than 32 sq ft; on lots greater than 1 acre – less than 10’ tall and less than 80 sq ft
 - NE City – max of 120 square feet, 7’ tall
 - Norfolk – max of 90 square feet, 7’ tall
 - Seward – max of 120 square feet
- Enclosure must be constructed to keep rats, mice, or other rodents from being harbored around or under the structure. Blair regulations were more detailed than others stating the coop must have a roof and door, must have openings for windows and vents and they must be covered with predator and bird proof wire of less than 1” openings, and that the coop must be constructed of uniform materials and not scrap wood, waste board, sheet metal or similar material.
- Fenced in area or run must have a minimum amount of square feet per chicken – ranges from 8-10 sq ft (two listed 5 cubic feet per occupant chicken)
- All stated the fenced areas or runs must be made of sturdy wire fencing, with a top, with solid connections (especially to the ground) to prevent escape of the birds or entry by predators.
- All stated the facilities must be maintained in a clean and sanitary condition. Several stated no odors or noise can extend beyond the boundaries of the permitted tract of land, but some communities used more forceful language than others. Norfolk stated the structures must require easy access for cleaning. Several communities stated the offal, manure and waste accumulation must be removed at least every 7 days.

Where are chicken facilities (coop and run) allowed to be located?

All communities required these to be located in the rear yard. This is determined by extending the rear face of the residence to the side yards. All required the facilities to be located a minimum distance from property lines and any residential structures on adjacent property.

- Blair – 10’ from property lines, 40’ from any residential structure on adjacent property
- Gretna - at least 30’ from any dwelling, front yard or side yard, street, public sidewalk, public building, park or recreation area
- Hickman - at least 5’ from rear property line, 6’ from side yard property line and at least 20’ away from any neighboring residence; cannot be located in any utility easement and must be distances (as described in regulations) away from electric utility transformer boxes and pedestals.

- NE City – 10’ from property lines, 40’ from any residential structure on adjacent property
- Norfolk – 10’ from property lines, 40’ from any residential structure on adjacent property; no chicken coop shall be located closer than 10’ to any other structure on the permitted lot for fire safety purposes
- Seward - 10’ from property lines, 40’ from any residential structure on adjacent property
- Valley - At least 30’ from any dwelling, street, public sidewalk, public building and park or recreational area. Facility may be located within 30 feet of an alley
- Waverly – At least 30’ from any dwelling, sidewalk, street, alley, road, public building, park or recreation area

Regulations regarding food storage:

All communities stated that food storage must be contained to avoid rodents gaining access.

Other regulations:

- Blair – chickens must be enclosed during non-daylight hours;
- Hickman – dead chickens must be double bagged and placed in the garbage
- Norfolk – All electrical installations shall meet or exceed National Electrical Code requirements. No temporary wiring (extension cords) shall be permitted.

Are there any regulations regarding selling eggs?

- NE City – eggs produced by licensed chickens may be sold by the license holder, subject to compliance with the zoning ordinance of NE City pertaining to home occupations and home-based businesses
- Seward – eggs produced by permitted chickens may be sold by permit holder

Chicken Regulations Survey - April 2025

<u>Town</u>	<u>Population</u>	<u>Chickens?</u>	<u>Number</u>	<u>Permission of adjacent property owners?</u>	<u>Prohibition of roosters?</u>
Ashland	3367	Yes			
Aurora	4704	No			
Beatrice	12261	Yes	No limit	No	Yes
Blair	7967	Yes	6	100'	Yes
Central City	3039	Yes	15	No	No
Columbus	24028	Yes	5	No	No
Crete	7488	Yes			
Elm Creek	979	Yes	10	No	Yes
Falls City	4045	Yes	No limit	No	Yes
Fremont	27602	No			
Gibbon	1878	Yes	No limit	No	No
Gretna	9054	Yes	4/10	No	No
Hickman	2607	Yes	4/6	No	Yes
La Vista	16346	No			
Lexington	10348	Yes	No limit	No	No
Nebraska City	7414	Yes	4	No	Yes
Norfolk	25868	Yes	4	200'	No
North Platte	23390	Yes	No limit	No	No
Ogallala	4878	Yes	6	No	No
Papillion	23791	No			
Pierce	1845	No			
Prague	296	No			
Schuyler	6529	No			
Seward	7672	Yes	10	75'	Yes
Superior	1825	Yes	6	No	No
Valley	3236	Yes	6	No	Yes
Waverly	4458	Yes	3/4	150'	Yes
Wayne	6165	No			
Yutan	1425	No			

 Saunders County communities
Bold Regulations fully reviewed

Article 2. Animals and Fowls

Sec. 6-201 ANIMALS; RUNNING AT LARGE. It shall be unlawful for the owner, keeper, or harbinger of any animal, or any person having the charge, custody, or control thereof, to permit a horse, mule, cow, sheep, goat, swine, or other animal to be driven or run at large on any of the public ways and property, or upon the property of another. (Neb. Rev. Stat. §16-235) (Penalties refer to Sections 6-401 and 6-402). (Amended by Ordinance 2140 06/10/2008) (Amended by Ordinance 2401 07/28/2020)

Sec. 6-202 LIVESTOCK; BANNED FROM MUNICIPALITY. It shall be unlawful for any person, corporation, firm, or other entity, in the capacity of owner occupant, lessee, mortgagee, or agent thereof, to keep or maintain within the corporate limits of Blair, Nebraska, any horse, mule, sheep, cow, goat, swine, or other livestock except such livestock as are within the said corporate limits temporarily for exhibition purposes and are kept in sanitary and enclosed areas at least one hundred fifty (150') feet from any habitable structure owned by any person or business. (Penalties refer to Sections 6-401 and 6-402). (Amended by Ordinance 2140 06/10/2008) (Amended by Ordinance 2260 05/20/2014) (Amended by Ordinance 2401 07/28/2020)

6-202.1 FOWL, CONTROLLED WITHIN MUNICIPALITY; PERMIT PROCESS.

- A. Except as permitted by subsection E of this section, it shall be unlawful for any person, corporation, firm, or other entity, in the capacity of owner occupant, lessee, mortgagee, or agent thereof, to keep or maintain, within the corporate limits of Blair, Nebraska, any chickens, ducks, geese, turkeys, pheasants, quail, ostrich, or other fowl except such fowl as are within the said corporate limits temporarily for exhibition purposes and are kept in sanitary and enclosed areas at least one hundred fifty (150') feet from any habitable structure owned by any person or business.
- B. The keeping or maintain of such fowl as described in subsection A above shall be considered to be a specific nuisance and may be abated in accordance with the provisions of the Blair Municipal Code.
- C. In addition to abatement as identified in subsection B above, the Mayor and City Council shall be authorized to maintain an action for abatement of such activity in Court in Washington County, Nebraska, against the owner, occupant, lessee, mortgagee, or agent thereof, who is deemed to be in violation of subsection A of this section.
- D. Furthermore, any owner, occupant, lessee, mortgagee, or agent thereof, who shall violate or refuse to comply with the provisions of subsection A of this section, or the enforcement thereof, shall be fined as per the City's Violations Bureau for every offense. A new violation shall be deemed to have been committed every twenty-four (24) hours of such failure to comply.
- E. Notwithstanding the above provisions of this section, the raising of hen chickens within the municipality may be permitted, subject to compliance with the following conditions:

1. Any person desiring to keep hen chickens in the corporate limits of the City of Blair shall obtain a permit from the City of Blair prior to acquiring the hen chickens. Application shall be made at City Hall and the fee for the permit shall be as determined by the City Council in APPENDIX – PERMIT, LICENSE AND APPLICATION FEES. The application shall be in writing on a form to be furnished by the City of Blair for that purpose.
2. The minimum property requirements to qualify for a permit shall include:
 - a. The applicant must be owner occupant, lessee or mortgagee of the property where the hen chickens will be kept;
 - b. The use of the property where the hen chickens will be kept must be a single-family dwelling. No permit will be issued for duplexes, condominiums, or multi-family dwellings;
 - c. Hen chickens shall not be kept on a vacant or uninhabited property.
3. The application for such permit shall be made pursuant to the procedures and requirements that are applicable at the time the person applies for a new permit, which shall include:
 - a. Name and mailing address of the applicant;
 - b. Mailing address where hen chickens are to be kept;
 - c. Signature of the property owner (if not the applicant) agreeing to the application;
 - d. Statement of the method and frequency in which offal, manure and waste material accumulating from such hen chickens will be sanitarily disposed of;
 - e. An attached plot plan of the property upon which the hen chickens will be kept, as well as all adjacent properties, showing dimensions of the property upon which the hen chickens will be kept, the location and dimensions of the covered enclosure and fenced pen area, the distance of any part of the covered enclosure and fenced pen area from residence buildings on all properties, and the distance of any part of the covered enclosure and fenced pen area from the property lot lines upon which the hen chickens will be kept.
4. Any applicant for such permit, shall, prior to the issuance or renewal of a permit by the City of Blair, give notice of the pendency of said application to all owners of property adjacent to the property upon which the hen chickens will be kept, as well as to other owners of residences within one hundred feet (100') of any part of the covered enclosure and fenced pen area. The applicant shall furnish proof of said notice to the City Clerk. The notice required by this section shall be in writing and in a form as provided by the City of Blair, and may be served personally with proof by signature or by certified return receipt mail. If any owner of property adjacent to the property upon which the hen chickens will be kept or any owner of a residence within one hundred feet (100') of any part of the covered enclosure and fenced pen area objects within ten (10) days of the date of

notification to the issuance of a permit for the keeping of hen chickens, such permit will not be issued.

5. Prior to the issuance or renewal of any permit for the keeping of hen chickens, the City of Blair shall have a proper investigation completed by City personnel of the facts set forth in the application for the permit and determine whether said application conforms to the requirements of this section and whether the property conforms to the requirements of this section and other ordinances of the City with respect to zoning and building regulations, sanitation, and location of the covered enclosure and fenced pen area. No permit shall be issued by the City of Blair until all requirements of this section have been satisfied.
6. Permits expire and become invalid one (1) year after date of issuance. A person who wishes to continue keeping hen chickens shall have satisfied the requirements of subsection 3-5 and obtained a new permit on or before the expiration date of the previous permit. No permit shall be assignable or transferable.
7. A person who keeps or houses hen chickens shall comply with all of the following requirements:
 - a. No more than six (6) hen chickens may be kept on any one (1) property or lots joined by a contiguous parcel agreement;
 - b. No person shall keep any rooster;
 - c. No person shall slaughter any hen chickens within view of the general public;
 - d. The hen chickens shall be provided with a covered enclosure and fenced pen area which meets all of the requirements of subsection 7. The hen chickens shall be kept in the covered enclosure or the fenced pen area at all times. Hen chickens shall be secured within the covered enclosure during non-daylight hours;
 - e. A person shall not keep hen chickens in any location on the property other than in the rear yard. For purposes of this section, "rear yard" means that portion of a lot enclosed by the property's rear lot line and the side lot lines to the points where the side lot lines converge with an imaginary line established by the rear of the dwelling and extending to the side lot lines;
 - f. No part of the covered enclosure or fenced pen area shall be located closer than ten feet (10') to any property line of an adjacent property;
 - g. No part of the covered enclosure or fenced pen area shall be located closer than forty feet (40') to any residential structure on an adjacent property;
 - h. All covered enclosures for the keeping of hen chickens shall meet the following requirements:
 - i. Contain at least four (4) square feet of floor area per hen chicken. No covered enclosure shall exceed one hundred-twenty (120) square feet in size or exceed twelve feet (12') in height. Covered enclosures shall be constructed and repaired so as to prevent rats, mice, or other

rodents from being harbored underneath, within, or within the walls of the enclosure.

- ii. Enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked during non-daylight hours. Openings for windows and vents must be covered with predator and bird proof wire of less than one (1”) inch openings.
 - iii. The building materials used shall be uniform for each element of the structure, such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The use of scrap wood, waste board, sheet metal, or similar materials is prohibited. All elements shall be well maintained and are subject to the Property Maintenance Code adopted by the City of Blair;
 - i. All fenced pen areas shall provide at least ten (10) square feet of open floor or ground area per hen chicken and shall consist of sturdy wire fencing. The top of the fenced pen area must be covered with wire, aviary netting, or solid roofing so as to not allow hen chickens to escape or predators to enter;
 - j. All storage containers for feed and other items associated with the keeping of hen chickens that are likely to attract or to become infested with or infected by rats, mice, or other rodents shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them;
 - k. Odors from hen chickens, hen chicken manure or other hen chicken related substances shall not be perceptible beyond the boundaries of the permitted tract of land;
 - l. Noise from hen chickens shall not be loud enough beyond the boundaries of the permitted tract of land at the property boundaries to disturb persons of reasonable sensitivity;
 - m. Hen chickens shall not roam outside of the covered enclosure and fenced pen area.
- F. The City may revoke any permit granted under this section due to any violation(s) of this section. Fees associated with permits which are revoked are not refundable.
- G. A person who has been issued a permit shall allow the inspection of the property, covered enclosure and fenced pen area, during reasonable hours, upon written or verbal request by any Police Officer or Code Enforcement Officer of the City. (Penalties refer to Sections 6-401 and 6-402.)

(Amended by Ordinance No. 2260 5/13/2014) (Amended by Ordinance 2401 07/28/2020)

Sec. 6-203 ANIMALS; WILD. No wild animals may be kept within the corporate limits except such animals kept for exhibition purposes by circuses and educational institutions. (Neb. Rev. Stat. §16-235) (Penalties refer to Sections 6-401 and 6-402). (Amended by Ordinance 2140 06/10/2008) (Amended by Ordinance 2401 07/28/2020)

Sec. 6-204 ANIMALS; CRUELTY.

- (1) A person commits cruelty to animals including a domesticated living creature and a wild living creature previously captured if, except as otherwise authorized by law, he or she intentionally or recklessly:
 - (a) Subjects any animal to cruel mistreatment meaning every act or omission which causes, or unreasonably permits the continuation of, unnecessary or unjustifiable pain or suffering;
 - (b) Subjects any animal in his or custody to cruel neglect meaning failure to provide food, water, protection from the elements, opportunity to exercise, or other care normal, usual, and proper for an animal's health and well-being; and
 - (c) Abandons any animal meaning the leaving of an animal by its owner or other person responsible for its care or custody without making effective provisions for its proper care.
 - (d) Kill or injures any animal belonging to another.
- (2) Cruelty to animals is a Class II misdemeanor.
- (3) Nothing in this section shall be construed to amend or in any manner change the authority of the Municipal Policemen acting within their power and duty. (Neb. Rev. Stat. §28-1012)

Sec. 6-205 OTHER ANIMALS; RABIES SUSPECTED. Any animal (other than a dog or cat which is covered in §6-117 et. seq.), suspected of being afflicted with rabies or any which has bitten any person and caused an abrasion of the skin, shall be seized and impounded under the supervision of the Board of Health for a period of not less than ten (10) days. If upon examination by a veterinarian, suspected animal has no clinical signs of rabies at the end of such impoundment, it may be released to the owner, or it shall be disposed of in accordance with the provisions herein. If the owner of the said animal has proof of vaccination, it shall be confined by the owner or some other responsible person for a period of at least ten (10) days, at which time said animal shall be examined by a licensed veterinarian. If no signs of rabies are observed, said animal may be released from confinement, only after payment of all impoundment fees during the period of confinement. (Neb. Rev. Stat. §71-4406) (Amended Ordinance 2209 10/25/2011)

Sec. 6-206 ANIMALS; ENCLOSURES. All pens, cages, sheds, yards, or any other area or enclosure for the confinement of animals and fowls not specifically barred within the corporate limits shall be kept in a clean and orderly manner so as not to become a menace or nuisance to the neighborhood in which the said enclosure is located.

Sec. 6-207 FOWLS; COCK FIGHTING. It shall be unlawful for any person, by agreement or otherwise, to set game cocks, game roosters, or game fowls of any kind to fighting, or by any gesture or word to encourage the same to do so. (Penalties refer to Sections 6-401 and 6-402). (Amended by Ordinance 2140 06/10/2008) (Amended by Ordinance 2401 07/28/2020)

Sec. 6-208 BABY POULTRY. No person shall display, give away, distribute or sell natural colored or artificially colored baby poultry as pets or novelties. This Section shall not be construed to prohibit the display or sale of baby poultry when such poultry is provided with proper brooder facilities by hatcheries or businesses engaged in the business of selling the same

commercially.

Sec. 6-209 ANIMALS; IMPOUNDING. It shall be the duty of the Municipal Police or its authorized agent to capture, secure, and remove in a humane manner to the Municipal Animal Shelter or to a designated animal shelter located within or out of the City limits any dog or other animal violating any of the provisions of this Article. The dog or other animal or animals so impounded shall be treated in a humane manner and shall be provided with a sufficient supply of food and fresh water each day. Each impounded dog or other animal shall be kept and maintained at the pound for not less than forty-eight (48) hours unless reclaimed earlier by the owner. A list of impounded dogs or other animals, including any significant marks or identifications, shall be maintained at the Police Station. Any dog or other animal may be reclaimed by its owner during the period of impoundment by payment to ten (\$10.00) dollars for a general impoundment fee. If the dog or other animal is not claimed at the end of forty-eight (48) hours, the Municipal Police or its authorized agent may dispose of the dog or other animal or destroy the dog or other animal in any humane manner within the discretion of the Municipal Police or its authorized agent; Provided, that if, in the judgment of the Municipal Police or its authorized agent, a suitable place can be found for any such animal, the said animal shall be turned over to that person and the new owner shall then be required to pay all fees and meet all licensing and vaccinating requirements, if any, provided in this Article. The Municipality, or its authorized agent, shall acquire legal title to any dog or other animal impounded in the Animal Shelter after forty-eight (48) hours. All dogs or other animals destroyed shall be disposed of in a summary and humane manner. (Ord. No. 1163, 1/13/76)

(END OF SECTION)

B. Primary or secondary schools, colleges or universities from using unusual animals or livestock for research or teaching;

C. Wildlife rescue organizations with appropriate permits from the Nebraska Game and Parks Commission from rehabilitation or sheltering unusual animals;

D. Individuals authorized by the State of Nebraska from sheltering animals belonging to a public zoo that require rehabilitation; or

E. Individuals from owning or possessing chickens, provided such ownership and possession complies with Section 3-303 of this article and all applicable zoning and building regulations.

SECTION 3-303: CHICKENS; PERMIT REQUIREMENTS; RESTRICTIONS

A. It shall be unlawful for any person to permit or allow any chicken to run or fly at large within the corporate limits of the City.

B. It shall be unlawful for any person to own, keep, harbor, or have under his/her/its care, custody or control any cock or rooster chicken two (2) months of age or older. The unlawful keeping or harboring of cocks or roosters is hereby declared to be a public nuisance.

C. It shall be unlawful for any person to own, keep, harbor, or have under his/her/its care, custody or control any chicken without a valid permit issued by the City. The fee for such permit shall be established by the City. No permit shall be assignable or transferable either as to permittee, location or chickens.

D. The requirements for the issuance of a permit by the City to own, keep, harbor, or have custody or control over a chicken are:

1. No more than four (4) chickens shall be permitted on any lot of one (1) acre or less. No more than ten (10) chickens shall be permitted on any lot of more than one (1) acre.
2. The chickens must be housed in a chicken facility and run approved by the City, such chicken facility and run to be maintained in compliance with all of the City's requirements as a condition of the permit. The requirements for the chicken facility and run include:
 - a. The chicken facility and run must be in good repair, capable of being maintained in a clean and sanitary condition, free of vermin, obnoxious smells and substances;
 - b. The chicken facility and run shall not constitute a nuisance or disturb neighboring residents due to noise, odor or threats to public health;
 - c. The chicken facility and run shall prevent chickens from roaming at large;
 - d. The run shall be constructed to include metal wire fencing anchored to the ground and a fully-enclosed roof or similar enclosure to prevent escape by chickens and entry by predators and general members of the

- public;
- e. The chicken facility shall be constructed of durable material and the flooring of any chicken facility shall be of a waterproof hard-surfaced non-porous material;
 - f. The chicken facility shall provide not less than three (3) square feet per occupant chicken, and the run shall provide not more than eight (8) square feet per occupant chicken;
 - g. On lots less than one acre in size, the chicken facility shall not exceed an overall height of (8) feet and overall size of (32) square feet; on lots more than one acre in size, the chicken facility shall not exceed an overall height of (10) feet and an overall size of (80) square feet;
 - h. The chicken facility and run shall be located so as to be at least thirty (30) feet from any dwelling, front yard or side yard, street, public sidewalk, public building, park or recreation area; and
 - i. The chicken facility and run shall comply with all applicable city building and zoning codes and must be consistent with the requirements of any land use regulation.
3. Offal, manure and waste material shall not be permitted to accumulate nor be confined in any manner that is conducive to the breeding or attraction of flies, mosquitoes or other noxious insects or in any manner that endangers the public health or safety. All permit applicants must provide a statement of the method in which offal, manure and waste material accumulating from the chickens will be sanitarily disposed of at least once every seven (7) days;
 4. All grain, feed and feedstuffs intended for use as food for chickens shall be kept in tightly-fitted containers constructed to keep out vermin and wild animals; and
 5. The permit application shall be accompanied by adequate evidence, as determined by the City, that the applicant has notified all abutting property owners and residents of the property lines of the property on which the chickens will be located, of the application. The City may consider resident objections in deciding whether to issue a permit under this section.

E. The slaughtering or destruction of chickens within the corporate limits of the City shall be prohibited.

(Am. by Ord. No. 999, 4/19/11)

SECTION 3-304: VIOLATION; PENALTY

Except as otherwise provided herein, any person upon whom a duty is placed by the provisions of this article and who shall fail, neglect, or refuse to perform such duty or who shall violate any of the provisions of this article shall be deemed guilty of a Class II misdemeanor as defined by Section 3-801 of this code. If such violation may be and is disposed of pursuant to a waiver of appearance and plea of "guilty," the fine shall be not more than \$500.00 dollars. Each day that such violation continues shall be deemed a separate offense.



City of Hickman
114 Locust Street, P.O. Box 127
Hickman, NE 68372-0127
Phone 402.792.2212 - Fax 402.792.2210
www.hickman.ne.gov

CHICKEN APPLICATION PERMIT # _____

Initial Permit Permit Renewal Permit Modification

Property Owner: _____ Phone: _____

Address: _____ Zoning District: _____

Proposed Number of Chickens: _____ Property Square Footage: _____

Proposed Coop Cubic Feet: _____ Proposed Run Cubic Feet: _____

City of Hickman residents interested in keeping chickens must complete the following application. A site plan with a drawing or diagram depicting the placement of the chicken coop and run enclosure must accompany the application. Permits must be renewed annually in the month of December with the City of Hickman for a permit commencing on January 1st. Permits expire and become invalid on December 31st of each year. See Hickman Municipal Code Chapter 3 Misdemeanors, Article 4 – Animals Generally, Section 3-403 entitled "POULTRY; CHICKENS; PERMIT REQUIREMENTS; RESTRICTIONS" (Ordinance No. 2020-07). See Section 3-701 and 3-702 for enforcement provisions and penalties associated with non-compliance.

Failure to comply with **ANY** of the items listed below is sufficient reason to deny an application or revoke a permit. Failure to maintain a valid permit will result in a Municipal Code Violation.

INITIAL TO SHOW AGREEMENT TO COMPLY WITH EACH STATEMENT:

_____ Applicant's property is within city limits and currently zoned R-2 Zoning District.

_____ No more than four (4) chickens on an applicant's property of one acre or less. No more than six (6) chickens on property greater than one acre.

_____ Applicant shall not keep roosters on permitted property.

_____ Applicant shall not slaughter any chickens on permitted property.

_____ Applicant provides a chicken facility (Coop) constructed of durable material and flooring shall be waterproof, hard-surface, non-porous material of not less than three (3) cubic feet per occupant chicken. Such Coop shall be constructed, anchored and repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the Coop.

_____ Coop shall be ventilated and in a clean and sanitary condition at all times.

_____ The chicken enclosure (Run) shall be not more than five (5) cubic feet per occupant chicken, fully covered, constructed of metal wire fencing, attached to the Coop and be anchored down.

_____ Chickens are not allowed to free range or otherwise be outside of the Coop and Run.

_____ Coop and Run setbacks are at minimum: five (5) feet from the rear property line, six (6) feet from the side property line and twenty (20) feet from any neighboring residence.

_____ Coop and Run shall not be placed in any utility easement and should give sufficient clearance distances from utility equipment. The large green transformer boxes have a ten feet (10') clearance from the lock side (decal side) and one foot a (1') clearance on the remaining three sides. The smaller pedestal requires a three feet (3') clearance from its lock side and side clearance of one foot (1'). If the Public Works department needs to access the transformer to shut off the power they use a ten foot pole and will remove any Run or Coop panels that are in the way, at the property owner's expense.

_____ Any dead chicks or chicken must be double bagged and placed in the garbage.

_____ Offal, manure and waste material accumulating from the chickens will be sanitarly disposed of at least once every seven (7) days.

_____ All food for immediate consumption shall be placed in a suitable feeding trough or similar container and all other food shall be stored in rat-proof containers at all times.

COMPLIANCE

The City of Hickman, Code Enforcement Officer, Chief Building Inspector, Health Official and/or Deputy Sheriff shall have authority to discern compliance with this Ordinance. These officials also have the authority to direct compliance of this Ordinance with regard to requiring certain facilities or activities by chicken owners to ensure that neighbors are not unreasonably subjected to noise, rodents, predators, or other violations of the provisions of this Ordinance.

By signing this application, I acknowledge the statements initialed by me and agree to adhere to Ordinance No. 2020-07 and I give the City of Hickman, Code Enforcement Officer, Chief Building Inspector, Health Official and/or Deputy Sheriff, the right to enter the property to inspect, observe, test, measure and investigate the enclosure, structure or property in connection with this permit application and any complaint received regarding it.

Applicant Signature: _____ Date: _____

Office Use Only

Permit Number: _____ Date of Approval: _____

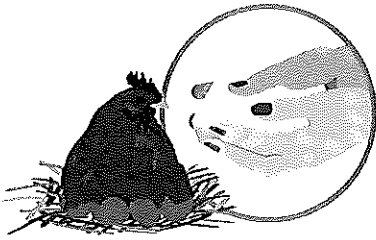
Permit Fee \$ _____ Date Received: _____ Receipt Number: _____

Approval Signature: _____ Date: _____

HEALTHY FAMILIES AND FLOCKS

Live poultry, such as chickens, ducks, geese, and turkeys, often carry harmful germs such as *Salmonella*. While it usually doesn't make the birds sick, *Salmonella* can cause serious illness when it is passed to people.

HANDWASHING PROTECTS YOU FROM GERMS



- Always wash your hands with soap and water right after touching live poultry or anything in the area where they live and roam.
- Adults should supervise handwashing for young children.
- Use hand sanitizer if soap and water are not readily available.

HANDLE BIRDS SAFELY



- Children younger than 5 years, adults older than 65 years, and people with weakened immune systems should not handle or touch chicks, ducklings, or other live poultry.
- Do not bring chicks, ducklings and other live poultry to schools, childcare centers, or nursing homes.
- Do not snuggle or kiss the birds, touch your mouth, or eat or drink around live poultry.

SAFELY CLEAN COOPS

- Clean any equipment used to care for live poultry outside, such as cages or feed or water containers.
- Set aside a pair of shoes to wear while taking care of poultry and keep those shoes outside of the house.



POULTRY BELONG OUTSIDE

- Do not let live poultry inside the house, especially in kitchens.
- Do not let live poultry in areas where food or drink is prepared, served, or stored.



U.S. Department of Health and Human Services
Centers for Disease Control and Prevention

Have a Backyard Flock? Don't Wing it.
Visit www.cdc.gov/features/salmonellapoultry
for more information

ORDINANCE NO. 2020-07

AN ORDINANCE TO AMEND SECTION §3-403; TO REPEAL THE ORIGINAL §3-403 OF THE MUNICIPAL CODE OF HICKMAN, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MEMBERS OF THE GOVERNING BODY OF THE CITY OF HICKMAN, NEBRASKA:

Section 1. Section 3-403, of the Hickman Municipal Code shall be amended to read as follows:

SECTION 3-403: POULTRY; CHICKENS; PERMIT REQUIREMENTS; RESTRICTIONS

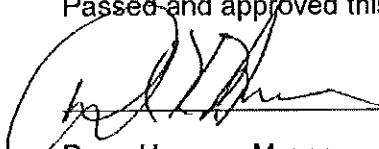
- A. It shall be unlawful for any person to keep or maintain within the corporate limits any turkeys, ducks, geese, or any other poultry not classified as chickens (*Gallus gallus domesticus*).
- B. It shall be unlawful for any person to own, keep, harbor, or have under their care, custody or control any cock or rooster chicken two (2) months of age or older. The unlawful keeping or harboring of cocks or roosters is hereby declared to be a public nuisance.
- C. It shall be unlawful for any person to own, keep, harbor, or have under their care, custody or control any chicken without a valid annual permit issued by the City. The keeping and harboring of chickens shall only be allowed within the R-2 Zoning District. The fee for an annual chicken permit shall be established by the City through the Master Fee Schedule. No permit shall be assignable or transferable either as to permittee, location or chickens.
- D. The requirements for the issuance of a permit by the City to own, keep, harbor, or have custody or control over a chicken are:
 - a. No more than four (4) chickens shall be permitted on any lot of one (1) acre or less. No more than six (6) chickens shall be permitted on any lot of more than one (1) acre.
 - b. The chickens must be housed in a chicken facility and run approved by the City, such chicken facility and run to be maintained in compliance with all of the City's requirements as a condition of the permit. The requirements for the chicken facility and run include:
 - i. The chicken facility and run must be in good repair, capable of being maintained in a clean and sanitary condition, free of vermin, obnoxious smells and substances;
 - ii. The chicken facility and run shall not constitute a nuisance or disturb neighboring residents due to noise, odor or threats to public health;
 - iii. The chicken facility and run shall prevent chickens from roaming at large;
 - iv. The run shall be attached to the coop and constructed to include metal wire fencing anchored to the ground and a fully-enclosed roof or similar enclosure to prevent escape by chickens and entry by predators and general members of the public;
 - v. The chicken facility shall be constructed of durable material and the flooring of any chicken facility within the coop shall be of a waterproof hard-surface non-porous material (chicken run area shall not require hard-surface flooring);
 - vi. The chicken facility shall provide not less than three (3) cubic feet per occupant chicken, and the run shall provide not more than five (5) cubic feet per occupant chicken;

- vii. The chicken facility and run shall not be located in any front yard of a property and must be located so as to be at least five (5) feet from the rear property line, six (6) feet from the side property line and at least 20 feet from any neighboring residence; and,
 - viii. The chicken facility and run shall comply with all applicable City building and zoning codes and must be consistent with the requirements of any land use regulation.
- c. Offal, manure and waste material shall not be permitted to accumulate nor be confined in any manner that is conducive to the breeding or attraction of flies, mosquitoes or other noxious insects or in any manner that endangers the public health or safety. All permit applicants must provide a statement of the method in which offal, manure and waste material accumulating from the chickens will be sanitarly disposed of at least once every seven (7) days;
 - d. All grain, feed and feedstuffs intended for use as food for chickens shall be kept in tightly-fitted containers constructed to keep out vermin and wild animals; and
- E. The slaughtering or destruction of chickens within the corporate limits of the City shall be prohibited.

Section 2. Any other ordinance or section passed and approved prior to passage, approval, and publication of this ordinance and in conflict with its provisions is repealed.

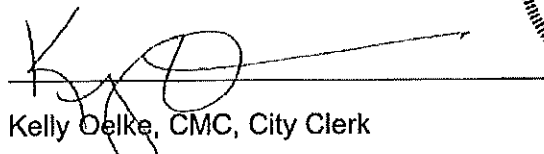
Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting in pamphlet form as required by law.

Passed and approved this 9th day of June, 2020.



Doug Hanson, Mayor

ATTEST:



Kelly Delke, CMC, City Clerk



SEAL

NEBRASKA CITY BACKYARD CHICKENS LICENSE

NE City

LICENSE #: _____
(please leave blank)



DATE: _____

OWNER NAME _____

ADDRESS _____

PHONE NUMBER _____

In Full Payment of City License for Year Ending January 31,

FEE \$ 10.00

CITY CLERK

Sec. 7-8. Keeping of backyard chickens.

The keeping of hens and hen bantams in residential districts on property consisting of a single-family dwelling is allowed, subject to the following:

- (1) Any person who keeps hens or bantams in the City of Nebraska City shall obtain a license from the city prior to acquiring the hens or bantams. Application shall be made to city hall, and the fee for the license shall be ten dollars (\$10.00).
- (2) Licenses are valid for the calendar year and shall expire and become invalid on December 31st at the end of the calendar year after the date of issuance; prorating the fee is not allowed. A person who wishes to continue keeping hens or hen bantams shall have obtained a new license on or before January 1st. Application for a new license shall be pursuant to the administrative procedures and requirements that are applicable at the time the person applies for a new license.
- (3) A person who keeps or houses hens or bantams on his or her property shall comply with all of the following requirements:
 - a. **No more than four (4) hens and/or hen bantams may be kept on any one (1) zoning lot.** Hereinafter "hens" and "hen bantams" will be referenced collectively as "chickens."
 - b. The principal use of the property shall be a single-family dwelling, and the license applicant shall be the owner of the property.
 - c. **No person shall keep any rooster.**
 - d. No person shall slaughter any chickens.
 - e. **The chickens shall be provided with a covered fenced enclosure or coop (hereinafter, "chicken enclosure") and must be kept in the chicken enclosure at all times.** Such chicken enclosure shall contain at least four (4) square feet of floor area per chicken, and the chicken enclosure shall provide at least ten (10) square feet of open area per chicken; no chicken enclosure shall exceed one hundred twenty (120) square feet of floor area or exceed seven (7) feet in height.
 - f. A person shall not keep chickens in any location on the property other than in the chicken enclosure in the rear yard. For purposes of this section "rear yard" means that portion of a lot enclosed by the property's rear lot line and the side lot lines to the points where the side lot lines intersect with an imaginary line established by the rear of the dwelling and extending to the side lot lines.
 - g. No chicken enclosure shall be located closer than ten (10) feet to any property line of an adjacent property.
 - h. No chicken enclosure shall be located closer than forty (40) feet to any residential structure on another person's property.
 - i. All chicken enclosures shall be constructed or repaired to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure.
 - j. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with or infected by rats, mice, or other rodents shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with the food and other associated items.
 - k. **Eggs produced by licensed chickens may be sold by the license holder, subject to compliance with the zoning ordinance of the City of Nebraska City, Nebraska, Section 515 Home occupations and home-based businesses.**
 - l. A person who has been issued a license freely and voluntarily consents to a search and examination of the chicken enclosure in his/her rear yard upon demand by any Police Officer or Code Enforcement Officer.

If any of the above requirements are not complied with, the city may revoke any license granted under this section and/or initiate prosecution of the license holder and/or any other person violating the Code. Violations are misdemeanors punishable by section 1-8 of this Code. (Ord. No. 3022-18, § 2, 1-17-19)

Norfolk



Planning & Development
309 N. 5th Street
Norfolk, NE 68701
P402-844-2280 F402-844-2028
www.norfolkne.gov

BACKYARD CHICKEN & DUCK PERMIT APPLICATION FORM

Please review the Backyard Chicken & Duck Regulations (Sec. 27-295, 4-4, 4-6) prior to completing this form. There is a \$15 fee for this application. If you have questions, please call the Planning and Zoning Department at (402) 844-2280.

DATE _____ NAME _____

STREET ADDRESS _____

CITY/STATE/ZIP CODE _____

PHONE _____ EMAIL _____

NAME & ADDRESS OF OWNER (if tenant applying) _____

OWNER AUTHORIZATION SIGNATURE (if tenant applying) _____

Check all of the below boxes to show applicant has read/understood and submitted information as part of the application, as required:

- All required neighbor consent forms (both for and against) have been submitted
Permit allows for a max. of 4 chickens or ducks or any combination thereof per premise
Permit expires every Dec. 31st, and it is the responsibility of the permit holder to reapply for a permit each year prior to expiration, if they choose to continue having chickens/ducks
A permit holder freely & voluntarily consents to a search & examination of a chicken coop & enclosure on the permittee's property upon demand of any police officer, code official or zoning official
If any of the required code are not complied with, the city may revoke the permit and/or initiate prosecution of the permit holder and/or any other person violating the code
Any chicken or duck found running at large on any public way or upon the property of another may be apprehended
The permit is a personal privilege granted to the applicant at that specific location and is not subject to transfer

SIGNATURE _____

OFFICIAL USE ONLY

DATE RECEIVED _____ APPROVED BY _____

BACKYARD CHICKEN & DUCK NEIGHBOR CONSENT FORM

Permit Applicant Name: _____

Chicken/Duck Permit Address: _____

I (We) the property owner neighbor(s) [not tenant(s)] to above _____

Located at (address) _____

Check box if you are an adjacent neighbor/property owner (property line touches the applicant property line)

Check one box below either giving consent or not giving consent for the applicant to have chickens/ducks in their backyard:

DO consent to the above applicant at the listed specific location address to having a maximum of 4 chickens or ducks or any combination thereof

DO NOT consent to the above applicant at the listed specific location address to having a maximum of 4 chickens or ducks or any combination thereof

Signature of Property Owner Neighbor (not tenant)

Signature of Property Owner Neighbor (not tenant)

Printed Name of Property Owner Neighbor

Printed Name of Property Owner Neighbor

Date

Date

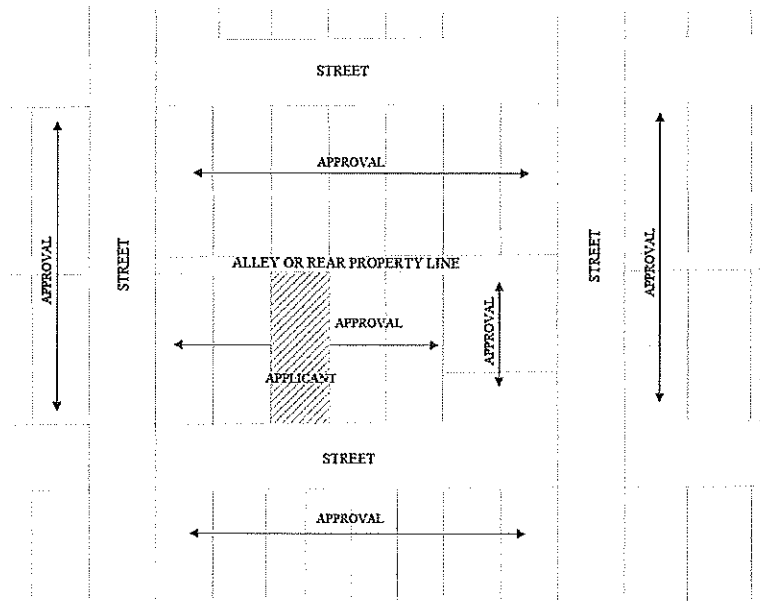
Permit Applicant Return Completed forms to: Norfolk Planning & Develop. Dept.; 309 N 5th Street, Norfolk, NE

Norfolk

Sec. 27-295. Keeping of backyard chickens and ducks.

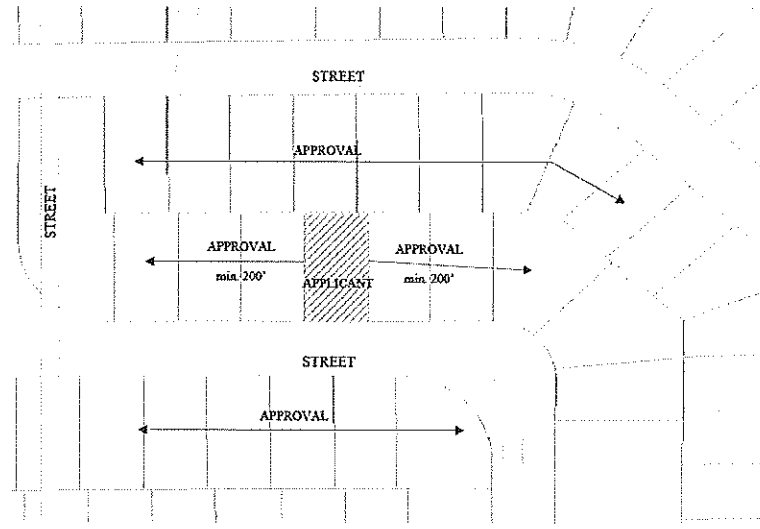
The keeping of hens, bantam hens or ducks in residential districts A, R-R, S-R, R-1, R-2, and R-3, only on property consisting of a detached single-family dwelling use, except when larger numbers permitted in A district or permitted under a conditional use permit, is allowed subject to the following:

- (1) Permit:
 - a. Any person who keeps hens, bantam hens or ducks shall obtain a permit from the city through its Planning and Development Department, prior to acquiring the hens, bantams, or ducks. Application shall be made to the Planning and Development Department office and the fee for the permit shall be as set forth in Section 2-5 of this Code.
 - b. Permits are valid for the calendar year and shall expire and become invalid on December 31 of the calendar year after the date of issuance unless the permit is issued after December 1 in which case the permit will expire on the second December 31 following the date of issuance; prorating the fee is not allowed. A permit holder who wishes to continue keeping hens, bantam hens or ducks shall obtain a new permit on or before January 1 of the upcoming year. Application for a new permit shall be pursuant to the administrative procedures and requirements that are applicable at the time the person applies for a new permit.
 - c. As part of the permit application, the applicant shall collect written approval from a minimum of 75 percent of the property owners, not tenants, within the area described in this section or as otherwise requested by the zoning official if the lot layout does not follow the descriptions in this section. The approval requirements set forth in this section must include approval from all owners of property abutting the applicant's property. The applicant shall use the form, as provided by the city, for the written approvals.
 - d. Areas for property owner approval:
 - (i) An applicant shall provide written approval from those adjacent and near neighboring property owners described as all properties on the block face, on the rear of the block face, on the block face across the street, and on the end face of each block to the sides as the proposed applicant's property; or



- (ii) If the lot layout of the neighborhood is not in a grid block pattern like described and depicted above, the applicant shall provide written approval from those adjacent and near neighboring property owners described as all properties a minimum of 200 feet from the

applicant's property boundaries and directly across the street from and behind those properties 200 feet from the applicant's property boundaries.



- (2) Hereinafter "hens", "bantam hens", and "ducks" will be referenced collectively as "chickens".
- (3) Number and size:
 - a. No more than a total of four (4) chickens (hens, bantam hens, ducks or any combination of such animals) may be kept on any one (1) parcel as an accessory use to the one primary single-family detached structure.
 - b. Each chicken may be up to a maximum of five (5) lbs. in weight.
- (4) Use and ownership:
 - a. The principal use of the property shall be a detached single-family dwelling.
 - b. The permit applicant shall be the owner and resident of the property, or if a rental property then the tenant/lessee shall be the permit applicant with a written consent statement from the property owner.
- (5) Setbacks and placement:
 - a. A person shall not keep chickens in any location on the property other than in a chicken enclosure in the rear yard.
 - b. No chicken enclosure or coop shall be located closer than ten (10) feet to any property line of an adjacent property.
 - c. No chicken enclosure or coop shall be located closer than forty (40) feet to any residential structure on another person's property.
 - d. No chicken coop shall be located closer than ten (10) feet to any other structure on the permitted lot for fire safety purposes.
- (6) Coops and enclosures:
 - a. Chickens shall be provided with a covered, fenced, predator-proof coop and/or enclosure that is well-ventilated and designed to be easily accessed for cleaning.
 - b. Chickens must be kept in a chicken enclosure at all times.

- c. Chickens shall have access to an outdoor enclosure that is adequately fenced to contain the chickens on the property and to prevent predators from access to the chickens.
 - d. Chicken coops shall contain at least four (4) square feet of floor area per chicken.
 - e. Chicken enclosures shall provide at least ten (10) square feet of open area per chicken.
 - f. No chicken coop and enclosure combined shall exceed ninety (90) square feet of floor area or exceed seven (7) feet in height.
 - g. All chicken coops and enclosures shall be constructed and/or repaired to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the coop/enclosure.
 - h. All electrical installations shall meet or exceed the applicable National Electrical Code requirements. No temporary wiring (i.e. extension cords, etc.) shall be permitted.
- (7) Sanitation:
- a. Coops and enclosures must be kept in a sanitary condition and free from offensive odors to neighboring properties and prevent conditions that are unsanitary or unsafe. Coops and enclosures must be cleaned on a regular basis to prevent the accumulation of waste.
 - b. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with or infected by rats, mice, or other rodents shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with the food and other associated items.
- (8) Roosters and crowing hens:
- a. No person shall keep roosters or any hens which have developed the rooster-like quality of crowing or making crowing-like sounds
- (9) Slaughtering:
- a. There shall be no slaughtering of chickens outdoors or where the process can be seen by neighbors or the general public.
- (10) Running at large:
- a. Any chicken, permitted under this section, shall not be running at large on any of the public ways or upon the property of another.
 - b. When a chicken is caught running at large, it shall be addressed pursuant to Sec. 4-6 of this Code.
- (11) Search, Examination, Revocation:
- a. A person who has been issued a permit shall freely and voluntarily consent to a search and examination of a chicken coop and enclosure on the permittee's property upon demand by any police officer, code official or zoning official
 - b. If any of the requirements contained in this section are not complied with, the city may revoke any permit granted under this section and/or initiate prosecution of the permit holder and/or any other person violating this Code.
- (12) Permit Nontransferable:
- a. Any permit issued under this section shall be a personal privilege granted to the Applicant at the specific location named therein and shall not be subject to transfer. In the event a new tenant leases property for which a permit was previously issued to a prior tenant, the new

Norfolk

tenant is required to obtain his/her/their own permit in order to keep chickens on the leased property.

Source: Ord. No. 4099, § 4, 7-17-95; Ord. No. 4603, § 1, 9-16-02; Ord. No. 5059, § 2, 4-20-09; Ord. No. 5563, §70, 8-20-18; Ord. No. 5799, §13, 9-6-22; Ord. No. 5825, §3, 4-3-23;

Chapter 213. Animals

Article III. Exotic Animals; Animal Control

§ 213-3.2. Permit required for certain animals; venomous snakes prohibited; notice requirements.

- A. It shall be unlawful for any person to keep, own or harbor any fowl, livestock, hoofed, exotic or wild animal within the City limits of the City of Seward unless a permit has been obtained. This section shall not apply to educational institutions, exhibitions sponsored by the Seward County Agricultural Society or veterinary clinics.
- B. Permits authorizing the keeping of fowl, livestock, hoofed, exotic or wild animals within the City limits shall be issued by the City Administrator in his sound discretion, with right of appeal to the City Council. The following criteria shall be considered by the City Administrator when issuing such permits:
- (1) The applicant must comply with all City, state and federal statutes regarding the animal in question.
 - (2) The applicant must provide proof that there are no objections from property owners or residents living within 75 feet in all directions from the property lines of the applicant.
[Amended 5-15-2018 by Ord. No. 2018-13]
 - (3) The applicant must provide a description of the type of enclosure for confinement of the animal, and the same must be suitable for the type of animal and approved by the City Administrator.
 - (4) The applicant, after issuance of the permit, must continue to comply with all City, state and federal statutes or the permit can be revoked by the City Administrator, subject to right of appeal to the City Council.
 - (5) The applicant must provide a certificate from a licensed veterinarian verifying that the animal has no health problems that could adversely affect the health, safety and welfare of the citizens of the City of Seward.
- C. No household or residence shall have more than three animals requiring a permit. This subsection shall not apply to chickens or small caged birds or aquatic or amphibious animals kept solely as pets.
[Amended 5-15-2018 by Ord. No. 2018-13]
- D. A person who keeps or houses chickens on his or her property shall comply with all of the following requirements:
[Amended 5-15-2018 by Ord. No. 2018-13^[1]]
- (1) No more than 10 chickens may be kept on any one lot. Any chickens under the age of 30 days are excluded from this number.
 - (2) The principal use of the property shall be a single-family dwelling.

- (3) No person shall keep any rooster.
 - (4) No person shall slaughter any chickens within the City limits.
 - (5) The chickens shall be provided with a covered enclosure. Such covered enclosure (or coop) shall contain at least four square feet of floor area per hen, and the fenced enclosure shall provide at least 10 square feet of open area per hen. No covered enclosure shall exceed 120 square feet of floor area.
 - (6) A person shall not keep chickens in any location on the property other than in the rear yard. For purposes of this section, "rear yard" means that portion of a lot enclosed by the property's rear lot line and the side lot lines to the points where the side lot lines intersect with an imaginary line established by the rear of the dwelling and extending to the side lot lines.
 - (7) No covered enclosure or fenced enclosure shall be located closer than 10 feet to any property line of an adjacent property.
 - (8) All enclosures for the keeping of chickens shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure. A covered enclosure or fenced enclosure shall not be located closer than 40 feet to any residential structure on another person's property.
 - (9) All feed and other items associated with the keeping of chickens that are likely to attract or become infested with or infected by rats, mice, or other rodents shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them.
 - (10) All chickens and other items associated with the keeping of chickens must be kept in a clean and sanitary condition so as not to give off offensive odors which are a source of discomfort to persons residing in the vicinity thereof.
 - (11) The owner of any chickens shall not allow offal, manure, or waste material of such animal to accumulate or remain in the coop, enclosures, and shelter areas in which such animal or chickens reside or are confined in any manner which is conducive to the breeding or attraction of flies, mosquitoes, or other noxious insects or in any manner which endangers the public health or safety or which creates an unhealthy environment.
 - (12) The owner of any chickens shall, in a sanitary manner, remove or dispose of all offal, manure, and waste material accumulating from such chickens at least once every seven days.
 - (13) No person keeping or harboring any chickens shall permit such chickens to go loose or run at large. In the event that any chicken found running at large is creating a hazard to the safety of others or another person's property, such chicken shall be destroyed if it cannot be confined or captured. The City shall not be required to give notice to the owner of the chicken prior to its destruction.
 - (14) The maintenance or permitting of any of the foregoing conditions on any such lot or parcel of ground is hereby declared to be a public nuisance.
 - (15) Eggs produced by permitted chickens may be sold by the permit holder.
- [1] *Editor's Note: This ordinance also provided for the redesignation of former Subsections D and E as Subsections E and F, respectively.*

- E. No venomous snakes shall be permitted in the City of Seward.
- F. Upon issuance of a permit authorized under this section, the permit holder shall immediately post a notice provided by the City which states "Animal(s) Requiring City Permit Located on the Premises." Such notice shall be displayed in a conspicuous location visible to the public at the front entrance of the house.

§ 92.07 KEEPING OF CHICKENS; LICENSE REQUIREMENTS; RESTRICTIONS.

(A) It shall be unlawful for any person to own, keep or maintain within the corporate limits of the city any chicken without a valid license issued by the city pursuant to the following regulations:

- (1) Application shall be made to the City Clerk and shall be on a form furnished by the city;
- (2) The fee for such license shall be established by the city;
- (3) No license shall be assignable or transferable either as to licensee or location; and

(4) A license issued pursuant to this section may be administratively revoked for the violation by the licensee of any provision of this section or any other applicable provision of this code, state law or city ordinance, rule or regulation as determined by the City Police Department or the City Building Inspector.

(B) The requirements for the issuance of a license by the city to own, keep, harbor or have custody or control over chickens are as follows.

- (1) Chickens shall not be permitted on any multi-family lot.
- (2) No more than six chickens shall be permitted on any single-family lot.

(3) The chickens must be housed in a chicken facility maintained in compliance with all of the city's requirements as a condition of the license. The requirements for the chicken facility include:

- (a) Must be in good repair, capable of being maintained in a clean and sanitary condition, free of vermin, obnoxious smells and substances;
- (b) Shall not constitute a nuisance or disturb neighboring residents due to noise, odor or threats to public health;
- (c) Shall prevent chickens from roaming at large and prevent entry by predators and members of the general public;
- (d) Shall only be located in the rear yard of a lot, not in the front or side yards of a lot; and
- (e) Shall be located so as to be at least 30 feet from any dwelling, street, public sidewalk, public building and park or recreational area; provided, however, that the chicken facility may be located within 30 feet of an alley.

(C) It shall be unlawful for any person to permit or allow any chicken to run or fly at large within the corporate limits of the city.

(D) It shall be unlawful for any person to own, keep, harbor or have under his, her or its care, custody or control any cock or rooster chicken. The unlawful keeping or harboring of cocks or roosters is hereby declared to be a public nuisance.

(E) Offal, manure and waste material shall not be permitted to accumulate nor be confined in any manner that is conducive to the breeding or attraction of flies, mosquitoes or other noxious insects or in any manner that endangers the public health or safety.

(F) The slaughtering or destruction of chickens within the corporate limits of the city shall be prohibited.

(Prior Code, § 2-506) (Ord. 739, passed 1-12-2021) Penalty, see § 92.99



CITY OF WAVERLY

14130 LANCASHIRE STREET, P.O. BOX 427
WAVERLY, NEBRASKA

CHICKEN PERMIT APPLICATION

LICENSE GOOD ONLY FOR CALENDAR YEAR IN WHICH ISSUED

THIS COPY SIGNED AND DATED BY THE CITY OF WAVERLY CONSTITUTES ISSUANCE OF A PERMIT PURSUANT TO THE PROVISIONS OF SECTION 94-11 OF THE WAVERLY MUNICIPAL CODE. SUCH PERMIT SHALL BE DISPLAYED AT PERMITTEE'S PLACE OF RESIDENCE.

DATE \$50.00 RECEIVED _____

NAME, ADDRESS AND PHONE NUMBER OF THE APPLICANT _____

LOCATION OF THE PREMISES FOR WHICH THE PERMIT IS SOUGHT INCLUDING LEGAL DESCRIPTION IF TEMPORARY STRUCTURE OR FACILITY _____

NUMBER OF CHICKENS TO BE KEPT AT THIS RESIDENCE: _____ IS LOT SIZE ONE ACRE OR LESS? _____

YES NO

_____ WILL THE CHICKEN FACILITY AND RUN BE KEPT IN GOOD REPAIR, CAPABLE OF BEING MAINTAINED IN A CLEAN AND SANITARY CONDITION, FREE OF VERMIN, OBNOXIOUS SMELLS, AND SUBSTANCES?

_____ WILL THE CHICKEN FACILITY AND RUN CONSTITUTE A NUISANCE OR DISTURB NEIGHBORING RESIDENTS DUE TO NOISE, ODOR OR THREATS TO PUBLIC HEALTH?

_____ WILL THE CHICKEN FACILITY AND RUN PREVENT CHICKENS FROM ROAMING AT LARGE?

_____ WILL THE RUN BE CONSTRUCTED OF METAL WIRE FENCING ANCHORED TO THE GROUND WITH A FULL-ENCLOSED ROOF OR SIMILAR ENCLOSURE TO PREVENT ESCAPE BY CHICKENS AND ENTRY BY PREDATORS AND GENERAL MEMBERS OF THE PUBLIC?

_____ WILL THE CHICKEN FACILITY BE CONSTRUCTED OF DURABLE MATERIAL WITH A WATERPROOF HARD-SURFACE NON-POROUS MATERIAL FLOORING?

_____ WILL THE CHICKEN FACILITY PROVIDE AT LEAST THREE (3) CUBIC FEET PER OCCUPANT CHICKEN?

_____ WILL THE RUN BE LESS THAN OR EQUAL TO FIVE (5) CUBIC FEET PER OCCUPANT CHICKEN?

_____ WILL THE CHICKEN FACILITY AND RUN BE AT LEAST THIRTY (30) FEET FROM ANY DWELLING, SIDEWALK, STREET, ALLEY, ROAD, PUBLIC BUILDING, PARK OR RECREATION AREA?

_____ WILL THE CHICKEN FACILITY AND RUN COMPLY WITH ALL APPLICABLE CITY BUILDING AND ZONING CODES?

Waverly

§ 94.11 CHICKENS; PERMIT REQUIREMENTS; RESTRICTIONS.

- A. It shall be unlawful for any person to permit or allow any chicken to run or fly at large within the corporate limits of the City.
- B. It shall be unlawful for any person to own, keep, harbor, or have under his or its care, custody or control any cock or rooster chicken two (2) months of age or older. The unlawful keeping or harboring of cocks or roosters is hereby declared to be a public nuisance.
- C. It shall be unlawful for any person to own, keep, harbor, or have under his or its care, custody or control any chicken without a valid annual permit issued by the City. The fee for an annual chicken permit shall be established by the City. No permit shall be assignable or transferable either as to permittee, location or chickens.
- D. The requirements for the issuance of a permit by the City to own, keep, harbor, or have custody or control over a chicken are:
 - a. No more than three (3) chickens shall be permitted on any lot of one (1) acre or less. No more than four (4) chickens shall be permitted on any lot of more than one (1) acre.
 - b. The chickens must be housed in a chicken facility and run approved by the City, such chicken facility and run to be maintained in compliance with all of the City's requirements as a condition of the permit. The requirements for the chicken facility and run include:
 - i. The chicken facility and run must be in good repair, capable of being maintained in a clean and sanitary condition, free of vermin, obnoxious smells and substances;
 - ii. The chicken facility and run shall not constitute a nuisance or disturb neighboring residents due to noise, odor or threats to public health;
 - iii. The chicken facility and run shall prevent chickens from roaming at large;
 - iv. The run shall be constructed to include metal wire fencing anchored to the ground and a fully enclosed roof or similar enclosure to prevent escape by chickens and entry by predators and general members of the public;
 - v. The chicken facility shall be constructed of durable material and the flooring of any chicken facility shall be of a waterproof hard-surface non-porous material;
 - vi. The chicken facility shall provide not less than three (3) cubic feet per occupant chicken, and the run shall provide not more than five (5) cubic feet per occupant chicken;
 - vii. The chicken facility and run shall be located so as to be at least thirty (30) feet from any dwelling, sidewalk, street, alley, road, public building, park or recreation area; and
 - viii. The chicken facility and run shall comply with all applicable City building and zoning codes and must be consistent with the requirements of any land use regulation.
 - c. Offal, manure and waste material shall not be permitted to accumulate nor be confined in any manner that is conducive to the breeding or attraction of flies, mosquitoes or other noxious insects or in any manner that endangers the public health or safety. All permit applicants must provide a statement of the method

- in which offal, manure and waste material accumulating from the chickens will be sanitarly disposed of at least once every seven (7) days;
- d. All grain, feed and feedstuffs intended for use as food for chickens shall be kept in tightly-fitted containers constructed to keep out vermin and wild animals; and
 - e. The permit application shall be accompanied by adequate evidence, as determined by the City, that the applicant has notified all property owners and residents within 150 feet of the property lines of the property on which the chickens will be located, of the application. The City may consider resident objections in deciding whether to issue a permit under this Section.
- E. The slaughtering or destruction of chickens within the corporate limits of the City shall be prohibited. *(Amended by Ord. 10-1, 3/15/10)*

§ 94.12 PENALTY FOR VIOLATION.

Except as otherwise provided in herein, any person upon whom a duty is placed by the provisions of this Article and who shall fail, neglect, or refuse to perform such duty, or who shall violate any of the provisions of this Article, shall be deemed guilty of a Class II Misdemeanor as defined by section 131.22 of this Code. If such violation may be and is disposed of pursuant to a Waiver of Appearance and Plea of Guilty, the fine shall be fifty dollars (\$50.00). Each day such violation continues shall be deemed a separate offense. *(Amended by Ord. 07-05, 5/7/07; Ord. 10-1, 3/15/10)*

SUMMARY DOCUMENT – CHICKENS

Currently the City of Wahoo regulations regarding chickens essentially defines chickens as an agricultural animal vs. a pet. Zoning regulations do not specifically list chickens but do use “poultry” as a general term as well as “fowl” in the calculation of the number of animals that can be placed on property that qualifies. In Wahoo Zoning regulations, the only location for agricultural animals, other than a commercial kennel, is on property zoned as large lot residential or agricultural. Zoning furthermore defines “Household Pet” as an animal which is “customarily kept for personal use or enjoyment within a home”. It does not specifically list what animals that may include.

In the Municipal Code, chickens are included in the definition of livestock, which is under the section pertaining to prohibited animals. Therefore, by definition a chicken is a prohibited animal. Furthermore, in Section 96.03 a Household Pet “*shall mean dogs, cats, birds, guinea pigs, hamsters, mice, snakes, iguana, and turtles.*” It also states that Household Pet shall also include any “*domesticated animal that a person owns or that is sold or offered for sale generally for the purpose of being kept indoors as household pets, except as described as a prohibited animal”.* Since chickens are specifically listed as livestock and therefore prohibited, even a domesticated chicken is prohibited.

Therefore, the general overall decision to be made is whether a chicken is an agricultural animal and thus not a household animal. Or is a chicken a household animal and should then be considered a pet.

WAHOO ZONING REGULATIONS SECTIONS PERTAINING TO CHICKEN DISCUSSIONS

Mentions of “poultry” in Wahoo Zoning Regulations:

2.03.23 AGRICULTURAL AND FARM BUILDINGS AND STRUCTURES shall mean any building or structure which is necessary or incidental to the normal conduct of a farm including but not limited to residence of the operator, residence of hired men, barns, buildings and sheds for housing livestock, poultry and farm machinery, buildings for the storage or shelter of grain, hay and other crops, silos, windmills and water storage tanks.

2.03.24 AGRICULTURE shall mean the growing of field crops, fruit, vegetables, nursery stock and other feed grains, truck gardening; forest and forest products; horticulture; raising and grazing of livestock and poultry; animal husbandry; dairy farms; animal kennels; furbearing animals; processing and selling of products produced on the premises, not including, confined feeding of livestock, or packing and rendering plants.

2.03.120 CONFINEMENT shall mean totally roofed buildings, which may be open-sided (for ventilation purposes only) or completely enclosed on the sides,, wherein animals or poultry are housed over solid concrete or dirt floors, or slatted (partially open) floors over pits or manure collection areas in pens, stalls, cages, or alleys, with or without bedding materials and mechanical

ventilation. The word "confinement" shall not mean the temporary confined feeding of livestock during seasonal adverse weather. Also see "Feedlot, Commercial".

2.03.182 FARM an area containing at least 20 acres or more and produces \$1,000.00 or more per year in agricultural products and which is used for growing of the usual farm products such as vegetables, fruit, and grain, and the storage on the area, as well as for the raising thereon of the usual farm **poultry** and farm animals. The term farming includes the operating of such area for one or more of the above uses with the necessary accessory uses for treating or storing the produce and the feeding of livestock as hereinafter prescribed provided such accessory uses do not include the feeding of garbage or offal to swine or other animals.

2.03.302 OPEN LOTS shall mean pens or similar concentrated areas, including small shed-type areas or openfront buildings, with dirt, or concrete (or paved or hard) surfaces, wherein animals or **poultry** are substantially or entirely exposed to the outside environment except for possible small portions affording some protection by windbreaks or small shed-type areas.

Section 5.05 TA – Transitional Agricultural District 5.05.01 Intent: The Transitional Agricultural District is established for the purpose of preserving agricultural resources that are compatible with adjacent urban growth. It is not intended for commercial feedlot operations for livestock or **poultry**. Because the areas are not in the identified growth areas for the community, the district is designed to limit urban sprawl. Permitted and conditional uses in this district located within the Transportation Corridor Overlay District must adhere to Design Standards.

Mentions of "pet" in Wahoo Zoning Regulations:

ANIMALS, DOMESTIC see "Household **Pet**".

DOMESTIC ANIMALS see "Household **Pet**".

HOUSEHOLD **PET** shall mean an animal which is customarily kept for personal use or enjoyment within a home.

KENNEL, BOARDING AND TRAINING shall mean any lot or premises on which more than eight household **pets**, at least six months of age, are boarded, bred, or trained for a fee. This is further referenced as an Animal Shelter within Section 96.04 of the Municipal Code.

KENNEL, COMMERCIAL shall mean an establishment where more than eight household **pets** at least six months of age are groomed, bred, boarded, trained, or sold as a business. This is further referenced as an Animal Shelter within Section 96.04 of the Municipal Code.

Mentions of "fowl" in Wahoo Zoning Regulations:

ANIMAL UNIT (A.U.) are defined as follows: One (1) A.U.= One (1) Cow/Calf combination One (1) A.U.= One (1) Slaughter, Feeder Cattle; One (1) A.U.= One (1) Horses or Donkeys; One (1) A.U.= One (1) Mature Dairy Cattle; One (1) A.U.= One (1) Swine, Weaned Pigs, Sows with litters; One (1) A.U.= Five (5) Sheep; One (1) A.U.= Five (5) Goats; One (1) A.U.= Ten (10) Laying Hens or Broilers, or other

fowl; One (1) A.U.= Ten (10) Turkeys; One (1) A.U.= Ten (10) Domesticated Ducks and/or Geese. One (1) A.U.= One(1) Exotic Animals (Llama, Ostrich, Emu)

No mention of “chicken” in Wahoo Zoning Regulations

WAHOO MUNICIPAL CODE SECTIONS PERTAINING TO CHICKEN DISCUSSIONS

CHAPTER 96: ANIMALS

General Provisions

- 96.01 Owner defined
- 96.02 Prohibited animals
- 96.03 Household pets limited
- 96.04 Animal shelter
- 96.05 License for dogs and cats
- 96.06 License tags for dogs and cats
- 96.07 Wrongful licensing of dogs and cats
- 96.08 Running at large
- 96.09 Capture impossible
- 96.10 Liability of owner
- 96.11 Impounding
- 96.12 Impoundment and disposal of abandoned, cruelly neglected or mistreated animals
- 96.13 Citation for abandoned, cruelly neglected or mistreated animals
- 96.14 Rabies suspected; impoundment
- 96.15 Animal noise
- 96.16 Service animal
- 96.17 Offensive odors
- 96.18 Sanitary regulations
- 96.19 Irresponsible animal owner
- 96.99 Penalty

GENERAL PROVISIONS

§ 96.01 OWNER DEFINED.

Any person who shall keep, maintain, harbor or permit any animal to be for ten days or more in or about his or her house, store, or enclosure, or to remain to be fed, shall be deemed the owner and possessor of such animal and shall be deemed to be liable for all penalties herein prescribed. (Neb. RS 54-606, 71-4401) ('72 Code, § 6-104) (Am. Ord. 2305, passed 4-11-2019)

§ 96.02 PROHIBITED ANIMALS.

(A) Defined. Prohibited animals shall include all exotic, livestock, unusual and wild animals as more thoroughly described below:

(1) EXOTIC ANIMAL shall mean any animal that is native to a foreign country or of foreign origin or character, is not native to the United States or was introduced from abroad except domestic pets. This term specifically includes animals such as, but not limited to, elephants, camels, antelope, anteaters, kangaroo and water buffalo.

(2) LIVESTOCK shall mean swine, cattle, horses, mules, sheep, chickens, roosters, fowl, goats, llamas, or any other animal which is normally and historically kept and raised on farms in the United States and used or intended for use as food, fiber, or farm work except household pets. Provided, however, that livestock shall be permissible in areas where livestock animal units are permissible under the City of Wahoo's zoning regulations.

(3) UNUSUAL ANIMAL shall mean any exotic, wild, poisonous, or potentially dangerous animal not normally considered domesticated and shall include animals prohibited by the City of Wahoo, State of Nebraska, or federal requirements, and also:

(a) Class mammalia; order carnivora, family felidae (such as lions, tigers, jaguars, leopards, and cougars) and hybrids of the same except commonly accepted domesticated cats; family canidae (such as wolves, coyotes, and fox) and hybrids of the same except domesticated dogs; family mustelidae (such as weasels, martins, fishers, skunks, wolverines, mink, and badgers) except ferrets; family procyonidae (such as raccoon); family ursidae (such as bears); and order chiroptera (such as bats).

(b) Class reptilia;

1. All poisonous or venomous snakes, lizards, amphibians and other reptiles and shall include but not be limited to: cobras and their allies (elapidae, hydrophidae); vipers and their allies (crotalidae, viperidae); boomslang and kirtland's tree snake (clonophis); and gila monster (helodermatidae);

2. Order loricata (such as alligators, caymans, and crocodiles);

3. Green anaconda (eunectes murinus), Indian python (molurus molurus), reticulated python (python reticulatus), and African rock python (python sebae).

(4) WILD ANIMAL shall mean any animal within the boundaries of the United States which is now or historically has been found in the wild, or is in the wild state wherein it is living in its original, natural condition and is not domesticated.

(B) Own, keep or harbor prohibited animal. It shall be unlawful for any person or persons to own, keep, or harbor any prohibited animal within the corporate limits of the City of Wahoo. This section shall not apply to:

(1) A public zoo, circus, or carnival that maintains all legally required permits under applicable state or federal law, including applicable rules and regulations of the Nebraska Game and Parks Commission and federal wildlife agencies; or

(2) An animal shelter.

(C) Sell, give away, transfer or import prohibited animal. It shall be unlawful for any person to sell, give away, transfer, or import into the city any prohibited animal except for a public zoo doing business with another zoo.

(D) Impoundment. In the event that the city determines a prohibited animal is being owned, kept, or harbored by any person in violation of this title, the city may impound the animal, or order the owner to remove such animal from the city limits or to destroy it. If the city orders the owners to remove the prohibited animal, the city shall deliver a copy of the order in person or by certified mail. If the owner fails to remove such prohibited animal after the expiration of eleven days from receipt of notice, the city is hereby authorized to confiscate such animal and dispose of it in accordance with this title.

(E) Owner's cost. Any person or persons violating this section shall bear full cost and expenses incurred by the city in the recovery, care, medical treatment, boarding costs, impoundment cost, and disposal of said animals, including removal from a motor vehicle or trailer.

(Ord. 2305, passed 4-11-2019) Penalty, see § 96.99

§ 96.03 HOUSEHOLD PETS LIMITED.

It shall be unlawful for any person to keep, maintain or harbor, within the corporate limits and the zoning jurisdiction of the municipality more than three of any single species of animal, or a combination of household pets exceeding eight, which are at least six months of age, unless specifically permitted by zoning regulation. A HOUSEHOLD PET shall mean dogs, cats, birds, guinea pigs, hamsters, mice, snakes, iguana, and turtles. HOUSEHOLD PET shall also include any domesticated animal that a person owns or that is sold or offered for sale generally for the purpose of being kept indoors as household pets, except as described as a prohibited animal. A DOMESTICATED ANIMAL shall mean a tame animal that is subject to the dominion and control of an owner and accustomed to living in or near human habitation without requiring extraordinary restraint or unreasonably disturbing such human habitation. (Ord. 2305, passed 4-11-2019) Penalty, see § 96.99

§ 96.04 ANIMAL SHELTER.

ANIMAL SHELTER shall mean any organization, whether privately held or governmentally run, for the purpose holding stray, lost, abandoned, surrendered animals or for providing temporary kenneling and finding permanent adoptive homes for animals. (Neb. RS 17-548) ('72 Code, § 6-110) (Am. Ord. 2305, passed 4-11-2019)

§ 96.05 LICENSE FOR DOGS AND CATS.

(A) Any person who shall own, keep, or harbor a dog or cat over the age of six months within the city shall within 30 days after acquisition of the dog or cat acquire a license for each such dog or cat annually by or before May 1 of each year. The tax shall be delinquent from and after May 31, and an additional delinquency fee as established by city resolution shall thereafter be assessed in addition to the annual license fee; provided, the possessor of any dog or cat brought into or harbored within the corporate limits subsequent to May 1 of any year shall be liable for the payment of the dog or cat tax levied herein. The city may impose a higher licensing tax for animals which have not been either spayed or neutered at the time of licensing. Licenses shall be issued after vaccination verification by the City Clerk upon the payment of a license fee as established by city resolution for each dog or cat. The license shall not be transferable, and no refund will be allowed in case of death, sale, or other disposition of the licensed dog or cat.

(B) The owner shall state at the time the application is made and upon printed forms provided for such purpose his or her name and address and the name, breed, color, and sex of each dog or cat owned and kept by the owner. A certificate that the dog or cat has had a rabies shot and distemper/parvo vaccinations effective for the ensuing year of the license, shall also be presented when the license is applied for. No license or tag shall be issued until the aforementioned certificates are shown.

('72 Code, § 6-101) (Am. Ord. 1242, passed 7-25-85; Am. Ord. 1346, passed 7-5-90; Am. Ord. 2305, passed 4-11-2019) Penalty, see § 96.99

Statutory reference:

Authority, see Neb. RS 17-526 and 54-603

§ 96.06 LICENSE TAGS FOR DOGS AND CATS.

(A) Upon the payment of the license fee, the person designated by the licensing authority shall issue to the owner of a dog or cat a license certificate and a metallic tag for each dog or cat so licensed. The metallic tags shall be properly attached to the collar or harness of all dogs or cats so

licensed and shall entitle the owner to keep or harbor the said animal until April 30 following such licensing.

(B) Dogs and cats must wear identification tags or collars at all times when off the premises of the owner. In the absence of a tag, the animal shall be regarded as a stray whenever off its owner's property.

(C) In the event that a license tag is lost and upon satisfactory evidence that the original plate or tag was issued in accordance with the provisions herein, the person designated by the licensing authority shall issue a duplicate or new tag for the balance of the year for which the license tax has been paid and shall charge and collect a fee set by resolution of the City Council for each duplicate or new tag so issued. All license fees and collections shall be immediately credited to the General Fund. It shall be the duty of the person designated by the licensing authority to issue tags of a suitable design that are different in appearance each year.

('72 Code, § 6-102) (Am. Ord. 2305, passed 4-11-2019)

Statutory reference:

Authority, see Neb. RS 17-526 and 54-603

§ 96.07 WRONGFUL LICENSING OF DOGS AND CATS.

It shall be unlawful for the owner, keeper, or harbinger of any dog or cat to permit or allow such dog or cat to wear any license, metallic tag, or other city identification than that issued by the City Clerk for dogs and cats.

(Neb. RS 17-526, 54-603) ('72 Code, § 6-103) (Am. Ord. 2305, passed 4-11-2019) Penalty, see § 96.99

§ 96.08 RUNNING AT LARGE.

It shall be unlawful for the owner of any animal (regardless of species) to allow such animal to run at large at any time within the corporate limits of the city. It shall be the duty of the city police to cause any animal found to be running at large within the city to be taken up and impounded.

RUNNING AT LARGE shall mean any animal found off the premises of the owner, and not under control of the owner or a responsible person, either by leash, cord, chain, wire, rope, cage, or other suitable means of physical restraint.

('72 Code, § 6-105) (Am. Ord. 1066, passed 3-11-76; Am. Ord. 2305, passed 4-11-2019) Penalty, see § 96.99

Statutory reference:

Authority, see Neb. RS 17-526

Dog collars required, see Neb. RS 54-605

§ 96.09 CAPTURE IMPOSSIBLE.

The city police shall have the authority to kill any animals showing vicious tendencies, or characteristics of rabies which make capture impossible because of the danger involved.

(Neb. RS 54-605) ('72 Code, § 6-106) (Am. Ord. 2305, passed 4-11-2019)

§ 96.10 LIABILITY OF OWNER.

It shall be unlawful for any person to allow an animal owned, kept, or harbored by the owner, or under his or her charge or control, to injure or destroy any real or personal property of any description belonging to another person. The owner or possessor of any such animal, in addition to the usual judgment upon conviction, may be made to be liable to the persons so injured in an amount equal to the value of the damage so sustained.

('72 Code, § 6-108) (Am. Ord. 2305, passed 4-11-2019) Penalty, see § 96.99

Statutory reference:

Statutory liability, see Neb. RS 54-601

Joint liability, see Neb. RS 54-602

§ 96.11 IMPOUNDING.

(A) It shall be the duty of the person designated by the licensing authority to capture, secure, and remove in a humane manner to any animal shelter or veterinarian any animal violating any of the provisions of this subchapter. Stray animals that are roaming at large, remaining on private property without consent of the owner or tenant, or remaining on or frequenting public property, are deemed to be the property of the city. If the stray animal cannot be captured by conventional means, every police or humane officer is authorized to use any means necessary to remove the animal. The animals so impounded shall be treated in a humane manner and shall be provided with a sufficient supply of food and fresh water each day. Each impounded animal shall be kept and maintained at the pound for a period of not less than five days unless reclaimed earlier by the owner. The day on which the animal was impounded shall count as one day and any part of any day during which the animal is impounded shall also count as a full day. Before an animal is released from impoundment, the items listed in division (B) below shall be met. Any unclaimed impounded animal, after being kept for no more than five days, will become the property of the city or of the Animal Shelter and shall be placed for adoption in a suitable home or humanely destroyed.

(B) Before releasing an animal from impoundment, except an impoundment due to rabies or suspect of rabies, the following items must be met:

(1) The animal must be current regarding its rabies vaccination and distemper/parvo vaccination. If the animal is not current regarding said vaccinations it shall be given the vaccinations at the owner's expense.

(2) If the animal is a dog or cat then it shall have a current license of the city as stated in §§ 96.05 and 96.06.

(3) The owner shall pay the animal shelter's or veterinarian's daily boarding fee.

(4) The owner shall pay to the city a general impoundment fee as set forth by resolution.

(5) The owner shall pay to the city a restitution fee as set forth by resolution to reimburse the cost of employing a humane officer, if so employed, at the time of impoundment.

('72 Code, § 6-109) (Am. Ord. 1804, passed 5-23-02; Am. Ord. 2305, passed 4-11-2019)

Statutory reference:

Pounds authorized, see Neb. RS 17-548

Pounds created by rabies control authorities, see Neb. RS 71-4408

§ 96.12 IMPOUNDMENT AND DISPOSAL OF ABANDONED, CRUELLY NEGLECTED OR MISTREATED ANIMALS.

(A) Any animal found abandoned, cruelly neglected or mistreated or in such a condition as to constitute a direct threat to its life, safety or health may be impounded if seized pursuant to a search warrant or validly seized without a warrant. When a criminal complaint has been filed in connection with the impounded animal, that court shall have exclusive jurisdiction for the disposition of the animal and to determine any rights therein, including questions relating to the title, possession, control, and disposition of the animal. Within seven days after the animal has been impounded, either the City Attorney or the Saunders County Attorney shall file an application with the court for a hearing to determine disposition and the cost for the care of the animal. Notice of hearing shall be given to the owner or custodian from whom the animal was seized. Such notice shall be served by personal or residential service. If service cannot be made, then service may be

made by publication in the county where the animal was seized. The hearing may be held not more than ten business days after the date of application for hearing unless otherwise ordered by the court.

(B) The court may:

(1) Order immediate forfeiture of the animal to either the city or the local animal shelter and authorize the appropriate disposition of the animal;

(2) Order the owner or custodian of the animal to retake possession of the animal subject to management conditions; and/or

(3) Order the owner or custodian of the animal to retake possession following the posting of a bond or other security or to otherwise order reimbursement of all reasonable expenses for the care of the animal including veterinary and shelter care. Payment shall be subject to state statute.

(C) Nothing in this section shall prevent the humane destruction of a seized animal at any time as determined necessary by a licensed veterinarian or as authorized by court order.

(Neb. RS 28-1012 and 28-1012.01) (Ord. 2305, passed 4-11-2019)

§ 96.13 CITATION FOR ABANDONED, CRUELLY NEGLECTED OR MISTREATED ANIMALS.

A law enforcement officer who has reason to believe that an animal has been abandoned or is being cruelly neglected or mistreated may issue a citation to the owner or custodian as prescribed by state statute. Any law enforcement officer acting under this section shall not be liable for damage to property if such damage is not the result of the officer's negligence.

(Neb. RS 28-1012 and 28-1012.01) (Ord. 2305, passed 4-11-2019)

§ 96.14 RABIES SUSPECTED; IMPOUNDMENT.

Any animal suspected of being afflicted with rabies, or any animal not vaccinated in accordance with the provisions of this chapter which has bitten any person and caused an abrasion of the skin, shall be seized and impounded under the supervision of the Animal Shelter for a period of not less than ten days. If upon examination by a veterinarian, the animal has no clinical signs of rabies at the end of such impoundment, it may be released to the owner, or, in the case of an unlicensed dog or cat, it shall be dispositioned of in accordance with the provisions herein. If the owner of the said animal has proof of vaccination, it shall be confined by the owner or some other responsible person for a period of at least ten days, at which time the animal shall be examined by a licensed veterinarian. If no signs of rabies are observed, the animal may be released from confinement.

(Neb. RS 71-4406) ('72 Code, § 6-111) (Am. Ord. 2305, passed 4-11-2019)

§ 96.15 ANIMAL NOISE.

It shall be unlawful for any person to own, keep, or harbor any animal which by loud, continued, or frequent noise, barking, howling, or yelping or otherwise shall annoy or disturb any neighborhood, or person, or which habitually makes noise at or chases pedestrians, drivers, or vehicles while they are on any public sidewalks, streets, or alleys in the city. Upon the written complaint or telephone complaint of any affected person that any animal owned by the person named in the complaint is an annoyance or disturbance, or otherwise violates the provisions of this section, the city police shall investigate the complaint and, if in their opinion the situation warrants, shall notify the owner to silence and restrain such animal. Upon a second violation, within any 30-day period, the city police shall issue a citation to the owner of the animal for violation of this section. The provisions of this section shall not be construed to apply to the City Animal Shelter.

(Am. Ord. 1804, passed 5-23-02; Am. Ord. 2305, passed 4-11-2019)

§ 96.16 SERVICE ANIMAL.

(A) Service animal defined. SERVICE ANIMAL shall have the same meaning as in 28 C.F.R. 36.104, as amended.

(B) Exempt from license tax. Every service animal shall be licensed as required by the city code, but no license tax shall be charged. Upon the retirement or discontinuance of the animal as a service animal, the owner of the animal shall be liable for the payment of the required license tax.

(C) Misdemeanor; violence on a service animal. A person commits the offense of violence on a service animal when he or she intentionally injures, harasses, or threatens to injure or harass or attempts to intentionally injure, harass, or threaten an animal that he or she knows or has reason to believe is a service animal.

(Ord. 2305, passed 4-11-2019) Penalty, see § 96.99

Statutory reference:

Statutory fee exemption, see Neb. RS 54-603

§ 96.17 OFFENSIVE ODORS.

It shall be unlawful for any person or persons to keep any household pet in any pen, shed, or yard within the city from which any deleterious or offensive odor shall be emitted; and the maintaining of any of the above-mentioned household pets in such condition shall of itself constitute a nuisance.

(Ord. 2305, passed 4-11-2019) Penalty, see § 96.99

§ 96.18 SANITARY REGULATIONS.

The owner of any household pet shall keep all pens, enclosures, and shelter structures wherein such animals are kept in a clean and sanitary condition so as not to give off offensive odors which are a source of discomfort to persons residing in the vicinity thereof. The owner of any household pet shall not allow offal, manure, and waste material of such animal to accumulate or remain in the pens, enclosures, and shelter areas, excluding pasture acreage, upon which such animal resides or is confined in any manner which is conducive to the breeding or attraction of flies, mosquitoes, or other noxious insects or in any manner which endangers the public health or safety or which creates an unhealthy environment. The maintenance or permitting of any of the foregoing conditions on any such lot or parcel of ground is hereby declared to be a public nuisance. The owner of any household pet shall in a sanitary manner remove or dispose of all offal, manure, and waste material accumulating from such animal at least once every seven days.

(Ord. 2305, passed 4-11-2019)

§ 96.19 IRRESPONSIBLE ANIMAL OWNER.

(A) It shall be unlawful for any person who has been declared an irresponsible animal owner by the Chief of Police to own any animal, or to reside on premises with any animal owned by another person, for a period of 36 months from the issuance of such declaration.

(B) The Chief of Police may declare a person to be an irresponsible animal owner when any person has been convicted of three or more violations of this chapter within a thirty-six month period. Such declaration is also revocation of all existing licenses and permits issued to such person and shall prohibit any licenses or permits from being issued to such person for a period of thirty-six months.

(C) The city shall notify the person declared to be an irresponsible animal owner of the declaration in writing. Such notice shall be served either in person or by mailing such notice by certified mail. After eleven days from the date of such notice, the declaration shall be final and binding upon the city and upon the irresponsible animal owner unless within ten days after such

notice, the irresponsible animal owner requests, in writing, a review of the determination by the hearing officer pursuant to the city's then existing nuisance regulations.

(D) The person designated as an irresponsible animal owner shall have ten days from the date of the notice, or if appealed ten days from the final decision, to relinquish ownership to the city or Animal Shelter. If ownership is not relinquished, the city may impound any animal owned by the irresponsible animal owner, and dispose of such animal in accordance with this chapter. (Ord. 2305, passed 4-11-2019)

§ 96.99 PENALTY.

(A) Any person who shall violate any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$500.00 for each offense.

(B) In addition to the penalties for all violations herein provided, the court may order such person to reimburse the city, and/or a public or private agency for expenses incurred in the care, medical treatment, impoundment, and disposal of any animal involved in or connected with the incident for which the complaint was filed. A court may also enter an order requiring restitution to any person for damage or injury to such person or such person's property.

(C) Each day that a violation of any section in this chapter continues shall constitute a separate and distinct offense and shall be punishable as such. The penalties herein provided shall be cumulative with and in addition to any penalty or forfeiture elsewhere in this chapter provided. (Ord. 2305, passed 4-11-2019; Am. Ord. 2362, passed 11-24-20)

28 C.F.R. 36.104

Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

2023-2024



ANNUAL REPORT



Promoting a Safe and Prosperous Nebraska

ADDRESS:

1335 L Street
Lincoln NE 68508

CONTACT:

Phone : 402-742-2600
customerservice@larpool.org

Message from the LARM Chair



The word is out. More and more officials from Nebraska cities and villages are looking to LARM for their risk management needs. Faced with rising insurance costs and higher deductibles, village boards and city councils are open to alternatives to traditional insurance coverage. They're looking for better services and they've heard from their neighbors that LARM comes through for Nebraska communities with great customer service, efficient claims response and applicable loss control solutions. It was another tremendous year of growth for LARM as we started the 2023-2024 fiscal year with 211 members and ended with 235 total members. The LARM Board of Directors and staff look forward to providing more and more Nebraska communities with high quality risk management solutions. Thank you for being part of the LARM Risk Management Pool. Have a safe and prosperous year!

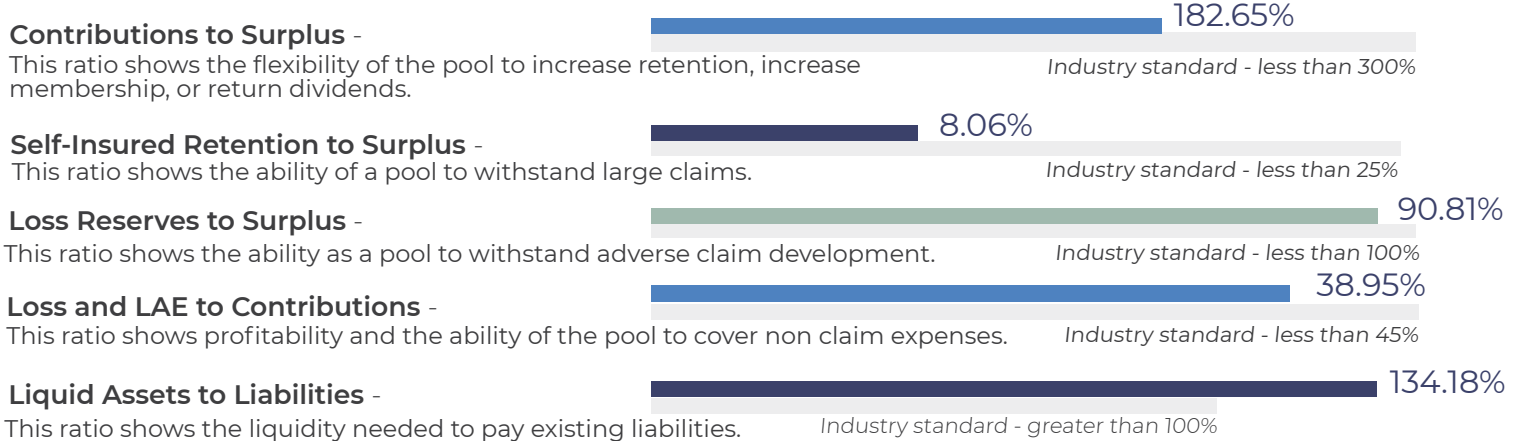
Joey Spellerberg, Mayor of Fremont and LARM Board Chair

LARM Financials Strength



"Sedgwick Risk Pooling Services annually evaluates LARM's surplus strength using standard insurance industry benchmarks. The 2023-2024 analysis shows that LARM is in a strong financial position, as indicated in the ratios below as of 9-30-2024."

Robert Ooms, Director of Finance, Sedgwick Risk Pooling Services



In 2023-2024, sixty LARM members applied for and were awarded Lean on LARM Safety Grants of \$500 to use in purchasing safety items for their communities. Items purchased included safety apparel, first aid kits, security cameras, safety barricades, smoke detectors and many other items.

Pictured is Heath Kursave, Village of Arcadia Utilities Director, with safety items purchased by the Village using Lean on LARM Safety Grant funds.

Safety First Nebraska



From the home office:

Dave Bos, LARM Executive Director

dave.bos@larmpool.org
402-853-1055

Promoting safety is a LARM priority. Fewer injuries, less medical costs, and lower employee absenteeism are good for families and good for communities.



That's why our loss control team works directly with city and village workers to educate them about best safety practices. LARM provides free online safety

training available on our website. Lean on LARM Safety Grant funds have provided our member communities with items that have helped prevent traffic accidents, staff injuries, and even deaths across the state. In addition, fifteen LARM communities received \$700 towards a bulletproof vest in 2023-24 through the LARM Armor grant program.

LARM puts safety first because we put people first.

LARM's Organization and Purpose

The League Association of Risk Management (LARM) is a risk management pool organized pursuant to the Intergovernmental Risk Management Act (IRMA), Neb. Rev. Stat. Sections 44-4301 to 44-4339.

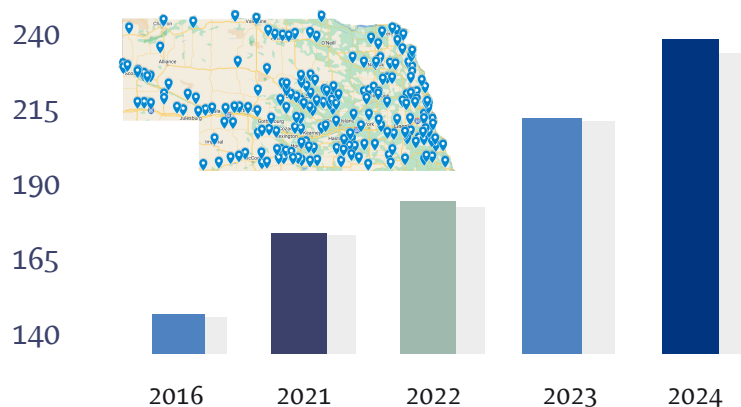
Established in 1995, LARM offers coverage and risk management services to cities, villages, and other governmental entities in Nebraska. LARM's goal is to be a long-term, stable, cost-effective risk management alternative for Nebraska governmental entities.

The governing authority of LARM is a Board of Directors consisting of elected or appointed officials. The President and Executive Director of the League of Nebraska Municipalities (LNM) serve as non-voting ex-officio members of the Board of Directors. The Nebraska Department of Insurance regulates and oversees the operation of risk management pools in Nebraska.

LARM members have come to rely on LARM for top-notch coverages, competitive pricing, outstanding customer service, efficient claims service and loss control assistance.

Continued Member Growth

LARM continues to grow with 21 new members added in 2024. Those members include: City of Yutan; Orleans Township; City of Blue Hill; Village of Overton; Village of Dix; Village of Ruskin; City of Bennet; Village of Culbertson; City of Kimball; City of Lyons; City of Ponca; Village of Potter; City of Loup City; City of Chappell; Village of Hildreth; City of Falls City; Village of Sterling; Village of Maskell; City of Broken Bow; City of Hartington; and SID #381 Sarpy County.



LARM's Mission:

To proactively identify, prevent, or economically resolve loss exposures in a professional manner while supporting an environment of education, integrity, and consistency that results in the mitigation of risk.

Our Vision:

The League Association of Risk Management will provide our members, who own the program, reliable and continuous service that effectively manages their financial risks and promotes rate and coverage stability.



Joey Spellerberg
Chair
City of Fremont
Mayor



Alec Baillie
Loup Central
Landfill
Board Member



Connie Jo Beck
City of St. Paul
Clerk/Deputy
Treasurer



James Bulkley
City of
Columbus
Mayor



Raquel Felzien
City of Franklin
Clerk/Treasurer



Don Groesser
City of Ralston
Mayor



M. Layne Groseth
City of North Platte
Administrator/
Utilities Director



Pat Heath
City of Gering
Administrator



Gwenda Horky
City of Sargent
Clerk/Treasurer



Dana Klabenes
City of Neligh
Clerk/Treasurer



Sharon Powell
Village of Utica
Board
President



Chris Rector
City of Holdrege
Administrator



Mindy Rump
City of Blair
Mayor



Kevin Spencer
City of Scottsbluff
City Manager



Mark Stracke
Village of
Stuart
Clerk/Treasurer



L. Lynn Rex
League of NE
Municipalities
Executive
Director
LARM
Administrator
Ex-Officio
Board Member



Marvin Seaman
City of Aurora
Mayor
League of NE
Municipalities
President
Ex-Officio
Board Member

LARMpool.org

1335 L. Street
Lincoln NE 68508

402-742-2600
customerservice@larmpool.org



LARM staff is available to answer questions about your coverage. In the photo from the left are: Ethan Nguyen, Fred Wiebelhaus, Kyla Brockevelt, James Kelley, Tracy Juraneck, Dave Bos, John Hobbs, Diane Becker, and Drew Cook.

The Council met in Regular session in the Wahoo Public Library, in compliance with the agenda posted at City Hall, Post Office, and First Bank of Nebraska, and the City of Wahoo website, with each Council member being notified of the agenda prior to the meeting. The meeting was called to order by Mayor Gerald D. Johnson at 7:00 PM and opened with the Pledge of Allegiance. The public was informed of the location of posting of the Open Meetings Law. The roll call was taken with the following Council members: Ryan Ideus: Present, Stuart Krejci: Present, Patrick Nagle: Present, Chris Rappl: Present, Shane Sweet: Present, Carl Warford: Present.

Parks and Rec Director Stuhr gave a department report.

City Council Member Krejci motioned, and City Council Member Ideus seconded to approve the consent agenda which includes the approval of the March 25, 2025, minutes of the City Council, approval of pay grade adjustments for Parks and Rec positions, and approval of the following claims:

BEN – Benefits \$13,668.43,
BLD – Baltz, Susan \$400.00, Continental Fire Sprinkler \$4,009.00, Heartland Office Cleaners \$1,040.00, Jackson Services \$25.80, Mike L Can Fix It \$40.00,
COM – Reditech \$2,112.10,
EQU – Eakes \$11.92, LIB – Baker & Taylor \$1,036.04, Cengage \$186.46, Gumdrop Books \$678.81, Midwest Tape \$421.04,
MED – Airgas \$535.38, Bound Tree \$798.47, One Billing Solutions \$5,678.42, Stryker \$346.23,
MEM – NFPA \$225.00,
MISC – Boden, Brenda \$435.00, MBH Landholdings \$24,000.90, Revolving Fund \$358.54, Wahoo Economic Development \$7,500.00, Wahoo Parks and Rec \$55,000.00, Wahoo Utilities \$207.80,
PAY – Payroll \$99,752.39,
POL – Lynn Peavey \$68.21,
PRO – JEO \$355.00, One Call Concepts \$49.26, Paper Tiger \$35.00,
PUB – Column \$239.81,
STR – ArborVentures \$850.00, Mead Signs \$550.00, Newman Signs \$57.55, Pavers \$596.19, Thiele Geotech \$1,950.00,
SUB – Plan It \$1,000.00,
UNI – Rivalry \$68.00,
UTL – Charter \$124.98, First Wireless \$16,107.65, OPPD \$57.88, Verizon \$141.28, Waste Connection \$266.13,
VEH – Edward Jones \$647.80, Wahoo Auto Parts \$78.00.

Roll call vote Krejci, yes; Ideus, yes; Sweet, yes; Warford, yes; Rappl, yes; Nagle, yes. Motion carried.

A public hearing regarding approval of liquor license application for Otte's Amoco was opened at 7:20pm. There were no comments from the public. City Council Member Warford motioned,

and City Council Member Rappl seconded to close the public hearing at 7:21pm. Roll call vote Warford, yes; Rappl, yes; Krejci, yes; Nagle, yes; Ideus, yes; Sweet, yes. Motion carried.

City Council Member Krejci motioned, and City Council Member Sweet seconded to approve the application. Roll call vote Krejci, yes; Sweet, yes; Warford, yes; Ideus, yes; Rappl, yes; Nagle, yes. Motion carried.

A public hearing regarding the approval of a final replat of lots 7-10 Block 26 Original Town was opened at 7:22pm. There were no comments from the public. City Council Member Warford motioned, and City Council Member Ideus seconded to close the public hearing at 7:23pm. Roll call vote Warford, yes; Ideus, yes; Krejci, yes; Nagle, yes; Rappl, yes; Sweet, yes. Motion carried.

City Council Member Krejci motioned, and City Council Member Rappl seconded to approve the replat lots 7-10 Block 26 Original Town. Roll call vote Krejci, yes; Rappl, yes; Nagle, yes; Sweet, yes; Warford, yes; Ideus, yes. Motion carried.

City Clerk Fasel advised of upcoming purposed changes to the nuisance enforcement policy.

Th mayor announced that the next item of business was regarding the paving concerns in the Wilmer Ridge Subdivision.

City Council Member Warford motioned, and City Council Member Sweet seconded to enter into closed session for the protection of public interest due to possible litigation with City Attorney Lausterer, City Clerk Fasel and Mayor Johnson remaining. at 7:53pm. Roll call vote Warford, yes; Sweet, yes; Krejci, yes; Ideus, yes; Rappl, yes; Nagle, yes. Motion carried.

The Mayor indicated the Council would be entering into closed session at 7:53pm for protection of public interest due to pending or threatened litigation.

City Council Member Ideus motioned, and City Council Member Nagle seconded to return to regular session at 8:29pm. Roll call vote Ideus, yes; Nagle, yes; Warford, yes; Sweet, yes; Rappl, yes; Krejci, yes. Motion carried.

City Council Member Warford motioned, and City Council Member Ideus seconded to authorize legal counsel to submit a workmanship, warranty, and performance bond claim against K-2 Construction relating to the Wilmer Ridge Subdivision paving project. Roll call vote Warford, yes; Ideus, yes; Krejci, yes; Nagle, yes; Rappl, yes; Sweet, yes. Motion carried.

The meeting was adjourned at 8:38pm.

Approved:

Christina Fasel, City Clerk

Gerald D. Johnson, Mayor

City of Wahoo Pay Scale Full & Part Time (no Seasonal)

Effective 4/22/2025

SCALE (BY JOB TITLE)	CODE	1	2	3	4	5	6	7	8	9	Description of Change
Utility General Manager	UTGM	62.8902	65.2468	67.6034	69.9601	72.3167	74.6734	77.0300	79.3973	81.7540	
GIS & Materials Management Coordinator	UTGS	30.9963	32.1605	33.3247	34.4889	35.6418	36.8060	37.9702	39.1343	40.2985	
Utilities Office Manager/Purch Agent	UTPA	36.6371	38.0110	39.3849	40.7589	42.1328	43.5067	44.8806	46.2545	47.6282	
Utility Project Manager	UTPM	29.9936	31.1184	32.2431	33.3679	34.4926	35.6174	36.7422	37.8669	38.9917	
Utility Billing Clerk (Account Clerk)	UTAC	23.7202	24.6045	25.4889	26.3732	27.2266	28.1419	29.0262	29.9105	30.8284	
Meter Reader	UTMR	21.7389	22.5561	23.3732	24.1791	24.9963	25.8134	26.6307	27.4477	28.2651	
Utility Receptionist	UTRE	15.2110	15.7788	16.3465	16.9142	17.4820	18.0497	18.6175	19.1852	19.7744	
Electric Line Supervisor	ELSU	37.9815	39.4031	40.8247	42.2576	43.6791	45.1008	46.5224	47.9553	49.3770	
First Class Lineman	ELFC	31.8582	33.0561	34.2427	35.4403	36.6381	37.8358	39.0224	40.2203	41.4179	
Second Class Lineman	ELSC	26.8209	27.8283	28.8359	29.8433	30.8508	31.8582	32.8657	33.8732	34.8695	
Third Class/Apprentice Lineman	ELTC	25.1194	26.0597	27.0000	27.9403	28.8919	29.8322	30.7725	31.7128	32.6531	
Gas Supervisor	GASU	36.8508	38.2277	39.6158	40.9926	42.3806	43.7576	45.1456	46.5224	47.9105	
Gas Operator	GAOP	29.1382	30.2351	31.3322	32.4291	33.5262	34.6232	35.7202	36.8172	37.8806	
Gas Operator Welder	GAOW	29.6306	30.7388	31.8471	32.9553	34.0635	35.1717	36.2799	37.3881	38.5075	
Power Plant Supervisor	PPSU	36.4254	37.7911	39.1568	40.5225	41.8881	43.2538	44.6194	45.9851	47.3507	
Power Plant Mech/Oper & Util Fleet Mgr	PPME	32.6922	33.9182	35.1442	36.3702	37.5962	38.8222	40.0483	41.2743	42.4999	
Power Plant Mechanic/Operator	PPMO	29.7202	30.8396	31.9478	33.0672	34.1866	35.2949	36.4143	37.5224	38.6418	
Power Plant Operator	PPOP	26.1606	27.1457	28.1194	29.1045	30.0896	31.0636	32.0486	33.0224	34.0075	
Power Plant Utility Worker/Laborer	PPUW	21.7612	22.5784	23.3955	24.2109	25.0298	25.8358	26.6531	27.4702	28.2985	Delete because this position is no longer applicable
Water/Wastewater Supervisor	WWSU	35.5970	36.8284	38.1606	39.4926	40.8247	42.1568	43.4889	44.8210	46.2761	
Water/Wastewater Operator I	WWO1	29.6022	30.7123	31.8225	32.9326	34.0427	35.1527	36.2627	37.3728	38.4829	
Water/Wastewater Operator II	WWO2	24.6381	25.5672	26.4851	27.4143	28.3322	29.2613	30.1791	31.1083	32.0262	
Water/Wastewater Operator III	WWO3	23.6194	24.5038	25.3881	26.2724	27.1680	28.0523	28.9366	29.8210	30.7053	
Water/Wastewater Operator IV	WWO4	22.6456	23.4964	24.3471	25.1978	26.0486	26.8880	27.7388	28.5896	29.4403	
City Administrator	CTAD	60.8227	63.1044	65.3860	67.6784	69.9601	72.2417	74.5234	76.8050	79.0760	
Building Inspector/Zoning Admin	CTBZ	30.7501	31.9030	33.0561	34.2090	35.3620	36.5150	37.6680	38.8209	39.9628	
Part-Time Building Inspector	CTBI	20.1493	20.9098	21.6597	22.4202	23.1701	23.9306	24.6804	25.4410	26.1908	
City Treasurer/HR Coordinator	CTHR	28.7239	29.7985	30.8732	31.9478	33.0224	34.0970	35.1717	36.2463	37.3433	
City Clerk	CTCC	27.3806	28.4105	29.4403	30.4702	31.5000	32.5299	33.5597	34.5896	35.5970	
Deputy City Clerk	CTDC	23.5523	24.4366	25.3209	26.2053	27.0896	27.9740	28.8471	29.7314	30.6157	Delete because this position is no longer applicable.
Office Assistant	CTOA	20.0262	20.7761	21.5262	22.2761	23.0262	23.7761	24.5262	25.2761	26.0374	
Chief of Police	PDCH	45.6587	47.3716	49.0843	50.7971	52.5099	54.2228	55.9355	57.6484	59.3611	
Assistant Chief of Police	PDAC	38.8554	40.3167	41.7660	43.2273	44.6886	46.1378	47.5991	49.0603	50.5097	
Police Lieutenant	PDLT	32.4475	33.6692	34.8788	36.1006	37.3103	38.5321	39.7538	40.9635	42.1852	
Patrol Officer	PDPO	28.0276	29.0816	30.1357	31.1778	32.2318	33.2859	34.3399	35.3819	36.4359	
Police Records Office Administrator	PDOC	19.7351	20.4739	21.2127	21.9516	22.7015	23.4403	24.1791	24.9180	25.6568	Job Title Change

City of Wahoo Pay Scale Full & Part Time (no Seasonal)

Effective 4/22/2025

SCALE (BY JOB TITLE)	CODE	1	2	3	4	5	6	7	8	9	Description of Change
Park & Recreation Director	PRDR	35.9441	37.2874	38.6418	39.9851	41.3396	42.6829	44.0262	45.3806	46.7239	
Building Maintenance Supervisor	PRBM	23.9552	24.8508	25.7575	26.6531	27.5486	28.4441	29.3508	30.2463	31.1418	
Parks Supervisor	PRPM	23.9552	24.8508	25.7575	26.6531	27.5486	28.4441	29.3508	30.2463	31.1418	Job Title Change
Recreation Coordinator	PRRS	24.3247	25.2314	26.1381	27.0448	27.9516	28.8582	29.7650	30.6717	31.6232	Job Title Change
Special Events & Rentals Coordinator	SERC	14.5790	14.9968	15.4574	15.9287	16.4001	16.8928	17.3856	17.8998	18.4354	
Park Maintenance Worker	PRMW	19.0635	19.7799	20.4964	21.2127	21.9292	22.6344	23.3507	24.0672	24.7837	
Senior Services Manager	PRSM	20.0262	20.7761	21.5262	22.2761	23.0262	23.7761	24.5262	25.2761	26.0374	
Park & Recreation Office Manager	PROM	18.4254	19.1173	19.8135	20.4963	21.1904	21.8844	22.5784	23.2612	23.9552	
Park & Recreation Admin Assistant	PRAA	17.7314	18.3919	19.0635	19.7239	20.3955	21.0560	21.7164	22.3881	23.0486	
Senior Services Asst Manager/Meal Coord	PRSA	16.0859	16.6904	17.2948	17.8993	18.5038	19.0970	19.7015	20.3060	20.8993	Job Title Change
Senior Center Thrift Store Manager	PTSM	17.7313	18.3919	19.0635	19.7239	20.3955	21.0561	21.7164	22.3881	23.0486	Job Title Change
Thrift Store Assistant Manager	PTSA	16.0859	16.6903	17.2948	17.8993	18.5038	19.0970	19.7015	20.3060	20.8993	Delete because this position is no longer applicable
Street Supt & Cemetery Sexton	STSU	35.5970	36.9319	38.2668	39.6017	40.9366	42.2715	43.6064	44.9413	46.2762	
Asst Street Supt & Cemetery Sexton	STAS	28.0943	29.1478	30.2014	31.2549	32.3084	33.3620	34.4155	35.4690	36.5226	
Cemetery Supervisor	STCM	23.0924	23.9584	24.8244	25.6903	26.5563	27.4223	28.2882	29.1542	30.0202	
Equipment Operator I	STO1	23.0924	23.9584	24.8244	25.6903	26.5563	27.4223	28.2882	29.1542	30.0202	
Equipment Operator II	STO2	21.0479	21.8372	22.6265	23.4158	24.2051	24.9944	25.7837	26.5730	27.3623	
General Seasonal Worker/Laborer	STGW	19.5327	20.2652	20.9977	21.7302	22.4626	23.1951	23.9276	24.6601	25.3926	
EMS Department Head	EMSU	28.8806	29.9665	31.0523	32.1269	33.2128	34.2985	35.3844	36.4590	37.5448	
Paramedic (FT & PT)	EMPA	23.1605	24.0336	24.8955	25.7586	26.6418	27.5038	28.3769	29.2388	30.1119	
Library Director	LBDR	30.1680	31.2985	32.4292	33.5598	34.6904	35.8209	36.9516	38.0821	39.2239	
Youth Services Coordinator	LBYS	18.4254	19.1194	20.8847	20.4963	21.1904	21.8844	22.5784	23.2612	23.9552	
Library Assistant I	LBA1	18.4254	19.1194	19.8135	20.4963	21.1904	21.8844	22.5784	23.2612	23.9552	
Library Assistant II	LBA2	16.9030	17.5411	18.1680	18.8060	19.4441	20.0710	20.7090	21.3358	21.9739	
Library Assistant II/Technology Coordinator	LBAT	16.9030	17.5411	18.1680	18.8060	19.4441	20.0710	20.7090	21.3358	21.9739	Job Title Change
Library Aide/Circulation Assistant	LBLA	13.4552	13.9590	14.4627	14.9441	15.4477	15.9516	16.4553	16.9591	17.4963	Delete because this position is no longer applicable
Seasonal Library Aide	SPTA	See Seasonal Part-Time Scale									Move to PT Scale

CITY OF WAHOO, NEBRASKA - ANNUAL TIF SUMMARY REPORT

Dated May 1, 2025

Percentage of City designated as blighted = 35%

PAID IN FULL IN 2024

Project (Year approved - #)	Project Title	Estimated Project Costs (Developer)	Pmts to Developer to date	Balance (unpaid to developer)	Est Project Costs - City	Pmts to City	Balance (unpaid to City)	Base Valuation	Estimated Project Valuation (from redev contract)	Assessed value as of Jan 1, 2023	End of TIF - either \$ or yrs - whichever comes first	Estimated Completion Date	Status	Notes
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
TOTAL TAX VALUE ADDED DUE TO REDEVELOPMENT PROJECTS										\$ -				

ACTIVE TIF PROJECTS - balances as of April 15, 2025

Project (Year approved - #)	Project Title	Estimated Project Costs (Developer)	Pmts to Developer to date	Balance (unpaid to developer)	Est Project Costs - City	Pmts to City	Balance (unpaid to City)	Base Valuation	Estimated Project Valuation (from redev contract)	Assessed value as of Jan 1, 2024	End of TIF - either \$ or yrs - whichever comes first	Estimated Completion Date	Status	Notes
2013-01	Omaha Steel Castings, 921 E 12th	\$ 2,500,000	\$ (626,701)	\$ 1,873,299	\$ 650,000	\$ (626,701)	\$ 23,299	\$ 51,110	\$ 3,500,000	\$ 6,488,890	\$3,150,000 or 15 yrs	12/31/2028	Active	
2016-01	Sid Dillons, 1750 County Road J	\$ 744,228	\$ (152,091)	\$ 592,137	\$ 304,772	\$ (156,555)	\$ 148,217	\$ 47,340	\$ 1,607,000	\$ 3,434,674	\$1,049,000 or 15 yrs	12/31/2031	Active	
2017-01	Bomgaars, 1310 34th Street	\$ 600,000	\$ (238,495)	\$ 361,505	\$ 12,000	\$ (12,000)	\$ -	\$ 63,030	\$ 2,400,000	\$ 2,656,583	\$612,000 or 15 yrs	12/31/2030	Active	Estimate early satisfaction of TIF obligation
2019-01	Wahoo State Bank, 164 E 5th	\$ 1,015,000	\$ (280,522)	\$ 734,478	\$ 8,000	\$ (8,000)	\$ -	\$ 34,880	\$ 5,679,000	\$ 2,802,193	\$1,031,000 or 15 yrs	12/31/2033	Active	
2019-02	JEO, 1937 N Chestnut	\$ 750,000	\$ (176,778)	\$ 573,222	\$ 14,000	\$ (14,000)	\$ -	\$ 8,758	\$ 2,500,000	\$ 2,553,890	\$764,000 or 15 yrs	12/31/2034	Active	
2023-01	South Hall Apartments	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			Active	Redevelopment Agreement Approved. Once expenses are certified, payments will begin.
2023-02	Wahoo Super Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			Active	Redevelopment Agreement Approved. Once expenses are certified, payments will begin.
2024-01	Wilmer Heights Daycare Project	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			Active	Redevelopment Agreement Approved. Once expenses are certified, payments will begin.
TOTAL ACTIVE TIF PROJECTS		\$5,609,228	\$(1,474,587)	\$ 4,134,641	\$ 988,772	\$ (817,256)	\$ 171,516	\$ 205,118	\$ 15,686,000	\$ 17,936,230				



Annual TIF Report 2024

Presented April 22, 2025

April 22, 2025

TO: Mayor & City Council

RE: Annual TIF Report

As per statutes adopted in 2018 by the Nebraska Legislature, I am submitting our annual TIF report for your review. The following pages are being presented to comply with this requirement.

PAGES 1-11: In summary, the City of Wahoo has nine (9) current TIF Projects. No projects were closed out in 2024, but one new project was added – Wilmer Height Daycare. There are two projects (South Hall – Phase I and Phase I, and Wahoo Super) which approved in 2023 that are currently under discussion and will be coming back to the City for either an amendment of the agreement or official termination of the agreement.

Each TIF project is described on the following pages. Included in the project description are the following:

- Photo of the project
- Approval date of the Redevelopment Contract
- Base value before any improvement
- Historic incremental tax values
- Terms of the contract
- Payment details
- Remaining payments left on the contract.

Also included at the bottom of the project detail is the estimated date the project will return to the regular tax rolls and the impact this improvement will have on the various taxing entities. This is estimated off the current year's property valuation and tax rate.

PAGE 12: Currently in the state of Nebraska as of 2024 (NE Dept of Revenue Annual TIF Report 2024, March 2025), there are 140 cities in 67 counties that have utilized TIF for redevelopment of property. The state report provides information on the utilization of TIF in these communities. A percentage of TIF of Total City Value is calculated for each community, along with an average for the state. The following formula is used to calculate utilization:

$$\text{TIF Excess Value} / \text{City Total Value} = \% \text{TIF of Total City}$$

To assist in comparing Wahoo to our peer communities and the use of TIF, a one-page summary document gives a picture of how we compare to the ten communities larger in population than Wahoo and the ten communities smaller in population.

PAGE 13: In addition, to assist in understanding how TIF is used across the state, totals have been prepared showing the breakdown of current year (2024) projects for our peer communities. Projects are categorized by the State between residential, commercial, industrial, or other projects. At the bottom of this page there is also a comparison of school districts that are experiencing growth in similar sized communities that are located near the metro areas.

PAGE 14-15: Following the comparison on utilization and use of TIF is a map of the areas that are currently declared blighted and substandard and thus eligible for redevelopment. As statutorily required, cities of the second class cannot have more than 50% of the acres within City Limits designated as blighted and substandard. Cities of the first class are limited to having 35% of the acres within City Limits designated as blighted and substandard. The City of Wahoo has 1,934 acres located within City Limits. Of those, 658 acres have been declared blighted and substandard, equating to 34% of the acres located in City Limits designed as such. During 2024 there was the annexation of property along North Chestnut Street leading to the new Lower Platte North NRD office site which is reflected in the information presented.

PAGES 16-23: And the final section of this report is the current TIF Policy that was adopted by the City Council on April 8, 2004 and updated in the Spring of 2022. This policy established the priorities for the use of TIF in the City of Wahoo. The last two pages include the Micro TIF policies adopted by the City of Wahoo in 2023. There has been no utilization of Micro TIF in Wahoo since adoption.

Please let me know if you have any questions on this report.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Melissa M. Harrell", with a long horizontal flourish extending to the right.

Melissa M. Harrell
City Administrator

Project Name: Omaha Steel Castings, 921 East 12th
Project Date: 2013
Legal Description: Parcel of land in the S 1/2 NE 1/4 3-14-7
Blighted & Sub. Area: Omaha Steel Castings Study Area



Tax Collection Information

Tax Year	Base Value	Excess Value	Tax Rate	TIF Base Tax	TIF Excess Tax	1st Pmt Date	2nd Pmt Date
2013	\$ 51,110	\$ 1,577,850	\$ 2.261820	\$ 1,156.02	\$ 35,688.14	4/28/2014	8/18/2014
2014	\$ 51,110	\$ 5,505,990	\$ 2.221118	\$ 1,135.21	\$ 122,294.53	4/24/2015	9/1/2015
2015	\$ 51,110	\$ 5,505,990	\$ 2.206338	\$ 1,127.66	\$ 121,480.75	5/3/2016	9/6/2016
2016	\$ 51,110	\$ 5,505,990	\$ 2.186498	\$ 1,117.52	\$ 120,388.36	4/28/2017	8/30/2017
2017	\$ 51,110	\$ 5,505,990	\$ 2.154208	\$ 1,101.02	\$ 118,610.48	4/30/2018	8/31/2018
2018	\$ 51,110	\$ 5,505,990	\$ 2.158998	\$ 1,103.46	\$ 118,874.21	4/29/2019	8/30/2019
2019	\$ 51,110	\$ 5,505,990	\$ 2.088968	\$ 1,067.67	\$ 115,018.37	4/29/2020	8/27/2020
2020	\$ 51,110	\$ 5,505,990	\$ 2.042792	\$ 1,044.07	\$ 112,475.92	4/28/2021	8/30/2021
2021	\$ 51,110	\$ 6,872,217	\$ 2.035561	\$ 1,040.38	\$ 139,888.17	4/25/2022	9/1/2022
2022	\$ 51,110	\$ 7,097,066	\$ 1.982257	\$ 1,013.13	\$ 140,682.09	4/24/2023	8/22/2023
2023	\$ 51,110	\$ 6,488,890	\$ 1.861365	\$ 951.34	\$ 120,781.93	6/26/2024	8/30/2024
2024	\$ 51,110	\$ 6,488,890	\$ 1.724617	\$ 881.45	\$ 111,908.50		

Redevelopment Contract Terms

Total Approved Redevelopment Contract - Pmts to the Developer: \$2,500,000
 Total Approved Redevelopment Contract - Pmts to City: \$650,000
 Effective Tax Year: 2013
 Ending Tax Year: 15 years

Use of Funds Collected

Tax Year	Description	Amount	% County	Pmt to Dev	Pmt to City	Balance
TOTAL AMOUNT TO BE PAID						
2013	Property Tax Credit	\$ 1,040.90	\$ -	\$ -	\$ -	\$ 1,040.90
2013	Payment of Taxes	\$ 17,323.61	\$ (173.23)	\$ (9,095.64)	\$ (9,095.64)	\$ 0.00
2013	Payment of Taxes	\$ 17,323.61	\$ (173.23)	\$ (8,575.19)	\$ (8,575.19)	\$ 0.00
2014	Property Tax Credit	\$ 1,969.50	\$ -	\$ -	\$ -	\$ 1,969.50
2014	Payment of Taxes	\$ 59,177.77	\$ -	\$ (30,573.64)	\$ (30,573.63)	\$ -
2014	Payment of Taxes	\$ 59,177.77	\$ -	\$ (29,588.89)	\$ (29,588.88)	\$ (0.00)
2015	Property Tax Credit	\$ 5,180.60	\$ -	\$ -	\$ -	\$ 5,180.60
2015	Payment of Taxes	\$ 58,150.08	\$ (581.50)	\$ (31,374.59)	\$ (31,374.59)	\$ -
2015	Property Tax Credit	\$ 51.29	\$ -	\$ -	\$ -	\$ 51.29
2015	Interest	\$ 46.14	\$ -	\$ -	\$ -	\$ 97.43
2015	Payment of Taxes	\$ 58,150.08	\$ (581.96)	\$ (28,832.77)	\$ (28,832.78)	\$ 0.00
2016	Property Tax Credit	\$ 2,465.86	\$ -	\$ -	\$ -	\$ 2,465.86
2016	Payment of Taxes	\$ 57,728.32	\$ (2,490.52)	\$ (28,851.83)	\$ (28,851.83)	\$ -
2016	Payment of Taxes	\$ 57,728.32	\$ (577.28)	\$ (28,575.52)	\$ (28,575.52)	\$ -
2017	Property Tax Credit	\$ 4,842.52	\$ (97.43)	\$ -	\$ -	\$ 4,842.52
2017	Payment of Taxes	\$ 56,883.98	\$ (568.84)	\$ (30,578.83)	\$ (30,578.83)	\$ -
2017	Property Tax Credit	\$ 4,842.52	\$ (48.42)	\$ -	\$ -	\$ 4,794.10
2017	Payment of Taxes	\$ 56,883.98	\$ (568.84)	\$ (30,554.62)	\$ (30,554.62)	\$ 0.00
2018	Property Tax Credit	\$ 2,381.34	\$ (23.81)	\$ -	\$ -	\$ 2,357.53
2018	Payment of Taxes	\$ 57,055.78	\$ -	\$ -	\$ -	\$ 59,413.31
2018	Property Tax Credit	\$ 2,381.34	\$ (594.37)	\$ (30,600.14)	\$ (30,600.14)	\$ -
2018	Payment of Taxes	\$ 57,055.78	\$ (570.56)	\$ (28,242.61)	\$ (28,242.61)	\$ -
2019	Property Tax Credit	\$ 5,677.16	\$ -	\$ -	\$ -	\$ 5,677.16
2019	Payment of Taxes	\$ 54,641.96	\$ (546.42)	\$ (29,886.35)	\$ (29,886.35)	\$ -
2019	Payment of Taxes	\$ 54,641.96	\$ (546.42)	\$ (27,047.77)	\$ (27,047.77)	\$ -
2020	Property Tax Credit	\$ 5,627.68	\$ (110.28)	\$ -	\$ -	\$ 5,517.40
2020	Payment of Taxes	\$ 53,434.14	\$ (534.24)	\$ (29,208.65)	\$ (29,208.65)	\$ -
2020	Payment of Taxes	\$ 53,424.14	\$ (534.24)	\$ (26,444.95)	\$ (26,444.95)	\$ -
2021	Property Tax Credit	\$ 7,391.08	\$ (73.92)	\$ -	\$ -	\$ 7,317.16
2021	Payment of Taxes	\$ 66,248.55	\$ (662.48)	\$ (36,451.62)	\$ (36,451.61)	\$ -
2021	Payment of Taxes	\$ 66,248.55	\$ (662.48)	\$ (32,793.03)	\$ (32,793.04)	\$ 0.00
2022	Property Tax Credit	\$ 7,489.12	\$ -	\$ -	\$ -	\$ 7,489.12

2022	Payment of Taxes	\$ 66,558.66	\$ (665.59)	\$ (36,691.09)	\$ (36,691.10)	\$ 0.00
2022	Payment of Taxes	\$ 66,558.66	\$ (665.59)	\$ (32,946.54)	\$ (32,946.53)	\$ 0.00
2023	Property Tax Credit	\$ 7,149.72	\$ -	\$ -	\$ -	\$ 7,149.72
2023	Payment of Taxes	\$ 56,779.89	\$ (567.80)	\$ (31,681.00)	\$ (31,681.01)	\$ (0.20)
2023	Payment of Taxes	\$ 56,779.89	\$ (567.80)	\$ (28,106.04)	\$ (28,106.05)	\$ (0.20)
2024	Property Tax Credit	\$ 12,285.48	\$ -	\$ -	\$ -	\$ 12,285.28
2024	Payment of Taxes					\$ 12,285.28
2024	Payment of Taxes					\$ 12,285.28
Balance				\$ 1,873,298.69	\$ 23,298.68	

City Bond Payments/Applied TIF Funds

<u>Date</u>	<u>Description</u>	<u>Receipt of TIF Rev</u>	<u>Street Bond - Prin</u>	<u>Street Bond - Int</u>	<u>Water Bond - Prin</u>	<u>Water Bond - Int</u>	<u>Balance</u>
Dec 2013	Funds Rec'd/Paid	\$ -	\$ -	\$ (3,691.67)	\$ -	\$ (1,737.50)	\$ (5,429.17)
Jun 2014	Funds Rec'd/Paid	\$ 9,095.64	\$ -	\$ (5,537.50)	\$ -	\$ (2,606.25)	\$ (4,477.28)
Dec 2014	Funds Rec'd/Paid	\$ 8,575.19	\$ -	\$ (5,537.50)	\$ -	\$ (2,606.25)	\$ (4,045.84)
Jun 2015	Funds Rec'd/Paid	\$ 30,573.63	\$ -	\$ (5,537.50)	\$ (25,000.00)	\$ (2,606.25)	\$ (6,615.96)
Dec 2015	Funds Rec'd/Paid	\$ 29,588.88	\$ -	\$ (5,537.50)	\$ -	\$ (2,400.00)	\$ 15,035.42
Jun 2016	Funds Rec'd/Paid	\$ 31,374.59	\$ (15,000.00)	\$ (5,537.50)	\$ (25,000.00)	\$ (2,400.00)	\$ (1,527.49)
Dec 2016	Funds Rec'd/Paid	\$ 28,832.78	\$ -	\$ (5,387.50)	\$ -	\$ (2,193.75)	\$ 19,724.04
Jun 2017	Funds Rec'd/Paid	\$ 28,851.83	\$ (15,000.00)	\$ (5,387.50)	\$ (25,000.00)	\$ (2,193.75)	\$ 994.62
Dec 2017	Funds Rec'd/Paid	\$ 28,575.52	\$ -	\$ (5,237.50)	\$ -	\$ (1,987.50)	\$ 22,345.14
Jun 2018	Funds Rec'd/Paid	\$ 30,578.83	\$ (20,000.00)	\$ (5,237.50)	\$ (25,000.00)	\$ (1,987.50)	\$ 698.97
Dec 2018	Funds Rec'd/Paid	\$ 30,554.62	\$ -	\$ (5,037.50)	\$ -	\$ (1,781.25)	\$ 24,434.84
Jun 2019	Funds Rec'd/Paid	\$ 30,600.14	\$ (25,000.00)	\$ (5,037.50)	\$ (25,000.00)	\$ (1,781.25)	\$ (1,783.77)
Dec 2019	Funds Rec'd/Paid	\$ 28,242.61	\$ -	\$ (4,787.50)	\$ -	\$ (1,575.00)	\$ 20,096.34
Jun 2020	Funds Rec'd/Paid	\$ 29,886.35	\$ (25,000.00)	\$ (2,202.50)	\$ (25,000.00)	\$ (1,575.00)	\$ (3,794.81)
Dec 2020	Funds Rec'd/Paid	\$ 27,047.77	\$ -	\$ (1,952.50)	\$ -	\$ (1,200.00)	\$ 20,100.46
Jun 2021	Funds Rec'd/Paid	\$ 29,208.65	\$ (25,000.00)	\$ (1,952.50)	\$ (25,000.00)	\$ (1,200.00)	\$ (3,843.39)
Dec 2021	Funds Rec'd/Paid	\$ 26,444.95	\$ (25,000.00)	\$ (1,565.00)	\$ -	\$ (825.00)	\$ (4,788.44)
Jun 2022	Funds Rec'd/Paid	\$ 36,451.62	\$ -	\$ (1,402.50)	\$ (25,000.00)	\$ (825.00)	\$ 4,435.68
Dec 2022	Funds Rec'd/Paid	\$ 32,793.04	\$ (25,000.00)	\$ (1,402.50)	\$ -	\$ (450.00)	\$ 10,376.22
Jun 2023	Funds Rec'd/Paid	\$ 36,691.09	\$ -	\$ (1,233.75)	\$ (30,000.00)	\$ (450.00)	\$ 15,383.56
Dec 2023	Funds Rec'd/Paid	\$ 32,946.54	\$ (55,000.00)	\$ (1,233.75)	\$ -	\$ -	\$ (7,903.65)
Jun 2024	Funds Rec'd/Paid	\$ 31,681.01	\$ -	\$ (848.75)	\$ -	\$ -	\$ 22,928.61
Dec 2024	Funds Rec'd/Paid	\$ 28,106.05	\$ (55,000.00)	\$ (848.75)	\$ -	\$ -	\$ (4,814.09)
Jun 2025	<i>BUDGETED</i>	\$ 35,000.00	\$ -	\$ (450.00)	\$ -	\$ -	\$ 29,735.91
Dec 2025	<i>BUDGETED</i>	\$ 35,000.00	\$ (60,000.00)	\$ (450.00)	\$ -	\$ -	\$ 4,285.91

Estimated Date/Budget for Return of project to tax rolls

Estimated using the current year excess value

<u>Tax Year</u>	<u>Description</u>	<u>TIF Year</u>	<u>Pmt to Dev</u>	<u>Pmt to City</u>
	BEGINNING BALANCE		\$ 2,500,000.00	\$ 650,000.00
2013	Pmt to Developer	1	\$ (17,670.83)	\$ (17,670.83)
2014	Pmt to Developer	2	\$ (60,162.53)	\$ (60,162.51)
2015	Pmt to Developer	3	\$ (60,207.36)	\$ (60,207.37)
2016	Pmt to Developer	4	\$ (57,427.35)	\$ (57,427.35)
2017	Pmt to Developer	5	\$ (61,133.45)	\$ (61,133.45)
2018	Pmt to Developer	6	\$ (58,842.75)	\$ (58,842.75)
2019	Pmt to Developer	7	\$ (56,934.12)	\$ (56,934.12)
2020	Pmt to Developer	8	\$ (55,653.60)	\$ (55,653.60)
2021	Pmt to Developer	9	\$ (69,244.65)	\$ (69,244.65)
2022	Pmt to Developer	10	\$ (69,637.63)	\$ (69,250.00)
2023	Pmt to Developer	11	\$ (59,787.04)	\$ (69,250.00)
2024	<i>Estimated Pmt</i>	12	\$ (60,000.00)	\$ (14,218.02)
2025	<i>Estimated Pmt</i>	13	\$ (120,000.00)	\$ -
2026	<i>Estimated Pmt</i>	14	\$ (120,000.00)	\$ -
2027	<i>Estimated Pmt</i>	15	\$ (120,000.00)	\$ -
	Estimated balance that will be unpaid to the developer.		\$ 1,453,298.69	\$ 5.35

Project Name: Sid Dillons, 1750 County Road J
Project Date: 2016
Legal Description: Parcel of Land 1/2 SW 1/4 9-14-7
Blighted & Sub. Area: Southwest Study Area



Tax Collection Information

<u>Tax Year</u>	<u>Base Value</u>	<u>Excess Value</u>	<u>Tax Rate</u>	<u>TIF Base Tax</u>	<u>TIF Excess Tax</u>	<u>1st Pmt Date</u>	<u>2nd Pmt Date</u>
2016	\$ 47,340.00	\$ 381,160.00	\$ 2.186498	\$ 1,035.09	\$ 8,334.06	12/28/2016	12/28/2016
2017	\$ 47,340.00	\$ 1,645,750.00	\$ 2.154208	\$ 1,019.80	\$ 35,452.88	12/28/2017	12/28/2017
2018	\$ 47,340.00	\$ 1,645,750.00	\$ 2.158998	\$ 1,022.07	\$ 35,531.71	12/28/2018	12/28/2018
2019	\$ 47,340.00	\$ 1,645,750.00	\$ 2.088968	\$ 988.92	\$ 34,379.19	4/29/2020	9/21/2020
2020	\$ 47,340.00	\$ 1,645,750.00	\$ 2.042792	\$ 967.06	\$ 33,619.25	4/14/2021	4/14/2021
2021	\$ 47,340.00	\$ 1,987,189.00	\$ 2.035561	\$ 963.63	\$ 40,450.44	4/18/2022	8/23/2022
2022	\$ 47,340.00	\$ 2,568,335.00	\$ 1.982257	\$ 938.40	\$ 50,911.00	4/24/2023	8/29/2023
2023	\$ 47,340.00	\$ 2,568,335.00	\$ 1.861365	\$ 881.17	\$ 47,806.09	4/22/2024	8/26/2024
2024	\$ 47,340.00	\$ 3,434,674.00	\$ 1.724617	\$ 816.43	\$ 59,234.97		

Redevelopment Contract Terms

Total Approved Redevelopment Contract - Pmts to the Developer: \$200,000 + \$544,228
 Total Approved Redevelopment Contract - Pmts to City: \$304,772
 Effective Tax Year: 2016
 Ending Tax Year: 15 years

Use of Funds Collected

<u>Tax Year</u>	<u>Description</u>	<u>Amount</u>	<u>1% County</u>	<u>Pmt to Dev</u>	<u>Pmt to City</u>	<u>Balance</u>
	TOTAL AMOUNT TO BE PAID			\$ 744,228.00	\$ 304,772.00	
2016	Payment of Taxes	\$ 8,985.32	\$ (89.85)	\$ -	\$ -	\$ 8,895.47
2016	Property Tax Credit	\$ 383.82	\$ (3.84)	\$ -	\$ -	\$ 9,275.45
2017	Property Tax Credit	\$ 1,447.44	\$ (14.48)	\$ -	\$ -	\$ 10,708.41
2017	Payment of Taxes	\$ 34,005.44	\$ (340.05)	\$ (19,968.21)	\$ (24,405.59)	\$ -
2018	Property Tax Credit	\$ 1,409.34	\$ -	\$ -	\$ -	\$ 1,409.34
2018	Payment of Taxes	\$ 34,108.14	\$ (341.08)	\$ (15,195.18)	\$ (18,571.88)	\$ 1,409.34
2019	Property Tax Credit	\$ 1,696.92	\$ -	\$ -	\$ -	\$ 3,106.26
2019	Payment of Taxes	\$ 16,332.60	\$ (163.33)	\$ -	\$ -	\$ 19,275.53
2019	Payment of Taxes	\$ 16,332.60	\$ (163.33)	\$ (15,950.16)	\$ (19,494.64)	\$ -
2020	Property Tax Credit	\$ 1,682.12	\$ (16.82)	\$ -	\$ -	\$ 1,665.30
2020	Payment of Taxes (all)	\$ 31,937.12	\$ (319.37)	\$ (14,977.37)	\$ (18,305.68)	\$ (0.00)
2021	Property Tax Credit	\$ 2,137.22	\$ (21.38)	\$ -	\$ -	\$ 2,115.84
2021	Payment of Taxes	\$ 19,156.63	\$ (191.57)	\$ (9,486.40)	\$ (11,594.50)	\$ -
2021	Payment of Taxes	\$ 19,156.63	\$ (191.57)	\$ (8,534.27)	\$ (10,430.79)	\$ -
2022	Property Tax Credit	\$ 2,710.22	\$ -	\$ -	\$ -	\$ 2,710.22
2022	Payment of Taxes	\$ 24,086.70	\$ (240.87)	\$ (11,950.22)	\$ (14,605.83)	\$ -
2022	Payment of Taxes	\$ 24,086.70	\$ (240.87)	\$ (10,730.62)	\$ (13,115.21)	\$ 0.00
2023	Property Tax Credit	\$ 2,829.98	\$ -	\$ -	\$ -	\$ 2,829.98
2023	Payment of Taxes	\$ 22,473.78	\$ (224.74)	\$ (11,285.56)	\$ (13,793.46)	\$ -
2023	Payment of Taxes	\$ 22,473.78	\$ (224.74)	\$ (10,012.07)	\$ (12,236.97)	\$ (0.00)
2024	Property Tax Credit	\$ 5,380.04	\$ -	\$ -	\$ -	\$ 5,380.04
2024	Payment of Taxes	\$ 48,439.70	\$ (484.40)	\$ (24,000.90)	\$ (29,334.44)	\$ -
	Balance			\$ 592,137.04	\$ 118,883.01	

City Bond Payments/Applied TIF Funds

<u>Date</u>	<u>Description</u>	<u>Receipt of TIF Rev</u>	<u>Issue Fees</u>	<u>BAN - Princ</u>	<u>BAN - Int</u>	<u>Bond - Princ</u>	<u>Bond - Int</u>	<u>Balance</u>
Dec 2016	Funds Rec'd/Paid	\$ -	\$ -	\$ -	\$ (1,491.88)	\$ -	\$ -	\$ (1,491.88)
Jun 2017	Funds Rec'd/Paid	\$ -	\$ -	\$ -	\$ (1,627.50)	\$ -	\$ -	\$ (3,119.38)
Dec 2017	Funds Rec'd/Paid	\$ 24,405.59	\$ -	\$ -	\$ (1,627.50)	\$ -	\$ -	\$ 19,658.71
Jun 2018	Funds Rec'd/Paid	\$ -	\$ -	\$ -	\$ (1,627.50)	\$ -	\$ -	\$ 18,031.21
Dec 2018	Funds Rec'd/Paid	\$ 18,571.88	\$ -	\$ -	\$ (1,627.50)	\$ -	\$ -	\$ 34,975.59
May 2019	Issue New Debt	\$ 285,000.00	\$ (6,888.00)	\$ (310,000.00)	\$ (1,627.50)	\$ -	\$ -	\$ 1,460.09
Dec 2019	Funds Rec'd/Paid	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (4,197.08)	\$ (2,736.99)

Jun 2020	Funds Rec'd/Paid	\$ 19,494.64	\$ -	\$ -	\$ -	\$ (15,000.00)	\$ (3,597.50)	\$ (1,839.85)
Dec 2020	Funds Rec'd/Paid	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (3,432.50)	\$ (5,272.35)
Jun 2021	Funds Rec'd/Paid	\$ 18,305.68	\$ -	\$ -	\$ -	\$ (15,000.00)	\$ (3,432.50)	\$ (5,399.17)
Dec 2021	Funds Rec'd/Paid	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (3,267.50)	\$ (8,666.67)
Jun 2022	Funds Rec'd/Paid	\$ 11,594.50	\$ -	\$ -	\$ -	\$ (15,000.00)	\$ (3,267.50)	\$ (15,339.67)
Dec 2022	Funds Rec'd/Paid	\$ 10,430.79	\$ -	\$ -	\$ -	\$ -	\$ (3,102.50)	\$ (8,011.38)
Jun 2023	Funds Rec'd/Paid	\$ 14,605.83	\$ -	\$ -	\$ -	\$ (15,000.00)	\$ (3,102.50)	\$ (11,508.05)
Dec 2023	Funds Rec'd/Paid	\$ 13,115.21	\$ -	\$ -	\$ -	\$ -	\$ (2,937.50)	\$ (1,330.34)
Jun 2024	Funds Rec'd/Paid	\$ 13,793.46	\$ -	\$ -	\$ -	\$ (20,000.00)	\$ (2,937.50)	\$ (10,474.38)
Dec 2024	Funds Rec'd/Paid	\$ 12,236.97	\$ -	\$ -	\$ -	\$ -	\$ (2,717.50)	\$ (954.91)
Jun 2025	Funds Rec'd/Paid	\$ 29,334.44	\$ -	\$ -	\$ -	\$ (20,000.00)	\$ (2,717.50)	\$ 5,662.03
Dec 2025	BUDGETED	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (2,497.50)	\$ 3,164.53
Jun 2026	BUDGETED	\$ 13,500.00	\$ -	\$ -	\$ -	\$ (20,000.00)	\$ (2,497.50)	\$ (5,832.97)
Dec 2026	BUDGETED	\$ 13,500.00	\$ -	\$ -	\$ -	\$ -	\$ (2,227.50)	\$ 5,439.53
Jun 2027	BUDGETED	\$ 13,500.00	\$ -	\$ -	\$ -	\$ (20,000.00)	\$ (2,227.50)	\$ (3,287.97)
Dec 2027	BUDGETED	\$ 13,500.00	\$ -	\$ -	\$ -	\$ -	\$ (1,957.50)	\$ 8,254.53
Jun 2028	BUDGETED	\$ 13,500.00	\$ -	\$ -	\$ -	\$ (20,000.00)	\$ (1,957.50)	\$ (202.97)
Dec 2028	BUDGETED	\$ 13,500.00	\$ -	\$ -	\$ -	\$ -	\$ (1,687.50)	\$ 11,609.53
Jun 2029	BUDGETED	\$ 13,500.00	\$ -	\$ -	\$ -	\$ (125,000.00)	\$ (1,687.50)	\$ (101,577.97)

Estimated Date/Budget for Return of project to tax rolls

Estimated using the current year excess value

<u>Tax Year</u>	<u>Description</u>	<u>TIF Year</u>	<u>Pmt to Dev</u>	<u>Pmt to City</u>
	BEGINNING BALANCE		\$ 744,228.00	\$ 304,772.00
2016	Pmt to Developer	1	\$ -	\$ -
2017	Pmt to Developer	2	\$ (19,968.21)	\$ (24,405.59)
2018	Pmt to Developer	3	\$ (15,195.18)	\$ (18,571.88)
2019	Pmt to Developer	4	\$ (15,950.16)	\$ (19,494.64)
2020	Pmt to Developer	5	\$ (14,977.37)	\$ (18,305.68)
2021	Pmt to Developer	6	\$ (18,020.67)	\$ (22,025.29)
2022	Pmt to Developer	7	\$ (22,680.84)	\$ (27,721.04)
2023	Pmt to Developer	8	\$ (21,297.63)	\$ (26,030.43)
2024	Pmt to Developer	9	\$ (24,000.90)	\$ (29,334.44)
2025	Pmt to Developer	10	\$ (24,000.00)	\$ (29,000.00)
2026	Estimated Pmt	11	\$ (24,000.00)	\$ (29,000.00)
2027	Estimated Pmt	12	\$ (24,000.00)	\$ (29,000.00)
2028	Estimated Pmt	13	\$ (24,000.00)	\$ (29,000.00)
2029	Estimated Pmt	14	\$ (50,000.00)	\$ (3,000.00)
2030	Estimated Pmt	15	\$ (53,000.00)	\$ -
	Estimated balance that will be unpaid to the developer.		\$ 393,137.04	\$ (116.99)

Project Name: **Bomgaars, 1310 34th Street**
 Project Date: 2017
 Legal Description: Lot 1, Airpark - Bomgaars Addition
 Blighted & Sub. Area: Wahoo Airport Study Area



Tax Collection Information

Tax Year	Base Value	Excess Value	Tax Rate	TIF Base Tax	TIF Excess Tax	1st Pmt Date	2nd Pmt Date
2017	\$ 63,030	\$ 2,650	\$ 2.154208	\$ 1,357.80	\$ 57.09	5/2/2018	9/13/2018
2018	\$ 63,030	\$ 507,140	\$ 2.158998	\$ 1,360.82	\$ 10,949.14	5/2/2019	9/3/2019
2019	\$ 63,030	\$ 2,085,637	\$ 2.088968	\$ 1,316.68	\$ 43,568.29	5/4/2020	9/8/2020
2020	\$ 63,030	\$ 2,085,637	\$ 2.042792	\$ 1,287.57	\$ 42,605.23	5/3/2021	9/7/2021
2021	\$ 63,030	\$ 2,639,893	\$ 2.035561	\$ 1,283.01	\$ 53,736.63	5/2/2022	9/6/2022
2022	\$ 63,030	\$ 2,656,583	\$ 1.982257	\$ 1,249.42	\$ 52,660.30	5/1/2023	9/5/2023
2023	\$ 63,030	\$ 2,656,583	\$ 1.861365	\$ 1,173.22	\$ 49,448.71	5/3/2024	9/3/2024
2024	\$ 63,030	\$ 2,656,583	\$ 1.724617	\$ 1,087.03	\$ 45,815.88		

Redevelopment Contract Terms

Total Approved Redevelopment Contract - Pmts to the Developer: \$600,000
 Total Approved Redevelopment Contract - Pmts to City: \$12,000 (reimbursed first)
 Effective Tax Year: 2017
 Ending Tax Year: No later than December 31, 2031

Use of Funds Collected

Tax Year	Description	Amount	1% County	Pmt to Dev	Pmt to City	Balance
TOTAL AMOUNT TO BE PAID				\$ 600,000.00	\$ 12,000.00	
2017	Property Tax Credit	\$ 2.32	\$ -	\$ -	\$ (2.32)	\$ -
2017	Payment of Taxes	\$ 27.37	\$ (0.27)	\$ -	\$ (27.10)	\$ -
2017	Payment of Taxes	\$ 27.37	\$ (0.28)	\$ -	\$ (27.09)	\$ -
2018	Property Tax Credit	\$ 434.30	\$ -	\$ -	\$ (434.30)	\$ -
2018	Payment of Taxes	\$ 5,255.28	\$ (52.56)	\$ -	\$ (5,202.72)	\$ (0.00)
2018	Payment of Taxes	\$ 5,255.28	\$ (52.56)	\$ -	\$ (5,202.72)	\$ (0.00)
2019	Property Tax Credit	\$ 2,172.20	\$ (21.72)	\$ -	\$ (1,103.75)	\$ 1,046.73
2019	Payment of Taxes	\$ 20,698.07	\$ (206.98)	\$ (21,537.82)	\$ -	\$ -
2019	Payment of Taxes	\$ 20,698.07	\$ (206.98)	\$ (20,491.09)	\$ -	\$ -
2020	Property Tax Credit	\$ 2,131.72	\$ (21.32)	\$ -	\$ -	\$ 2,110.40
2020	Payment of Taxes	\$ 20,236.75	\$ (202.37)	\$ (22,144.78)	\$ -	\$ -
2020	Payment of Taxes	\$ 20,236.75	\$ (202.37)	\$ (20,034.38)	\$ -	\$ -
2021	Property Tax Credit	\$ 2,810.80	\$ -	\$ -	\$ -	\$ 2,810.80
2021	Payment of Taxes	\$ 25,448.71	\$ (254.49)	\$ (28,005.02)	\$ -	\$ -
2021	Payment of Taxes	\$ 25,448.71	\$ (254.49)	\$ (25,194.22)	\$ -	\$ (0.00)
2022	Property Tax Credit	\$ 2,803.34	\$ -	\$ -	\$ -	\$ 2,803.34
2022	Payment of Taxes	\$ 24,914.32	\$ (249.14)	\$ (27,468.52)	\$ -	\$ (0.00)
2022	Payment of Taxes	\$ 24,914.32	\$ (249.14)	\$ (24,665.18)	\$ -	\$ (0.00)
2023	Property Tax Credit	\$ 2,927.22	\$ -	\$ -	\$ -	\$ 2,927.22
2023	Payment of Taxes	\$ 23,245.96	\$ (232.46)	\$ (25,940.72)	\$ -	\$ (0.00)
2023	Payment of Taxes	\$ 23,245.96	\$ (232.46)	\$ (23,013.50)	\$ -	\$ (0.00)
2024	Property Tax Credit	\$ 5,029.74	\$ -	\$ -	\$ -	\$ 5,029.74
2024	Payment of Taxes	\$ -	\$ -	\$ -	\$ -	\$ 5,029.74
2024	Payment of Taxes	\$ -	\$ -	\$ -	\$ -	\$ 5,029.74
Balance				\$ 361,504.77	\$ -	

City Bond Payments/Applied TIF Funds - Not Applicable

Date Description Receipt of TIF Rev
 No Borrowed Funds for this Project

Estimated Date/Budget for Return of project to tax rolls

Estimated using the current year excess value

Tax Year	Description	TIF Year	Pmt to Dev	Pmt to City
	BEGINNING BALANCE		\$ 600,000.00	\$ 12,000.00
2017	Pmt to Developer	1	\$ -	\$ -
2018	Pmt to Developer	2	\$ -	\$ -
2019	Pmt to Developer	3	\$ (42,028.91)	\$ (12,000.00)
2020	Pmt to Developer	4	\$ (42,179.16)	\$ -
2021	Pmt to Developer	5	\$ (53,199.24)	\$ -
2022	Pmt to Developer	6	\$ (52,133.70)	\$ -
2023	Pmt to Developer	7	\$ (48,954.22)	\$ -
2024	Estimated Pmt	8	\$ (45,000.00)	\$ -
2025	Estimated Pmt	9	\$ (45,000.00)	\$ -
2026	Estimated Pmt	10	\$ (45,000.00)	\$ -
2027	Estimated Pmt	11	\$ (45,000.00)	\$ -
2028	Estimated Pmt	12	\$ (45,000.00)	\$ -
2029	Estimated Pmt	13	\$ (45,000.00)	\$ -
2030	Estimated Pmt	14	\$ (45,000.00)	\$ -
2031	Estimated Pmt	15	\$ (45,000.00)	\$ -
			\$ 1,504.77	\$ -

Project Name: Wahoo State Bank, 164 East 5th
Project Date: 2019
Legal Description: Lot 12 & East 1/2 Lot 11, Block 149, County Addition
Blighted & Sub. Area: Downtown Business District



Tax Year	Tax Collection Information							
	Base Value	Excess Value	Tax Rate	TIF Base Tax	TIF Excess Tax	1st Pmt Date	2nd Pmt Date	
2019	\$ 34,880	\$ 2,068,548	\$ 2.088968	\$ 728.63	\$ 43,211.31	4/24/2020	8/19/2020	
2020	\$ 34,880	\$ 2,222,093	\$ 2.042792	\$ 712.53	\$ 45,392.74	4/22/2021	8/20/2021	
2021	\$ 34,880	\$ 2,822,058	\$ 2.035561	\$ 710.00	\$ 57,444.71	12/30/2021	12/30/2021	
2022	\$ 34,880	\$ 2,802,193	\$ 1.982257	\$ 691.41	\$ 55,546.67	12/29/2022	12/29/2022	
2023	\$ 34,880	\$ 2,802,193	\$ 1.861365	\$ 649.24	\$ 52,159.04	12/15/2023	12/15/2023	
2024	\$ 34,880	\$ 2,802,193	\$ 1.724617	\$ 601.55	\$ 48,327.10	12/30/2024	12/30/2024	

Redevelopment Contract Terms

Total Approved Redevelopment Contract - Pmts to the Developer: \$1,023,000 (Less \$8,000 for legal fees pd by City of Wahoo)
 Total Approved Redevelopment Contract - Pmts to City: \$8,000 (legal fees)
 Effective Tax Year: January 1, 2019
 Ending Tax Year: No later than December 31, 2033
 Estimated termination of TIF, based on 2021 valuation:

Tax Year	Description	Use of Funds Collected				Balance
		Amount	1% County	Pmt to Dev	Pmt to City	
TOTAL AMOUNT TO BE PAID				\$ 1,015,000.00	\$ 8,000.00	
2019	Property Tax Credit	\$ 2,154.40	\$ (21.54)	\$ -	\$ -	\$ 2,132.86
2019	Payment of Taxes	\$ 20,528.47	\$ (205.28)	\$ -	\$ (8,000.00)	\$ 14,456.05
2019	Payment of Taxes	\$ 20,528.47	\$ (205.28)	\$ -	\$ -	\$ 34,779.24
2020	Property Tax Credit	\$ 2,271.20	\$ (22.72)	\$ -	\$ -	\$ 37,027.72
2020	Payment of Taxes	\$ 21,560.77	\$ (215.61)	\$ -	\$ -	\$ 58,372.88
2020	Payment of Taxes	\$ 21,560.77	\$ (215.61)	\$ (79,718.04)	\$ -	\$ -
2021	Property Tax Credit	\$ 3,035.12	\$ (30.36)	\$ -	\$ -	\$ 3,004.76
2021	Payment of Taxes (all)	\$ 54,409.58	\$ (544.10)	\$ (53,865.48)	\$ -	\$ 3,004.76
2022	Property Tax Credit	\$ 2,957.00	\$ -	\$ -	\$ -	\$ 5,961.76
2022	Payment of Taxes	\$ 52,559.82	\$ (525.60)	\$ (55,038.98)	\$ -	\$ 2,957.00
2023	Payment of Taxes	\$ 49,040.24	\$ (490.40)	\$ (51,506.84)	\$ -	\$ -
2023	Property Tax Credit	\$ 3,087.66	\$ -	\$ -	\$ -	\$ 3,087.66
2024	Payment of Taxes	\$ 37,681.52	\$ (376.82)	\$ (40,392.36)	\$ -	\$ (0.00)
2024	Property Tax Credit	\$ 5,305.43	\$ -	\$ -	\$ -	\$ 5,305.43
Balance				\$ 734,478.30	\$ -	

City Bond Payments/Applied TIF Funds - Not Applicable

Date **Description** **Receipt of TIF Rev**
 No Borrowed Funds for this Project

Estimated Date/Budget for Return of project to tax rolls

Estimated using the current year excess value

Tax Year	Description	TIF Year	Pmt to Dev	Pmt to City
	BEGINNING BALANCE		\$ 1,015,000.00	\$ 8,000.00
2019	Pmt to Developer	1	\$ -	\$ (8,000.00)
2020	Pmt to Developer	2	\$ (79,718.04)	\$ -
2021	Pmt to Developer	3	\$ (53,865.48)	\$ -
2022	Pmt to Developer	4	\$ (55,038.98)	\$ -
2023	Pmt to Developer	5	\$ (51,506.84)	\$ -
2024	Estimated Pmt	6	\$ (40,392.36)	\$ -
2025	Estimated Pmt	7	\$ (52,000.00)	\$ -
2026	Estimated Pmt	8	\$ (52,000.00)	\$ -
2027	Estimated Pmt	9	\$ (52,000.00)	\$ -
2028	Estimated Pmt	10	\$ (52,000.00)	\$ -
2029	Estimated Pmt	11	\$ (52,000.00)	\$ -
2030	Estimated Pmt	12	\$ (52,000.00)	\$ -
2031	Estimated Pmt	13	\$ (52,000.00)	\$ -
2032	Estimated Pmt	14	\$ (52,000.00)	\$ -
2033	Estimated Pmt	15	\$ (52,000.00)	\$ -
Estimated balance that will be unpaid to the developer.			\$ 266,478.30	\$ -

Project Name: JEO, 1937 North Chestnut
Project Date: 2019
Legal Description: Lot 1, Sycamore Hills 2nd Addition
Blighted & Sub. Area: Amended Area #1



Tax Collection Information

<u>Tax Year</u>	<u>Base Value</u>	<u>Excess Value</u>	<u>Tax Rate</u>	<u>TIF Base Tax</u>	<u>TIF Excess Tax</u>	<u>1st Pmt Date</u>	<u>2nd Pmt Date</u>
2020	\$ 8,758	\$ 2,051,599	\$ 2.042792	\$ 178.91	\$ 41,909.90	4/22/2021	8/20/2021
2021	\$ 8,758	\$ 2,585,682	\$ 2.035561	\$ 178.27	\$ 52,633.13	4/22/2022	8/22/2022
2022	\$ 8,758	\$ 2,553,890	\$ 1.982257	\$ 173.61	\$ 50,624.66	4/21/2023	8/18/2023
2023	\$ 8,758	\$ 2,553,890	\$ 1.861365	\$ 163.02	\$ 47,537.21	4/19/2024	8/23/2024
2024	\$ 8,758	\$ 2,553,890	\$ 1.724617	\$ 151.04	\$ 44,044.82		

Redevelopment Contract Terms

Total Approved Redevelopment Contract - Pmts to the Developer: \$762,000 (less \$12,000 due to City for legal fees)
 Amended Agreement - Additional legal fees - \$2,000 to City
 Total Approved Redevelopment Contract - Pmts to City: \$0
 Effective Tax Year: January 1, 2019, amended to 2020
 Ending Tax Year: No later than December 31, 2033, amended to December 31, 2034

Use of Funds Collected

<u>Tax Year</u>	<u>Description</u>	<u>Amount</u>	<u>1% County</u>	<u>Pmt to Dev</u>	<u>Pmt to City</u>	<u>Balance</u>
TOTAL AMOUNT TO BE PAID				\$ 748,000.00	\$ 14,000.00	
2020	Property Tax Credit	\$ 2,096.94	\$ (20.97)	\$ -	\$ -	\$ 2,075.97
2020	Payment of Taxes	\$ 19,906.48	\$ (199.06)	\$ (7,783.39)	\$ (14,000.00)	\$ -
2020	Payment of Taxes	\$ 19,906.48	\$ (199.06)	\$ (19,707.42)	\$ -	\$ -
2021	Property Tax Credit	\$ 2,780.90	\$ (27.80)	\$ -	\$ -	\$ 2,753.10
2021	Payment of Taxes	\$ 24,926.12	\$ (249.26)	\$ (27,429.96)	\$ -	\$ -
2021	Payment of Taxes	\$ 24,926.12	\$ (249.26)	\$ (24,676.86)	\$ -	\$ -
2022	Property Tax Credit	\$ 2,694.98	\$ -	\$ -	\$ -	\$ 2,694.98
2022	Payment of Taxes	\$ 23,951.23	\$ (239.51)	\$ (26,406.70)	\$ -	\$ -
2022	Payment of Taxes	\$ 23,951.23	\$ (239.51)	\$ (23,711.72)	\$ -	\$ -
2023	Property Tax Credit	\$ 2,814.06	\$ -	\$ -	\$ -	\$ 2,814.06
2023	Payment of Taxes	\$ 22,347.37	\$ (223.47)	\$ (24,937.96)	\$ -	\$ -
2023	Payment of Taxes	\$ 22,347.37	\$ (223.47)	\$ (22,123.90)	\$ -	\$ (0.00)
2024	Property Tax Credit	\$ 4,835.30	\$ -	\$ -	\$ -	\$ 4,835.30
2024		\$ -	\$ -	\$ -	\$ -	\$ 4,835.30
2024		\$ -	\$ -	\$ -	\$ -	\$ 4,835.30
Balance				\$ 571,222.09	\$ -	

City Bond Payments/Applied TIF Funds - Not Applicable

<u>Date</u>	<u>Description</u>	<u>Receipt of TIF Rev</u>
	No Borrowed Funds for this Project	

Estimated Date/Budget for Return of project to tax rolls

Estimated using the current year excess value

<u>Tax Year</u>	<u>Description</u>	<u>TIF Year</u>	<u>Pmt to Dev</u>	<u>Pmt to City</u>
	BEGINNING BALANCE		\$ 748,000.00	\$ 14,000.00
2020	Pmt to Developer	1	\$ (27,490.81)	\$ (14,000.00)
2021	Pmt to Developer	2	\$ (52,106.82)	\$ -
2022	Pmt to Developer	3	\$ (50,118.42)	\$ -
2023	Estimated Pmt	4	\$ (47,061.86)	\$ -
2024	Estimated Pmt	5	\$ (52,000.00)	\$ -
2025	Estimated Pmt	6	\$ (52,000.00)	\$ -
2026	Estimated Pmt	7	\$ (52,000.00)	\$ -
2027	Estimated Pmt	8	\$ (52,000.00)	\$ -
2028	Estimated Pmt	9	\$ (52,000.00)	\$ -
2029	Estimated Pmt	10	\$ (52,000.00)	\$ -
2030	Estimated Pmt	11	\$ (52,000.00)	\$ -
2031	Estimated Pmt	12	\$ (52,000.00)	\$ -
2032	Estimated Pmt	13	\$ (52,000.00)	\$ -
2033	Estimated Pmt	14	\$ (52,000.00)	\$ -
2034	Estimated Pmt	15	\$ (52,000.00)	\$ -
Estimate the project will be fully funded early.			\$ (777.91)	\$ -

Project Name: Kennedy Park Redevelopment Project Phase I
Project Date: 2023
Legal Description: Block 2, Dickenson's Addition
Blighted & Sub. Area: Amended Area #1
Project Description: Renovation of the existing dormitory building into approximately twelve (12) apartment units (nine (9) one-bedroom and three (3) two-bedroom units), and associated improvements.



Tax Collection Information							
<u>Tax Year</u>	<u>Base Value</u>	<u>Excess Value</u>	<u>Tax Rate</u>	<u>TIF Base Tax</u>	<u>TIF Excess Tax</u>	<u>1st Pmt Date</u>	<u>2nd Pmt Date</u>
2024	\$ 48,441	\$ -	\$ -	\$ -	\$ -		

Redevelopment Contract Terms

Total Approved Contract - Pmts to the Developer: \$731,000 total - \$351,000 for phase I, \$380,000 (less \$9,627 due to City for legal fees and \$2,000 administration fee)

Total Approved Redevelopment Contract - Pmts to City: \$11,627.00

Effective Tax Year: no later than January 1, 2025

Ending Tax Year: If effective date is January 1, 2025, then maturity date shall be December 15, 2040 (2039 taxes paid in 2040).

<u>Tax Year</u>	<u>Description</u>	<u>Use of Funds Collected</u>			<u>Pmt to Dev</u>	<u>Pmt to City</u>	<u>Balance</u>
		<u>Amount</u>	<u>1% County</u>				
	TOTAL AMOUNT TO BE PAID			\$ 339,373.00	\$ 11,627.00		
2025	Property Tax Credit	\$ -	\$ -	\$ -	\$ -	\$ -	
2025	Payment of Taxes	\$ -	\$ -	\$ -	\$ -	\$ -	
2025	Payment of Taxes	\$ -	\$ -	\$ -	\$ -	\$ -	
	Balance			\$ 339,373.00	\$ 11,627.00		

City Bond Payments/Applied TIF Funds - Not Applicable

Date Description Receipt of TIF Rev

No Borrowed Funds for this Project

Estimated Date/Budget for Return of project to tax rolls

Estimated using the current year excess value

<u>Tax Year</u>	<u>Description</u>	<u>TIF Year</u>	<u>Pmt to Dev</u>	<u>Pmt to City</u>
	BEGINNING BALANCE		\$ 339,373.00	\$ 11,627.00
2025	Estimated Pmt	1	\$ -	\$ -
2026	Estimated Pmt	2	\$ -	\$ -
2027	Estimated Pmt	3	\$ -	\$ -
2028	Estimated Pmt	4	\$ -	\$ -
2029	Estimated Pmt	5	\$ -	\$ -
2030	Estimated Pmt	6	\$ -	\$ -
2031	Estimated Pmt	7	\$ -	\$ -
2032	Estimated Pmt	8	\$ -	\$ -
2033	Estimated Pmt	9	\$ -	\$ -
2034	Estimated Pmt	10	\$ -	\$ -
2035	Estimated Pmt	11	\$ -	\$ -
2036	Estimated Pmt	12	\$ -	\$ -
2037	Estimated Pmt	13	\$ -	\$ -
2038	Estimated Pmt	14	\$ -	\$ -
2039	Estimated Pmt	15	\$ -	\$ -
	Estimate the project will be fully funded early.		\$ 339,373.00	\$ 11,627.00

Project Name: Kennedy Park Redevelopment Project Phase 2
Project Date: 2023
Legal Description: Block 5 Dickensons Addition
Blighted & Sub. Area: Amended Area #1
Project Description: Construction of approximately eleven (11) 2-and 3-bedroom townhomes, the construction of approx. ten (1) parking garages and associated improvements. Public park improvements including but not limited to a basketball/pickle ball court, playground, picnic tables, and shelter on City park property.



Tax Collection Information

<u>Tax Year</u>	<u>Base Value</u>	<u>Excess Value</u>	<u>Tax Rate</u>	<u>TIF Base Tax</u>	<u>TIF Excess Tax</u>	<u>1st Pmt Date</u>	<u>2nd Pmt Date</u>
2027	\$ -	\$ -	\$ -	\$ -	\$ -		

AGREEMENT CURRENTLY UNDER REVIEW. NO WORK HAS STARTED

Redevelopment Contract Terms
 Total Approved Contract - Pmts to the Developer: \$731,000 total - \$551,000 for phase I, \$180,000 (less \$9,027 due to City for legal fees and \$2,000 administration fee)
 Total Approved Redevelopment Contract - Pmts to City: All fees recovered in Phase I
 Effective Tax Year: no later than January 1, 2027
 Ending Tax Year: If effective date is any year 2027 then maturity date shall be December 15, 2040 (or 39 taxes thereafter)

Use of Funds Collected

<u>Tax Year</u>	<u>Description</u>	<u>Amount</u>	<u>1st Pmt Date</u>	<u>Pmt to Dev</u>	<u>Pmt to City</u>	<u>Balance</u>
	TOTAL AMOUNT TO BE PAID			380,000.00	-	
2027	Property Tax Credit	\$ -	\$ -	\$ -	\$ -	\$ -
2027	Payment of Taxes	\$ -	\$ -	\$ -	\$ -	\$ -
2027	Payment of Taxes	\$ -	\$ -	\$ -	\$ -	\$ -
	Balance			\$ 380,000.00	\$ -	

City Bond Payments/Applied TIF Funds - Not Applicable

<u>Date</u>	<u>Description</u>	<u>Receipt of TIF Rev</u>
	No Borrowed Funds for this Project	

Estimated Date/Budget for Return of project to tax rolls

Estimated using the current year excess value

<u>Tax Year</u>	<u>Description</u>	<u>TIF Year</u>	<u>Pmt to Dev</u>	<u>Pmt to City</u>
	BEGINNING BALANCE		\$ 380,000.00	\$ -
2020	Estimated Pmt	1	\$ -	\$ -
2021	Estimated Pmt	2	\$ -	\$ -
2022	Estimated Pmt	3	\$ -	\$ -
2023	Estimated Pmt	4	\$ -	\$ -
2024	Estimated Pmt	5	\$ -	\$ -
2025	Estimated Pmt	6	\$ -	\$ -
2026	Estimated Pmt	7	\$ -	\$ -
2027	Estimated Pmt	8	\$ -	\$ -
2028	Estimated Pmt	9	\$ -	\$ -
2029	Estimated Pmt	10	\$ -	\$ -
2030	Estimated Pmt	11	\$ -	\$ -
2031	Estimated Pmt	12	\$ -	\$ -
2032	Estimated Pmt	13	\$ -	\$ -
2033	Estimated Pmt	14	\$ -	\$ -
2034	Estimated Pmt	15	\$ -	\$ -
	Estimate the project will be fully funded early.		\$ 380,000.00	\$ -

Project Name: Wahoo Super Project
Project Date: 2023
Legal Description: Block 2, Dickenson's Addition
Blighted & Sub. Area: Downtown Blighted Area
Project Description: Demolition of vacant grocery store on Project Site and the construction of a four-story mixed-use building with approx. 8,000 sq ft of commercial space and four (4) residential dwelling units on the first floor and approx. fifty-four (54) residential dwelline units and the second through fourth floors and assoc improvements on the project site.



AGREEMENT CURRENTLY

Tax Collection Information							
Tax Year	Assess Value	Excess Value	Tax Rate	Tax Base Tax	TIF Credits Tax	Pmt Date	2nd Pmt Date
2024	\$ -	\$ -	\$ -	\$ -	\$ -		

UNDER REVIEW. NO

Redevelopment Contract Terms
 Total Approved Contract - Pmts to the Developer: \$1,886,360 plus 1% interest (less \$6,654 in attorney fees and \$2,000 administration fee)
 Total Approved Redevelopment Contract - Pmts to City: \$11,627.00
 Effective Tax Year: January 1, 2025
 Ending Tax Year: If effective date is January 1, 2025 the maturity date shall be December 15, 2040. 0.03% taxes paid in 2040.

WORK HAS STARTED

Use of Funds Collected						
Tax Year	Description	Amount	1% County	Pmt to Dev	Pmt to City	Balance
	TOTAL AMOUNT TO BE PAID			\$ 1,888,072.00	\$ 8,664.00	
2025	Property Tax Credit	\$ -	\$ -	\$ -	\$ -	\$ -
2025	Payment of Taxes	\$ -	\$ -	\$ -	\$ -	\$ -
2025	Payment of Taxes	\$ -	\$ -	\$ -	\$ -	\$ -
	Balance			\$ 1,888,072.00	\$ 8,664.00	

City Bond Payments/Applied TIF Funds - Not Applicable

Date	Description	Receipt of TIF Rev
	No Borrowed Funds for this Project	

Estimated Date/Budget for Return of project to tax rolls

Estimated using the current year excess value

Tax Year	Description	TIF Year	Pmt to Dev	Pmt to City
	BEGINNING BALANCE		\$ 1,888,072.00	\$ 8,664.00
2025	Estimated Pmt	1	\$ -	\$ -
2026	Estimated Pmt	2	\$ -	\$ -
2027	Estimated Pmt	3	\$ -	\$ -
2028	Estimated Pmt	4	\$ -	\$ -
2029	Estimated Pmt	5	\$ -	\$ -
2030	Estimated Pmt	6	\$ -	\$ -
2031	Estimated Pmt	7	\$ -	\$ -
2032	Estimated Pmt	8	\$ -	\$ -
2033	Estimated Pmt	9	\$ -	\$ -
2034	Estimated Pmt	10	\$ -	\$ -
2035	Estimated Pmt	11	\$ -	\$ -
2036	Estimated Pmt	12	\$ -	\$ -
2037	Estimated Pmt	13	\$ -	\$ -
2038	Estimated Pmt	14	\$ -	\$ -
2039	Estimated Pmt	15	\$ -	\$ -
	Estimate the project will be fully funded early.		\$ 1,888,072.00	\$ 8,664.00

Project Name: Wilmer Heights Daycare
Project Date: 2024
Legal Description: Lot 73R, Wilmer Ridge Subdivision
Blighted & Sub. Area: Amended Area #1
Project Description: Construct an approximately 6,000 to 8,775 sq ft building to be utilized as a Day Care Center. The building will be a single floor, with several child-care rooms for space up to 100 children.



Tax Collection Information							
Tax Year	Base Value	Excess Value	Tax Rate	TIF Base Tax	TIF Excess Tax	1st Pmt Date	2nd Pmt Date
2025	\$ -	\$ -	\$ -	\$ -	\$ -		

Redevelopment Contract Terms

Total Approved Contract - Pmts to the Developer: \$550,000 (less \$5,500 due to City for legal fees + \$2,000 in admin fees)
 Total Approved Redevelopment Contract - Pmts to City: \$7,500
 Effective Tax Year: January 1, 2026
 Ending Tax Year: December 15, 2041 (2040 taxes paid in 2041).

Use of Funds Collected						
Tax Year	Description	Amount	1% County	Pmt to Dev	Pmt to City	Balance
TOTAL AMOUNT TO BE PAID				\$ 542,500.00	\$ 7,500.00	
2025	Property Tax Credit	\$ -	\$ -	\$ -	\$ -	\$ -
2025	Payment of Taxes	\$ -	\$ -	\$ -	\$ -	\$ -
2025	Payment of Taxes	\$ -	\$ -	\$ -	\$ -	\$ -
Balance				\$ 542,500.00	\$ 7,500.00	

City Bond Payments/Applied TIF Funds - Not Applicable

Date	Description	Receipt of TIF Rev
No Borrowed Funds for this Project		

Estimated Date/Budget for Return of project to tax rolls

Estimated using the current year excess value

Tax Year	Description	TIF Year	Pmt to Dev	Pmt to City
	BEGINNING BALANCE		\$ 542,500.00	\$ 7,500.00
2025	Estimated Pmt	1	\$ -	\$ -
2026	Estimated Pmt	2	\$ -	\$ -
2027	Estimated Pmt	3	\$ -	\$ -
2028	Estimated Pmt	4	\$ -	\$ -
2029	Estimated Pmt	5	\$ -	\$ -
2030	Estimated Pmt	6	\$ -	\$ -
2031	Estimated Pmt	7	\$ -	\$ -
2032	Estimated Pmt	8	\$ -	\$ -
2033	Estimated Pmt	9	\$ -	\$ -
2034	Estimated Pmt	10	\$ -	\$ -
2035	Estimated Pmt	11	\$ -	\$ -
2036	Estimated Pmt	12	\$ -	\$ -
2037	Estimated Pmt	13	\$ -	\$ -
2038	Estimated Pmt	14	\$ -	\$ -
2039	Estimated Pmt	15	\$ -	\$ -
Estimate the project will be fully funded early.			\$ 542,500.00	\$ 7,500.00

TIF Utilization Report

Comparing Wahoo with ten communities larger and smaller in population than Wahoo
Taken from NE Department of Revenue 2024 TIF Report

	Population	2021 %TIF of Total City	2022 %TIF of Total City	2023 %TIF of Total City	City Taxable Value	TIF Excess Value	City Total Value	2024 %TIF of Total City
Auburn	3470	8.32%	7.83%	9.97%	\$ 189,089,042	\$ 25,972,112	\$ 215,061,154	12.08%
Gothenburg	3478	4.25%	4.10%	3.69%	\$ 323,448,502	\$ 19,086,973	\$ 342,535,475	5.57%
West Point	3500	3.21%	0.44%	1.33%	\$ 370,377,671	\$ 5,703,685	\$ 376,081,356	1.52%
Broken Bow	3506	4.82%	4.05%	4.17%	\$ 259,313,720	\$ 10,863,825	\$ 270,177,545	4.02%
O'Neill	3581	2.67%	2.46%	2.12%	\$ 228,012,490	\$ 3,656,670	\$ 231,669,160	1.58%
Fairbury	3970	2.98%	2.83%	2.54%	\$ 221,541,292	\$ 3,526,848	\$ 225,068,140	1.57%
Cozad	3988	2.63%	2.86%	2.92%	\$ 260,983,414	\$ 9,510,146	\$ 270,493,560	3.52%
Falls City	4133	10.33%	7.58%	5.59%	\$ 193,679,681	\$ 8,151,002	\$ 201,830,683	4.04%
Waverly	4279	6.47%	6.62%	7.24%	\$ 538,356,328	\$ 38,463,500	\$ 576,819,828	6.67%
Aurora	4678	3.20%	0.00%	0.00%	\$ -	\$ -	\$ -	0.00%
Wahoo	4818	5.47%	4.69%	3.88%	\$ 446,463,812	\$ 17,936,230	\$ 464,400,042	3.86%
Ogallala	4878	9.41%	9.37%	8.74%	\$ 452,849,710	\$ 35,369,875	\$ 488,219,585	7.24%
Chadron	5206	1.79%	1.71%	1.54%	\$ 321,653,776	\$ 5,012,085	\$ 326,665,861	1.53%
Holdrege	5515	5.30%	4.01%	3.96%	\$ 481,002,017	\$ 18,663,531	\$ 499,665,548	3.74%
Wayne	5973	5.76%	5.47%	4.69%	\$ 362,739,871	\$ 18,658,710	\$ 381,398,581	4.89%
Sidney	6410	6.63%	5.81%	5.43%	\$ 493,137,976	\$ 24,494,655	\$ 517,632,631	4.73%
Ralston	6494	5.78%	5.23%	7.57%	\$ 594,916,515	\$ 46,552,600	\$ 641,469,115	7.26%
Plattsmouth	6544	4.33%	3.98%	4.33%	\$ 409,826,170	\$ 21,146,886	\$ 430,973,056	4.91%
Schuyler	6547	1.75%	1.70%	1.85%	\$ 314,789,568	\$ 5,673,205	\$ 320,462,773	1.77%
Crete	7099	2.60%	2.59%	2.27%	\$ 451,088,993	\$ 9,041,955	\$ 460,130,948	1.97%
Nebraska City	7222			2.54%	\$ 517,694,957	\$ 13,377,785	\$ 531,072,742	2.52%
State of Nebraska		4.28%	4.28%	4.11%				4.54%

Note: Gretna was replaced with NE City in 2023 due to population growth.

Excess Value - 2024 - Peer Communities

			Residential	Commercial	Industrial	Other	Total	Project Count
Auburn	Nemaha	3470	\$ 22,015,862	\$ 3,956,250	\$ -	\$ -	\$ 25,972,112	4
Gothenburg	Dawson	3478	\$ 5,130,192	\$ 13,956,424	\$ -	\$ 357	\$ 19,086,973	13
West Point	Cuming	3500	\$ -	\$ 4,184,590	\$ 1,519,095	\$ -	\$ 5,703,685	3
Broken Bow	Custer	3506	\$ -	\$ 10,863,825	\$ -	\$ -	\$ 10,863,825	13
O'Neill	Holt	3581	\$ -	\$ 3,656,670	\$ -	\$ -	\$ 3	4
Fairbury	Jefferson	3970	\$ 1,059,432	\$ 2,467,416	\$ -	\$ -	\$ 3,526,848	5
Cozad	Dawson	3988	\$ 3,373,908	\$ 6,136,238	\$ -	\$ -	\$ 9,510,146	21
Falls City	Richardson	4133	\$ -	\$ 7,979,582	\$ 171,420	\$ -	\$ 8,151,002	8
Waverly	Lancaster	4279	\$ 7,466,500	\$ 12,301,000	\$ 18,696,000	\$ -	\$ 38,463,500	6
Aurora	Hamilton	4678	\$ -	\$ -	\$ -	\$ -	\$ -	0
Wahoo	Saunders	4818	\$ -	\$ 17,936,230	\$ -	\$ -	\$ 17,936,230	5
Ogallala	Keith	4878	\$ 2,001,330	\$ 33,368,545	\$ -	\$ -	\$ 35,369,875	44
Chadron	Dawes	5206	\$ -	\$ 5,012,085	\$ -	\$ -	\$ 5,012,085	1
Holdrege	Phelps	5515	\$ 10,055,811	\$ 8,607,720	\$ -	\$ -	\$ 18,663,531	12
Wayne	Wayne	5973	\$ 7,922,095	\$ 10,736,615	\$ -	\$ -	\$ 18,658,710	31
Sidney	Cheyenne	6410	\$ 3,995,899	\$ 20,496,756	\$ -	\$ -	\$ 24,492,655	7
Ralston	Douglas	6494	\$ -	\$ 46,552,600	\$ -	\$ -	\$ 46,552,600	7
Plattsmouth	Cass	6544	\$ 1,723,225	\$ 19,423,661	\$ -	\$ -	\$ 21,146,886	8
Schuyler	Colfax	6547	\$ -	\$ 5,673,205	\$ -	\$ -	\$ 5,673,205	2
Crete	Saline	7099	\$ 946,170	\$ 8,095,785	\$ -	\$ -	\$ 9,041,955	6
Nebraska City	Otoe	7222	\$ -	\$ 13,377,785	\$ -	\$ -	\$ 13,377,785	8

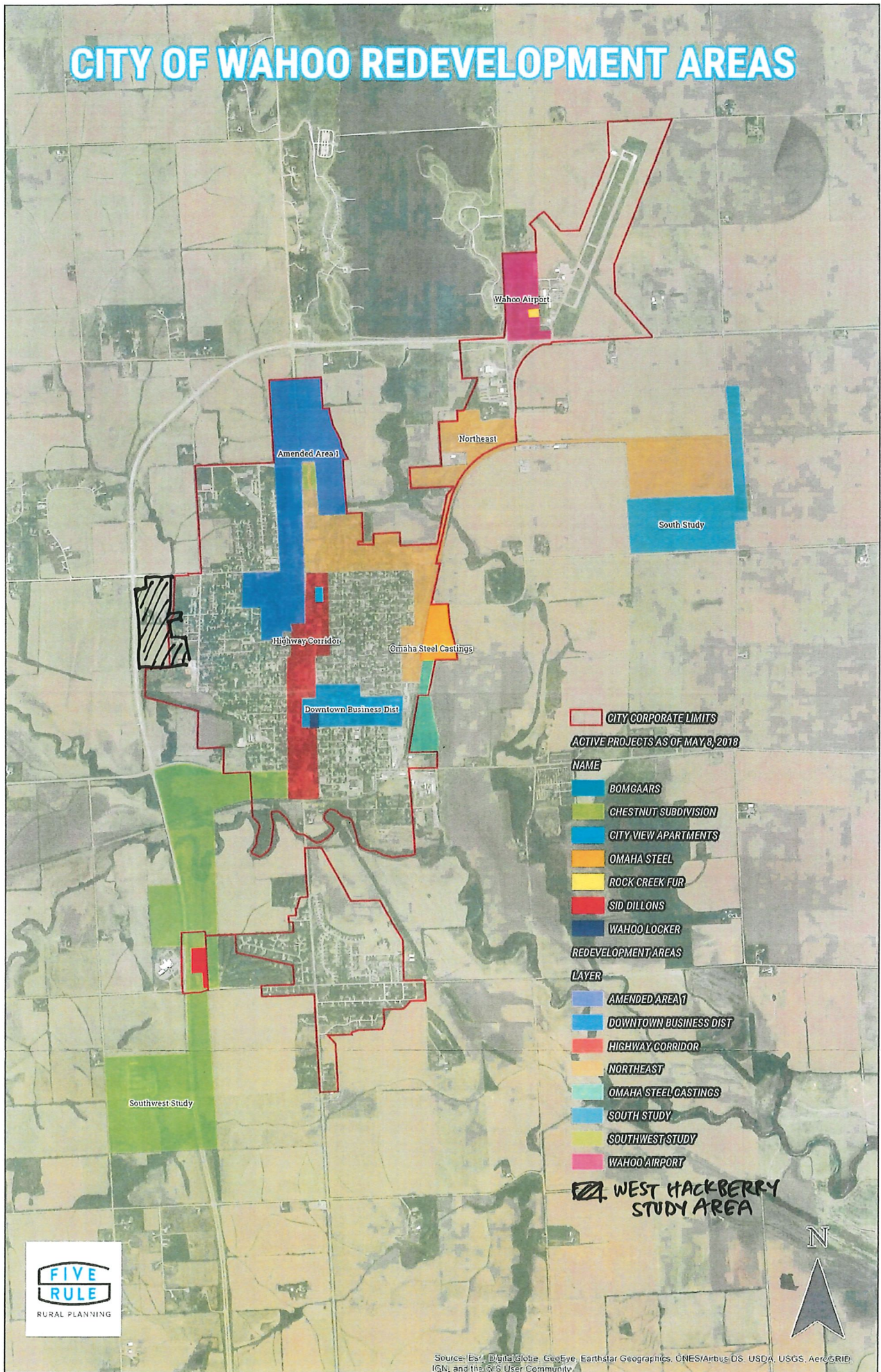
Excess Value - 2024 - Communities/Schools with Growth - Bedroom Communities

	School District		Residential	Commercial	Industrial	Other	Total	
Yutan	Saunders	Yutan	\$ 26,767,761	\$ 1,336,675	\$ -	\$ -	\$ 28,104,436	6
Greenwood	Cass	Ashland 1	\$ 1,883,309	\$ 5,401,266	\$ -	\$ -	\$ 7,284,575	3
LaVista	Sarpy	Papillion-LaVista 27	\$ -	\$ 67,278,925	\$ -	\$ -	\$ 67,278,925	6
Papillion	Sarpy	-	\$ -	\$ -	\$ -	\$ -	\$ -	0
Blair	Washington	Blair	\$ 6,190,480	\$ 7,167,340	\$ 3,064,785	\$ -	\$ 16,422,605	9
Valley	Douglas	DC West	\$ 358,219,495	\$ -	\$ -	\$ -	\$ 358,219,495	20
Waterloo	Douglas	DC West	\$ 23,179,200	\$ 7,907,000	\$ -	\$ -	\$ 31,086,200	15
Seward	Seward	Seward	\$ 3,433,490	\$ 20,249,841	\$ 26,042,320	\$ -	\$ 49,725,651	33
S. Sioux City	Dakota	S. Sioux City	\$ 13,569,903	\$ 45,218,496	\$ 50,152,865	\$ 47,585	\$ 108,988,849	9
Milford	Milford	-	\$ -	\$ 1,674,711	\$ -	\$ -	\$ 1,674,711	4
Hickman	Lancaster	Norris 160	\$ -	\$ 836,100	\$ -	\$ -	\$ 836,100	2

Notes:

- Waterloo - 120 residential lots, started 2005, 15 lots per year originally, "Homes at River Road"
- Valley - 149 residential lots, started 2008, "Mallard Lake", "Mallard Landing", constructed in phases
- Valley - "Bluewater Infrastructure" "Bluewater Subdivision", constructed in phases (lake property)
- Yutan - Sudbeck Homes, constructed in phases, approximately 85 residential lots
- Greenwood - "Greenwood Village"
- Auburn - Redevelopment done by blanket public improvements in areas of need in community (Core, SE, SW, making troublesome building lots or areas of subdivisions attractive for residential construction)
- S. Sioux City - Flatwater Crossing - mixed-use neighborhood w/dwelling units, comm bldgs, public fac.

CITY OF WAHOO REDEVELOPMENT AREAS



Redevelopment Areas as of 3/11/2025

<u>Area</u>	<u>Acres</u>
Northeast	189.63
Downtown Business Dist	50.18
Omaha Steel Castings	26.27
Wahoo Airport	42.38
Southwest Study	17.76
Southwest Study	14.58
Highway Corridor	87.93
Kennedy Campus/Amended Area 1	178.85
West Hackberry Area	50.00
Total Blighted within Wahoo Limits	657.59
Previous Acres	1847.00
Dry Run Suidivision Annexation (6/2018)	13.39
North Highlands Annexation (7/2021)	38.52
Water Tower (7/2023)	1.22
Trail & Storm Water Easement (2/2024)	2.22
NRD Property (10/2024)	32.07
Total Acres in Wahoo	1934.42
Percentage blighted within Wahoo	34%
Maximum = 50% of acres	967.21
Acres available for designation	309.62

City of Wahoo, Nebraska

Tax Increment Financing Wahoo Community Development Agency Policies and Procedures April 8, 2004 (Amended 2022)

INTRODUCTION

Tax Increment Financing (TIF) has proven to be a powerful force for revitalizing areas of cities and towns in Nebraska. Formerly referred to as "urban renewal," the purpose of this legislation is the elimination of blighted and substandard areas. TIF permits local governments to use the increased tax revenues produced by a redevelopment project to partially finance the cost of some improvements associated with that project.

TIF COMMITTEE

All Tax Increment Financing (TIF) petitions must be filed with the Wahoo TIF Committee. This committee, all appointed by the Mayor, includes the Mayor, three City Council members, one Planning Commission member, City Administrator, Utilities General Manager, and Wahoo Economic Development Director. The TIF Committee is only a recommending body on proposed TIF redevelopment plans and projects. Final approval of any proposed use of TIF for redevelopment projects shall be determined by the Community Development Agency (Wahoo City Council), also known as the CDA, after receipt of the recommendation of the TIF Committee and Planning Commission.

APPLICATION PROCESS

The TIF Committee shall follow the procedures set forth herein in the consideration of and recommendation regarding any proposed TIF redevelopment plan or project, including the following procedures:

- I. The applicant must submit an application to the TIF Committee for its proposed TIF redevelopment plan or project in accordance with the requirements set forth herein.
- II. The TIF Committee will perform a preliminary "cost-benefit" analysis of the plan or project, with or without the assistance of legal counsel.
- III. The TIF Committee shall vote on the proposed redevelopment plan or project within 30 days after receiving the TIF request; a majority vote of the Committee shall determine if the plan or project meets the objectives described below and if it should be advanced for the formal consideration process by the CDA, the Planning Commission, and the City Council.
- IV. Following the TIF Committee's recommendation, the CDA will review the plan or project and make a recommendation for the project to move through the formal approval process with the Planning Commission and the City Council. This process is defined by a statutory process that must be followed.
- V. The CDA (City Council) evaluates the Planning Commission's comments and approves or denies the plan or project.

USE OF TIF FUNDS

As described in Nebraska Statutes, TIF funds may be used for any of the following purposes (which may be amended by statute):

- I. Public improvements associated with a redevelopment project which are located in the redevelopment area. Such improvements can include streets, street lighting, sewers, sidewalks, utilities, public parking areas, parks/recreation facilities, landscaping of public areas and any other legally permitted municipal activities.
- II. Acquisition of redevelopment sites, including all costs associated with that acquisition.
- III. Site preparation, demolition, grading, surcharging, special foundation work, and other necessary site preparation work.
- IV. Utility extension and hook-ups.
- V. Rehabilitation of structures within the redevelopment areas.

APPROVAL PROCESS

The TIF approval process consists of three primary steps:

- I. Designation of the Blighted Area – In Wahoo there are several areas that have been designated as blighted and substandard. To be eligible for consideration for use of TIF a proposed redevelopment project must be located in an eligible area that has been declared blighted and substandard.
- II. Preparation and approval of a Redevelopment Plan – The City of Wahoo has approved a General Redevelopment Plan for any areas that have been declared Blighted and Substandard. The City may also choose to prepare a specific redevelopment plan for a project area that may contain more specific goals and defined plans for redevelopment for a specific area. The plan has certain statutory requirements and includes a delineation of the Tax Increment Project Area. It also contains general information about the potential or proposed projects and the eligible use of TIF funds.
- III. Approval of a Redevelopment Agreement/Contract - Following approval of the redevelopment plan (unless there is already one in place), the City and the developer/owner of the proposed project negotiate a redevelopment agreement/contract. This contract sets forth the mutual responsibilities of both parties and may include the financial terms of the project. As part of the agreement process, the City and the developer will determine if the TIF financing is to be used as a private loan (in which case the developer will arrange this financing with a private lender) or a City bond issue (in which case the City and the developer will work with a bond underwriter to arrange this financing). Generally, any amount under \$250,000 should be financed as a private loan by the developer.

CITY OF WAHOO'S PUBLIC POLICY STATEMENT REGARDING TIF

It is important to note all redevelopment projects/project proposals must meet the following criteria of the City's Public Policy Statement for Wahoo Tax Increment Financing Program:

- I. It is the Policy of the Wahoo Community Development Agency (CDA) to proactively exercise such powers under the Community Development law of the State of Nebraska as are necessary and expedient to assist in the remediation of blight and substandard conditions in the City of Wahoo.

- II. In order to encourage investment in redevelopment areas, the CDA may provide partial loans and/or grants (and/or combinations of loans and grants) for redevelopment projects in areas declared to be blighted and substandard.
- III. The CDA intends to issue bonds for the purposes set forth in §18-2147 of the Nebraska Revised Statutes and pledge the incremental ad valorem taxes on real property in redevelopment projects.
- IV. The CDA does not intend to use its taxing authority to increase the current property tax level to support redevelopment. Wahoo's redevelopment should be self-supporting. The CDA believes that many projects requiring assistance to positively impact blight and substandard conditions will not be of sufficient monetary size to warrant a division of taxes under §18-2147 of the Nebraska Revised Statutes. In order to create needed loan and grant funds to encourage redevelopment, each redevelopment plan, and redevelopment contract, should contain provisions providing for partial funding of a Community Redevelopment fund for smaller projects which do not qualify for the division of taxes under section §18-2147 because of the size of the project. The CDA finds that projects which do not expect an increase in the assessed value of real estate in the redevelopment project in excess of \$250,000.00 are generally not such projects as will benefit from the issuance of bonds under section §18-2147.
- V. The CDA shall generally require any proposed redeveloper to file with its application for redevelopment assistance under a proposed redevelopment plan or a proposed redevelopment contract, a sum of \$5,000.00 to cover costs of staff time, and other costs and expenses of the City of Wahoo. Additionally, the redeveloper shall be responsible for payment of out-of-pocket legal expenses incurred by the CDA. Costs associated with bond issuance are the responsibility of the developer, and may be added to the amount of the bonds. Such payments shall be non-refundable, and the filing of such fee shall not guarantee the acceptance or recommendation for approval of any such plan or contract.
- VI. It is the policy of the CDA to require cash payments of fees and other requirements under redevelopment plans and contracts. However, the CDA reserves the right, in limited circumstances, to accept debt obligations issued by the CDA, in payment of any fees or in satisfaction of any requirements under any redevelopment contractor or redevelopment plan, or substantial modification thereof.
- VII. The CDA finds that the acquisition and the development of undeveloped vacant land, not within a substandard or blighted area, is central to the proper clearance and redevelopment of substandard and blighted areas within the City of Wahoo and is a necessary part of the general community redevelopment program of the city. The CDA further finds that the acquisition and development of land outside the city to within a radius of one mile thereof is necessary and convenient to the proper clearance and redevelopment of substandard and blighted areas within the city and is a necessary adjunct to the general community redevelopment program of the city.
- VIII. Redevelopment projects should generally conform to the General Plan for the development of the City (Comprehensive Plan) and be consistent with the City development standards.

- IX. The CDA finds that one of the more effective methods of eliminating blight and substandard conditions is to promote the city as a retail trade, medical and tourism center. Therefore, improvements to existing facilities, and creation of new and larger retail stores, medical facilities and tourist facilities should be supported and encouraged. Continued expansion of industry, including warehousing, manufacturing, value-added agricultural industries and office complex facilities is an additional method of removing blight and substandard conditions. Such development should be encouraged in the blighted and substandard areas.
- X. Preference will be given to redevelopment projects and redevelopment contracts that result in the retention and or creation of above-average wage jobs. The CDA firmly believes that increased income levels within blighted and substandard areas significantly assist in the reduction of blight and substandard conditions:
- a. The CDA believes that the use of TIF should be reserved for redevelopment plans/projects that demonstrate the highest public benefit, including one or more of the following criteria:
 - i. eliminate blight,
 - ii. finance desirable public improvements,
 - iii. strengthen the employment and economic base,
 - iv. increase property values,
 - v. reduce poverty,
 - vi. create economic stability,
 - vii. stabilize and upgrade existing neighborhoods and areas,
 - viii. facilitate economic self-sufficiency,
 - ix. and implement the Comprehensive Plan of the City of Wahoo and the economic development strategy of the City.
 - b. The CDA shall pay particular attention to the merits of each proposed redevelopment plan/project with regard to:
 - i. potential impact on City service levels,
 - ii. overall contribution to the City economy,
 - iii. and consistency with the City's goals and objectives as expressed in the Comprehensive Plan and other adopted planning or strategic documents.
 - c. The CDA shall consider all proposed redevelopment plans and projects on their individual merits; however, the CDA favors redevelopment plans and projects that impact positively the following issues:
 - i. Job Creation:
 - 1. projects that create jobs with wages that exceed community average,
 - 2. total number of additional employees that will be hired and whether they will be hired from the local population,
 - 3. skill and education levels and range of salary and compensation required for jobs expected to be created,
 - 4. and potential for executive relocation.
 - ii. Vacant Land: If the proposed redevelopment plan or project will involve development/redevelopment of vacant land, it must conform with the Comprehensive Plan of the City of Wahoo and serve as a catalyst for further, high quality development or redevelopment.

- iii. Commercial Rehabilitation: Proposed redevelopment plans/projects involving the rehabilitation of existing retail, commercial, office or industrial facilities should serve to stabilize areas of the City that have or will likely experience deterioration.
 - iv. Retail Use: Proposed redevelopment plans/projects for retail and service commercial uses should be limited to those that encourage an inflow of customers from outside the City or that will provide services or fill retail markets that are currently unavailable or in short supply in the City.
 - v. Residential: Proposed redevelopment plans/projects involving residential units located in areas of infill within the community, be a rehabilitation of an existing multi-family residential structure, or be part of a redevelopment plan/project located in the downtown area of Wahoo.
- d. Other than described above, the CDA does not intend to provide assistance for residential projects. The policy of the CDA is to promote redevelopment projects that have a high probability of long-term benefit to community and long-term survival ability. Therefore, the CDA will generally require as part of application for assistance, financial statements and projections providing sufficient data to determine probably long-term success of the redevelopment project.
- e. Generally, the CDA will require, as part of a redevelopment contract, that provision be made for the installation of and payment for, or provision for payment for, public infrastructure including electrical lines, curbs, gutters, paved streets, sewer, gas and water. Installation of public amenities may also be required, including public parking, benches, pedestrian shelter, bus stops, signage and the like.
- f. In order to remove substandard and blighting influences in the city, the CDA will support projects that capture incremental tax revenues over a wide area to provide beneficial area wide redevelopment or benefit.
- g. The CDA recognizes that proactive remedial action in redevelopment areas requires a continual review of policies and procedures to the end that policy changes may be made on a timely basis to positively impact continual improvement in blighted and substandard areas.
- h. Generally, the CDA will require that not less than 25% of the bond proceeds generated from the project be distributed in the form of a loan secured with a lien on the project. The balance of the proceeds may be distributed as a grant. Terms of the loan shall be determined at the time of application and shall be based on projected repayment ability of the project. As a general policy, loan repayment should be for a term of not greater than five years. Balloon payments would be considered. Receipts from the loan repayment shall be placed into the Community Redevelopment fund.
- i. Developer Financials and Assurance of Marketability for and Final Payment of Bonds:
 - i. Timely payment of tax increment bond financings and the responsibility for such payment rests not with the municipality or its community redevelopment agency or authority issuing the indebtedness, but rather with the developer for any project for which TIF borrowings are requested.

- ii. The City advises developers that the existence of an ability for the issuance of tax increment financings does not assure a ready market for such financing. Accordingly, the City will make inquiry and must have information as to the financial structure and posture of a developer, and/or assurance from the developer that such developer has the ability to deliver any bonds issued to his own lender; to provide a letter of credit or other means of credit enhancement; or to provide some other means of payment guarantee to assure the transaction might be bankable and marketable. In each issuance of bonds the City will exercise its efforts to assist in determination of the marketability of an issue, but makes no pledge or guarantee of such marketability nor will the City be responsible for finding a buyer of any TIF obligation.
 - iii. Changes in tax structure, the manner of levying and collecting taxes, casualty loss of a facility, failure of the property owner to pay taxes, and other factors might result in the inadequacy of incremental tax revenues to pay the principal of and interest on a TIF obligation. A developer must be prepared and must be able to guarantee that should such an event or events occur, the developer will be prepared and will be able to make up any resulting deficiency between available tax revenues and the bond payments then due, or to immediately provide for payment and retirement of outstanding bonds and interest accrued on such bonds.
 - iv. A typical redevelopment agreement makes such findings as set out above and also generally makes provision relative to the lender being an additional named insured under any casualty insurance policy and contains provisions requiring the timely payment of taxes and assessments as well as a minimum non-protest value for the underlying property as developed.
- j. The grant or award of assistance to any particular project shall not obligate the CDA to grant assistance to any other project, whether similar or otherwise.
- k. In addition, the City of Wahoo must conclude that the plan (project) would not be economically feasible without TIF.

More information on this program is available by calling the Wahoo Economic Development Office at 402-443-4001.

MICRO-TIF in WAHOO

(October 2023)

In 2023 the Nebraska Legislature made changes to allow an expedited review process for a redevelopment project in all communities except Lincoln and Omaha (aka Micro TIF), that allows developers of smaller projects to take advantage of tax increment financing for their project. In September the City Council adopted a resolution that made the expedited review process available in Wahoo. This resolution can be revoked by the Council at any time.

Key points:

- Quick review process, limited \$50 application fee
- Limited project size (final valuation)
- Limited project type (residential and small commercial)
- Can be limited annually by the Council (currently is not, but can be)
- Qualified expenses must meet the “benefit of the public” requirement
- Limited to 15 years unless extremely blighted designation – not in Wahoo

ELIGIBILITY

A redevelopment plan for a project is eligible if:

- Includes ONE project
- Property must be in a designated blight and substandard area and must involve either
 - Repair, rehabilitation, or replacement of an existing structure that has been within the corporate limits of the city for at least 60 years, or
 - Redevelopment of a vacant lot that has been within the corporate limits for at least 60 years
- Assessed value when complete is estimated to be no more than:
 - \$350,000 for a single-family residential structure
 - \$1,500,000 for a multi-family residential structure or commercial structure, or

APPLICATION AND REVIEW PROCESS

A universal form has been developed which is available on the Nebraska Department of Economic Development website. This must be completed and submitted with a \$50 fee at City Hall. Must include:

- Existing uses and condition of the property
- Proposed uses of the property
- Number of years the structure has been within corporate limits or number of years lot has been vacant
- Current assessed value
- Increase in the assessed value that is estimated to occur as a result of the redevelopment project
- Description of how the project will be financed and by who will hold the note
- Agreed-upon costs of the redevelopment project

Application is reviewed by the City Administrator. The primary area of review will be the stated “agreed-upon costs” as they still must meet the test of benefiting the public. Within 30 days of receiving the application, the Council must act to approve or deny the project. Denial is required if application does not meet the requirements of the law, if it exceeds an annual limit established by the Council, or if it is inconsistent with the city’s comp plan.

NOTE ISSUANCE

At the same time of approval, the Council issues a note that is the lesser of:

- The agreed-upon costs of the redevelopment project OR
- The amount estimated to be generated over a fifteen-year period from the ad-valorum taxes.

Note: The issuance of this debt does not create any financial obligation for the City. It is simply a legal conduit for the redeveloper to receive funding.

PROJECT COMPLETION

Redeveloper has two years from date of approval to complete the project. When completed, the redeveloper must notify the county assessor of the completion. The county assessor does the following:

- Determines whether project has been completed,
- Determines the assessed value of the property that has been redeveloped,
- Sends certification to the city of their findings

Once the certification is complete, the City can begin paying the ad-valorum taxes to the holder of the note. Funds must go to the holder of the note.

WHAT THE EXPEDITED REVIEW PROCESS ELIMINATES

It's important to remember this statute addresses the REVIEW process only. This process eliminates the need for:

- An officially adopted redevelopment plan
- Requirement of recommendation by the Planning Commission
- Completion of a cost-benefit analysis
- Statement of the proposed method and estimated cost of acquisition, statement of finances, displacement of residents, etc.
- Public hearings at the Planning Commission and City Council
- Finding that "without TIF this project would fail".

EXAMPLE

An existing downtown two-story commercial building valued at \$55,000. A redeveloper wants to purchase this building for \$60,000 and upgrade the second story to an apartment or two. The building needs new windows, an ADA entrance for the main level, and a few sidewalk panels in front of the building need work to eliminate tripping hazards. There also needs to be some site work in back and a concrete panel poured behind the building for the parking for the apartment, but structurally the building is sound and has adequate utility services. It is expected that when the remodel is complete the taxable value will be \$140,000.

Definitive eligible expense: Site acquisition, sidewalk panel replacements

Grey area eligible expenses: New windows, ADA entrance, concrete panel for parking

TIF Value = \$85,000 X \$1.90/\$100 of value = \$1,615 per year X 15 years = \$24,225

Definitive eligible expense = property acquisition = \$55,000

Maximum value of TIF (TIF Note) = \$24,225

GL Account and Title	Vendor Name	Description	Invoice Number	Invoice Date	Net Invoice Amount	Amount Paid
GENERAL FUND						
101-01-550.315 GAS & DIESEL - REIMBURSEABLE						
101-01-550.315 GAS & DIESEL - REIMBURSEABLE	Breunig Supply Co.	2749 gal #2 dyed	1561	03/24/2025	7,477.28	.00
101-01-550.315 GAS & DIESEL - REIMBURSEABLE	Breunig Supply Co.	2268 no lead	1561	03/24/2025	6,706.48	.00
101-01-550.315 GAS & DIESEL - REIMBURSEABLE	NE Department of Revenue	Q1 2025 Motor Fuels Tax	Q12025	04/15/2025	959.00	.00
Total 101-01-550.315 GAS & DIESEL - REIMBURSEABLE:					15,142.76	.00
101-01-550.330 PRINTING & PUBLICATION						
101-01-550.330 PRINTING & PUBLICATION	American Legal Publishing	Internet renewal period 5/21/25-5/21/26	41794	04/16/2025	550.00	.00
Total 101-01-550.330 PRINTING & PUBLICATION:					550.00	.00
101-01-550.340 GAS, OIL, FUEL - CAR & EQUIP						
101-01-550.340 GAS, OIL, FUEL - CAR & EQUIP	CITY OF WAHOO	City Car - 11.039 gal gas - Mar 2025	37292	04/15/2025	33.56	.00
Total 101-01-550.340 GAS, OIL, FUEL - CAR & EQUIP:					33.56	.00
101-01-550.360 UTILITIES-ELEC./TELE./GARBAGE						
101-01-550.360 UTILITIES-ELEC./TELE./GARBAGE	Wahoo Utilities	City Hall Utilities	APRIL25	04/01/2025	691.18	.00
Total 101-01-550.360 UTILITIES-ELEC./TELE./GARBAGE:					691.18	.00
101-01-550.390 MEMBERSHIP & CERTIF. DUES						
101-01-550.390 MEMBERSHIP & CERTIF. DUES	HRAM	annual Membership -Buffy Baker	300003903	04/10/2025	125.00	.00
101-01-550.390 MEMBERSHIP & CERTIF. DUES	IIMC	Membership for Christina Fasel	2025	04/03/2025	195.00	.00
Total 101-01-550.390 MEMBERSHIP & CERTIF. DUES:					320.00	.00
101-01-554.630 BUILDING MAINTENANCE						
101-01-554.630 BUILDING MAINTENANCE	Baltz, Susan	2 weeks office cleaning 4/6 and 4/13	2APR25	04/13/2025	400.00	.00
101-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	City Hall Mop, Towels	5510653	03/04/2025	36.62	.00
101-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	City Hall Mats	5514995	03/11/2025	20.28	.00
101-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	City Hall Mats, Towels, mop head	5519317	03/18/2025	97.10	.00
101-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	City Hall Mats and TP	5524565	03/25/2025	113.54	.00
101-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	City Hall Mop, Towels	5528900	04/01/2025	36.55	.00
101-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	City Hall Mats	5534808	04/08/2025	20.26	.00
101-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	City Hall Mop, Towels	5539150	04/15/2025	36.59	.00
Total 101-01-554.630 BUILDING MAINTENANCE:					760.94	.00
101-01-554.660 COMPUTER/SOFTWARE MAINTENANCE						
101-01-554.660 COMPUTER/SOFTWARE MAINTENANCE	Caselle, Inc.	Contract Support and maintenance charges 5/1/25-5/31/25	140018	04/01/2025	1,025.20	.00
Total 101-01-554.660 COMPUTER/SOFTWARE MAINTENANCE:					1,025.20	.00
101-01-923.010 CONSULTANTS-ATTORNEYS						
101-01-923.010						

GL Account and Title	Vendor Name	Description	Invoice Number	Invoice Date	Net Invoice Amount	Amount Paid
CONSULTANTS-ATTORNEYS	Cline Williams Wright John	Question regarding property tax credits and TIF	408430	04/07/2025	46.00	.00
Total 101-01-923.010 CONSULTANTS-ATTORNEYS:					46.00	.00
Total GENERAL FUND:					18,569.64	.00
POLICE FUND						
102-01-550.310 MATERIALS & SUPPLIES						
102-01-550.310 MATERIALS & SUPPLIES	Bomgaars	sheet screws	27254015	03/02/2025	5.29	.00
102-01-550.310 MATERIALS & SUPPLIES	Bomgaars	padlock	27261922	03/25/2025	25.99	.00
Total 102-01-550.310 MATERIALS & SUPPLIES:					31.28	.00
102-01-550.340 GAS, OIL, FUEL - CAR & EQUIP						
102-01-550.340 GAS, OIL, FUEL - CAR & EQUIP	CITY OF WAHOO	Fuel used March 2025	37289	04/15/2025	1,109.45	.00
Total 102-01-550.340 GAS, OIL, FUEL - CAR & EQUIP:					1,109.45	.00
102-01-550.355 NON-DEPT. MEDICAL EXPENSE						
102-01-550.355 NON-DEPT. MEDICAL EXPENSE	Saunders County Medical	Medical services for detained individual	3196706	02/21/2025	908.31	.00
Total 102-01-550.355 NON-DEPT. MEDICAL EXPENSE:					908.31	.00
102-01-550.360 UTILITIES-ELEC./TELE./GARBAGE						
102-01-550.360 UTILITIES-ELEC./TELE./GARBAGE	Verizon Wireless	Acct 483732120-00001 Police Hotspot	6110183955	04/04/2025	160.04	.00
102-01-550.360 UTILITIES-ELEC./TELE./GARBAGE	Wahoo Utilities	216 W 3rd Street Utilities	APRIL25	04/01/2025	162.46	.00
Total 102-01-550.360 UTILITIES-ELEC./TELE./GARBAGE:					322.50	.00
102-01-550.410 EDUCATION & TRAINING EXPENSE						
102-01-550.410 EDUCATION & TRAINING EXPENSE	Nebraska Law Enforcemen	firearms instructor course - Chvala	15013	04/07/2025	500.00	.00
Total 102-01-550.410 EDUCATION & TRAINING EXPENSE:					500.00	.00
102-01-554.640 CAR/TRUCK MAINTENANCE						
102-01-554.640 CAR/TRUCK MAINTENANCE	Cuda's Auto & Towing, Inc	break pads and rotors for Unit 50	10167	03/04/2025	552.00	.00
Total 102-01-554.640 CAR/TRUCK MAINTENANCE:					552.00	.00
102-01-940.705 COMPUTER EQUIPMENT						
102-01-940.705 COMPUTER EQUIPMENT	BIZCO Technologies	Dash Cams	INV00464484	03/31/2025	5,545.80	.00
Total 102-01-940.705 COMPUTER EQUIPMENT:					5,545.80	.00
Total POLICE FUND:					8,969.34	.00
STREET FUND						
103-01-550.310 MATERIALS & SUPPLIES						
103-01-550.310 MATERIALS & SUPPLIES	Bomgaars	tarp and bungies - storm clean up	27259518	03/19/2025	109.96	.00
103-01-550.310 MATERIALS & SUPPLIES	Bomgaars	rakes for storm cleanup	27262296	03/26/2025	74.97	.00
103-01-550.310 MATERIALS & SUPPLIES	Bomgaars	shop supplies	27267826	04/09/2025	151.90	.00

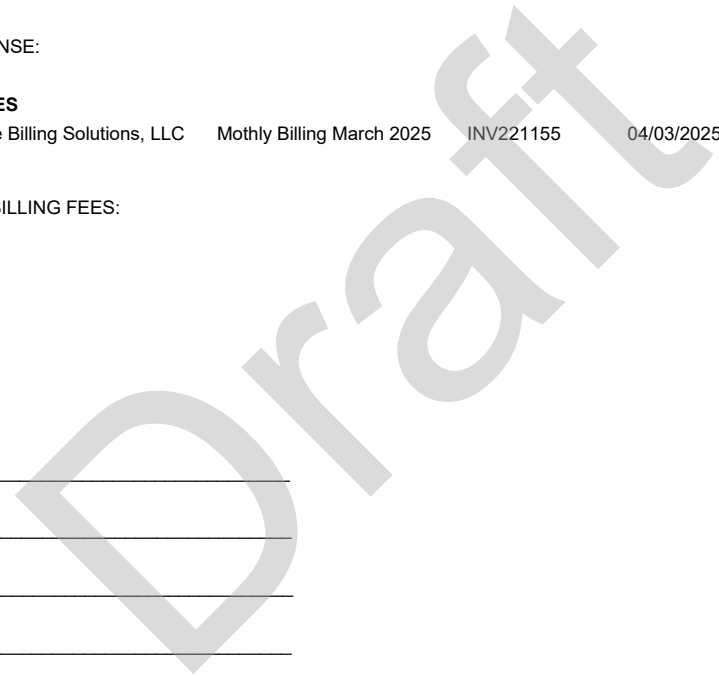
GL Account and Title	Vendor Name	Description	Invoice Number	Invoice Date	Net Invoice Amount	Amount Paid
103-01-550.310 MATERIALS & SUPPLIES	Quill Corporation	ink 4 pack x2	43593700	04/04/2025	241.98	.00
103-01-550.310 MATERIALS & SUPPLIES	Simons Home Store	rake for debris clean up	A303982	03/26/2025	57.98	.00
Total 103-01-550.310 MATERIALS & SUPPLIES:					636.79	.00
103-01-550.340 GAS, OIL, FUEL - CAR & EQUIP						
103-01-550.340 GAS, OIL, FUEL - CAR & EQUIP	CITY OF WAHOO	Fuel used March 2025	37295	04/15/2025	3,281.91	.00
Total 103-01-550.340 GAS, OIL, FUEL - CAR & EQUIP:					3,281.91	.00
103-01-550.360 UTILITIES-ELEC./TELE./GARBAGE						
103-01-550.360 UTILITIES-ELEC./TELE./GARBAGE	Butler Public Power District	Walking Trail Tunnel Lt	APR2025	04/04/2025	37.66	.00
103-01-550.360 UTILITIES-ELEC./TELE./GARBAGE	Wahoo Utilities	Street Dept Utilities	APRIL25	04/01/2025	751.86	.00
Total 103-01-550.360 UTILITIES-ELEC./TELE./GARBAGE:					789.52	.00
103-01-550.380 TOOLS						
103-01-550.380 TOOLS	Bomgaars	chainsaw for storm clean up	27261245	03/23/2025	399.99	.00
103-01-550.380 TOOLS	Bomgaars	chainsaw for storm clean up	27261652	03/24/2025	561.92	.00
Total 103-01-550.380 TOOLS:					961.91	.00
103-01-550.510 ASPHALT/GRAVEL/CONCRETE						
103-01-550.510 ASPHALT/GRAVEL/CONCRETE	National Concrete Cutting I	asphalt grinding	24311	03/31/2025	1,045.45	.00
Total 103-01-550.510 ASPHALT/GRAVEL/CONCRETE:					1,045.45	.00
103-01-554.630 BUILDING MAINTENANCE						
103-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	St. mats	5510650	03/04/2025	30.00	.00
103-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	St. mats	5514993	03/11/2025	30.00	.00
103-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	St. mats	5519314	03/18/2025	30.00	.00
103-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	St. mats	5524563	03/25/2025	30.00	.00
103-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	St. mats	5528897	04/01/2025	30.00	.00
103-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	St. mats	5534806	04/08/2025	30.00	.00
103-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	St. mats	5539148	04/15/2025	30.00	.00
Total 103-01-554.630 BUILDING MAINTENANCE:					210.00	.00
103-01-554.650 EQUIPMENT MAINTENANCE						
103-01-554.650 EQUIPMENT MAINTENANCE	Inland Truck Parts & Servic	payment for misapplied credit	CM131339	12/09/2024	99.64	.00
103-01-554.650 EQUIPMENT MAINTENANCE	Kriha Fluid Power	hydro hose repair for sweeper	00606746	04/09/2025	283.50	.00
103-01-554.650 EQUIPMENT MAINTENANCE	Rose Equipment, Inc.	drian plug sweeper	18732	04/09/2025	62.78	.00
Total 103-01-554.650 EQUIPMENT MAINTENANCE:					445.92	.00
103-01-554.670 SIGN MAINTENANCE						
103-01-554.670 SIGN MAINTENANCE	Newman Signs Inc.	Street signs, posts and hardware x44	TRFINV059813	04/03/2025	3,525.41	.00

GL Account and Title	Vendor Name	Description	Invoice Number	Invoice Date	Net Invoice Amount	Amount Paid
Total 103-01-554.670 SIGN MAINTENANCE:					3,525.41	.00
103-09-550.360 UTILITIES-ELEC./TELE./GARBAGE						
103-09-550.360 UTILITIES-ELEC./TELE./GARBAGE	Wahoo Utilities	Street Light Utilities	APRIL25	04/01/2025	1,566.24	.00
Total 103-09-550.360 UTILITIES-ELEC./TELE./GARBAGE:					1,566.24	.00
Total STREET FUND:					12,463.15	.00
CEMETERY FUND						
104-01-550.310 MATERIALS & SUPPLIES						
104-01-550.310 MATERIALS & SUPPLIES	Simons Home Store	straw blanket, landscape fabric pens	A303103	03/14/2025	45.98	.00
Total 104-01-550.310 MATERIALS & SUPPLIES:					45.98	.00
104-01-550.340 GAS, OIL, FUEL - CAR & EQUIP						
104-01-550.340 GAS, OIL, FUEL - CAR & EQUIP	CITY OF WAHOO	Fuel used March 2025	37295	04/15/2025	63.90	.00
Total 104-01-550.340 GAS, OIL, FUEL - CAR & EQUIP:					63.90	.00
Total CEMETERY FUND:					109.88	.00
FIRE FUND						
106-01-550.340 GAS, OIL, FUEL - CAR & EQUIP						
106-01-550.340 GAS, OIL, FUEL - CAR & EQUIP	Breunig Supply Co.	fuel for Fire Dept generator - Storm event	1562	03/25/2025	750.72	.00
106-01-550.340 GAS, OIL, FUEL - CAR & EQUIP	CITY OF WAHOO	March 2025 fuel	37287	04/15/2024	1,072.00	.00
Total 106-01-550.340 GAS, OIL, FUEL - CAR & EQUIP:					1,822.72	.00
106-01-550.360 UTILITIES-ELEC./TELE./GARBAGE						
106-01-550.360 UTILITIES-ELEC./TELE./GARBAGE	Wahoo Utilities	Fire Hall Utilities	APRIL25	04/01/2025	401.89	.00
Total 106-01-550.360 UTILITIES-ELEC./TELE./GARBAGE:					401.89	.00
106-01-550.410 EDUCATION & TRAINING EXPENSE						
106-01-550.410 EDUCATION & TRAINING EXPENSE	Nebraska State Fire Schoo	2025 Fire School - Gary Hansson	8621	03/03/2025	150.00	.00
106-01-550.410 EDUCATION & TRAINING EXPENSE	Nebraska State Fire Schoo	2025 Fire School - Dan Belford	8624	03/03/2025	150.00	.00
106-01-550.410 EDUCATION & TRAINING EXPENSE	Nebraska State Fire Schoo	2025 Fire School - Jordan Camp	8625	03/03/2025	150.00	.00
106-01-550.410 EDUCATION & TRAINING EXPENSE	Nebraska State Fire Schoo	2025 Fire School - Nolan Erickson	8626	03/03/2025	150.00	.00
106-01-550.410 EDUCATION & TRAINING EXPENSE	Nebraska State Fire Schoo	2025 Fire School - Tyler Virgl	8628	03/03/2025	150.00	.00
106-01-550.410 EDUCATION & TRAINING EXPENSE	Nebraska State Fire Schoo	2025 Fire School - Caleb Grundman	8645	03/03/2025	150.00	.00
106-01-550.410 EDUCATION & TRAINING EXPENSE	Nebraska State Fire Schoo	2025 Fire School - Jason Moffatt	8648	03/03/2025	150.00	.00
106-01-550.410 EDUCATION & TRAINING EXPENSE	Nebraska State Fire Schoo	New Member - Kaleb Broome	8711	03/05/2025	25.00	.00
106-01-550.410 EDUCATION & TRAINING EXPENSE	Nebraska State Fire Schoo	2025 Fire School - Jayme Ivesen	8767	03/10/2025	150.00	.00
Total 106-01-550.410 EDUCATION & TRAINING EXPENSE:					1,225.00	.00
106-01-554.620 LAND MAINTENANCE						
106-01-554.620 LAND						

GL Account and Title	Vendor Name	Description	Invoice Number	Invoice Date	Net Invoice Amount	Amount Paid
MAINTENANCE	Koranda Snow Removal	snow removal for Fire Department 2/12/25	1	03/29/2025	200.00	.00
106-01-554.620 LAND MAINTENANCE	Koranda Snow Removal	snow removal for Fire Dept 2/15/25	1	03/29/2025	200.00	.00
106-01-554.620 LAND MAINTENANCE	Koranda Snow Removal	snow removal for Fire Dept 2/17/25	1	03/29/2025	300.00	.00
106-01-554.620 LAND MAINTENANCE	Koranda Snow Removal	snow removal for Fire Dept 3/5/25	1	03/29/2025	200.00	.00
106-01-554.620 LAND MAINTENANCE	Koranda Snow Removal	snow removal for Fire Dept 3/19/25	1	03/29/2025	300.00	.00
Total 106-01-554.620 LAND MAINTENANCE:					1,200.00	.00
106-01-554.630 BUILDING MAINTENANCE						
106-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	Fire Dept mats, towels, soap, air fresh disp	5510635	03/04/2025	190.09	.00
106-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	Fire Dept mats, towels, soap	5528882	04/01/2025	129.54	.00
106-01-554.630 BUILDING MAINTENANCE	NMC Exchange Inc	Generator maint	CUI1446324	01/24/2025	24.20	.00
106-01-554.630 BUILDING MAINTENANCE	NMC Exchange Inc	Generator maint	CUI1446326	01/24/2025	22.81	.00
106-01-554.630 BUILDING MAINTENANCE	NMC Exchange Inc	Generator maint	INV692797	01/27/2025	439.25	.00
106-01-554.630 BUILDING MAINTENANCE	NMC Exchange Inc	Credit for core	SCN106911	01/27/2025	231.90-	.00
Total 106-01-554.630 BUILDING MAINTENANCE:					573.99	.00
106-01-554.640 CAR/TRUCK MAINTENANCE						
106-01-554.640 CAR/TRUCK MAINTENANCE	O'Reilly Automotive, Inc.	car cleaner for trucks	5646-301510	04/12/2025	43.91	.00
Total 106-01-554.640 CAR/TRUCK MAINTENANCE:					43.91	.00
106-01-554.650 EQUIPMENT MAINTENANCE						
106-01-554.650 EQUIPMENT MAINTENANCE	Interstate All Battery Cente	battery for floor scrubber	95349	03/11/2025	142.95	.00
106-01-554.650 EQUIPMENT MAINTENANCE	Macqueen Equipment, LLC	fit testing scba	P46221	03/27/2025	494.00	.00
106-01-554.650 EQUIPMENT MAINTENANCE	Macqueen Equipment, LLC	scba wipes	P46311	03/27/2025	107.65	.00
106-01-554.650 EQUIPMENT MAINTENANCE	Midwest Unlimited	replacement chains	24205198-01	03/28/2025	544.23	.00
106-01-554.650 EQUIPMENT MAINTENANCE	Witmer Public Safety Grou	Helmet stickers	INV655028	03/27/2025	352.74	.00
106-01-554.650 EQUIPMENT MAINTENANCE	Witmer Public Safety Grou	Helmet stickers	INV661481	04/08/2025	26.29	.00
Total 106-01-554.650 EQUIPMENT MAINTENANCE:					1,667.86	.00
106-01-940.720 OTHER EQUIPMENT						
106-01-940.720 OTHER EQUIPMENT	Macqueen Equipment, LLC	bunker gear - will be reimbursed by NSVFA grant	036415PP	03/03/2025	23,687.00	.00
106-01-940.720 OTHER EQUIPMENT	Macqueen Equipment, LLC	helmet fronts	P42169	01/16/2025	193.66	.00
106-01-940.720 OTHER EQUIPMENT	Macqueen Equipment, LLC	helmets	P44029	02/18/2025	851.70	.00
106-01-940.720 OTHER EQUIPMENT	Macqueen Equipment, LLC	hose from insurance claim	P44980	03/05/2025	9,200.00	.00
Total 106-01-940.720 OTHER EQUIPMENT:					33,932.36	.00
Total FIRE FUND:					40,867.73	.00
LIBRARY FUND						
108-01-550.310 MATERIALS & SUPPLIES						
108-01-550.310 MATERIALS & SUPPLIES	Amazon Capital Services	book binding tape	11P6-MVMM-C	03/31/2025	13.25	.00

GL Account and Title	Vendor Name	Description	Invoice Number	Invoice Date	Net Invoice Amount	Amount Paid
Total 108-01-550.310 MATERIALS & SUPPLIES:					13.25	.00
108-01-550.360 UTILITIES-ELEC./TELE./GARBAGE						
108-01-550.360 UTILITIES-ELEC./TELE./GARBAGE	Charter Communications	Library Internet and Phone	116378301	04/01/2025	124.98	.00
108-01-550.360 UTILITIES-ELEC./TELE./GARBAGE	Wahoo Utilities	Library Utilities	APRIL25	04/01/2025	815.00	.00
Total 108-01-550.360 UTILITIES-ELEC./TELE./GARBAGE:					939.98	.00
108-01-550.560 BOOKS						
108-01-550.560 BOOKS	ABDO Publishing Compan	Books	0054138	11/22/2024	1,505.75	.00
108-01-550.560 BOOKS	Amazon Capital Services	books	11P6-MVMM-C	03/31/2025	31.64	.00
108-01-550.560 BOOKS	Baker & Taylor Entertainme	Books	2038975554	03/27/2025	74.00	.00
108-01-550.560 BOOKS	Baker & Taylor Entertainme	Books	2038978167	03/31/2025	264.17	.00
108-01-550.560 BOOKS	Center Point Publishing	Book	2149745	02/28/2025	30.71	.00
108-01-550.560 BOOKS	Center Point Publishing	Book	2159649	04/03/2025	31.46	.00
Total 108-01-550.560 BOOKS:					1,937.73	.00
108-01-554.630 BUILDING MAINTENANCE						
108-01-554.630 BUILDING MAINTENANCE	Eakes Office Solutions	towels	9114952	04/03/2025	71.94	.00
108-01-554.630 BUILDING MAINTENANCE	Jackson Services, Inc.	Library Mats	5528911	04/01/2025	25.80	.00
Total 108-01-554.630 BUILDING MAINTENANCE:					97.74	.00
Total LIBRARY FUND:					2,988.70	.00
DEBT SERVICE FUND						
110-01-554.660 COMPUTER/SOFTWARE MAINTENANCE						
110-01-554.660 COMPUTER/SOFTWARE MAINTENANCE	Caselle, Inc.	Contract Support and maintenance charges 5/1/25-5/31/25	140018	04/01/2025	187.20	.00
Total 110-01-554.660 COMPUTER/SOFTWARE MAINTENANCE:					187.20	.00
Total DEBT SERVICE FUND:					187.20	.00
BUILDING & ZONING FUND						
115-01-550.340 GAS, OIL, FUEL - CAR & EQUIP						
115-01-550.340 GAS, OIL, FUEL - CAR & EQUIP	CITY OF WAHOO	March 2025 fuel	37290	04/15/2025	88.16	.00
Total 115-01-550.340 GAS, OIL, FUEL - CAR & EQUIP:					88.16	.00
115-01-550.390 MEMBERSHIP & CERTIF. DUES						
115-01-550.390 MEMBERSHIP & CERTIF. DUES	IAPMO	3 year membership renewal for Travis Beavers	3492-2025	04/04/2025	637.50	.00
Total 115-01-550.390 MEMBERSHIP & CERTIF. DUES:					637.50	.00
Total BUILDING & ZONING FUND:					725.66	.00
RESCUE SQUAD						
121-01-550.340 GAS, OIL, FUEL - CAR & EQUIP						
121-01-550.340 GAS, OIL, FUEL - CAR & EQUIP	CITY OF WAHOO	Fuel used March 2025	37288	04/15/2025	763.91	.00

GL Account and Title	Vendor Name	Description	Invoice Number	Invoice Date	Net Invoice Amount	Amount Paid
Total 121-01-550.340 GAS, OIL, FUEL - CAR & EQUIP:					763.91	.00
121-01-550.355 MEDICAL SUPPLIES						
121-01-550.355 MEDICAL SUPPLIES	BoundTree Medical LLC	Medical supplies	85722268	04/03/2025	714.73	.00
121-01-550.355 MEDICAL SUPPLIES	Stryker Sales LLC	medical supplies	9208863828	03/28/2025	378.15	.00
Total 121-01-550.355 MEDICAL SUPPLIES:					1,092.88	.00
121-01-550.360 UTILITIES-ELEC./TELE./GARBAGE						
121-01-550.360 UTILITIES-ELEC./TELE./GARBAGE	Wahoo Utilities	Fire Hall Utilities	APRIL25	04/01/2025	401.88	.00
Total 121-01-550.360 UTILITIES-ELEC./TELE./GARBAGE:					401.88	.00
121-01-550.500 UNIFORM EXPENSE						
121-01-550.500 UNIFORM EXPENSE	Rivalry	uniform expense	WEMS7-12_20	12/19/2024	70.00	.00
Total 121-01-550.500 UNIFORM EXPENSE:					70.00	.00
121-01-550.700 CONTRACTED BILLING FEES						
121-01-550.700 CONTRACTED BILLING FEES	One Billing Solutions, LLC	Mothly Billing March 2025	INV221155	04/03/2025	2,121.63	.00
Total 121-01-550.700 CONTRACTED BILLING FEES:					2,121.63	.00
Total RESCUE SQUAD:					4,450.30	.00
Grand Totals:					89,331.60	.00



Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____



BurnPermits.com Information Package

Fluent IMS

PO Box 580,

Brockville, Ontario, Canada

1-855-358-3684

sales@fluentims.com

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BURNPERMITS.COM PRICING

Flexible Plans to Suit Every Budget

You can decide whether you buy just enough credits for the permits and notifications you need – or whether you stock up and save for future use. The more you buy, the less each credit costs; and they never expire, so they'll always be there when you need them.

Credits Purchased	Base Price	Discount	Discounted Price
5,000	\$ 500.00	0.0%	\$ 500.00
10,000	\$ 1,000.00	2.5%	\$ 975.00
15,000	\$ 1,500.00	5.0%	\$ 1,425.00
20,000	\$ 2,000.00	7.5%	\$ 1,850.00
25,000	\$ 2,500.00	10.0%	\$ 2,250.00
50,000	\$ 5,000.00	20.0%	\$ 4,000.00
75,000	\$ 7,500.00	30.0%	\$ 5,250.00
100,000	\$ 10,000.00	40.0%	\$ 6,000.00

How Our Credit System Works

Public Website:	FREE
Inbound Call/Burn Registration:	1 Credit
Outbound Alert:	1 Credit
Automated Permit:	10 Credits

01

OVERVIEW



BurnPermits.com was designed to:

- 1) Automate a typically paper-based system in order to reduce the amount of un-billable time spent distributing permits.
- 2) Aid in fire prevention through increased flow of communication between the fire department and the public.

By utilizing our burn permit system, you will not only be automating many of your tedious tasks, but you will also see a substantial increase in compliance by providing an online option.

Ultimately, public education and fire prevention are at the forefront of **BurnPermits.com!**

02

The Problem

Burn permit distribution and fire prevention can take up valuable time and effort. Whether it is manually reviewing mountains of paperwork or driving around the municipality to ensure all burn ban signs are in place.

Our integrative and automated system has proven to:

- Instantly free up time and boost productivity by eliminating paperwork and mundane administrative tasks;
- Give you real-time information about who is actively burning in your area;
- Raise overall compliance by providing an easy-to-use application process, making information easier to access;
- Substantially increase the number of permits distributed to the public;
- Reduce the amount of walk-in traffic in municipal buildings.



03

Key Features - Snapshot

1

Automated Call-In System

Residents call a local or toll free number from any phone and an automated system indicates the risk level status and allows residents to register their intent to burn. Every call is logged in our system and presented to you in the IMS Admin portal showing you who is burning.

3

Burn Mapping

Your entire fire department, or specific members, can see at a glance where permitted burns are taking place, saving valuable time and manpower from going to waste on false alarms.

2

Online Burn Registration

Every step of the permit registration process, from providing account details to making payments can be completed online. Residents can also register their intent to burn online rather than using the call-in system.

4

Customization

Our system can be modified to suit the needs of your fire department. If you have any additional data you require residents to provide (i.e., Township roll number), we can make it happen.



Key Features - Snapshot

5

Risk Level

Our system provides a means of informing residents of the current burn risk level and the proper guidelines for each level. In addition to this, the system makes it easy to communicate a burn ban via our mass notification feature.

6

Mass Notifications

BurnPermits.com makes it easy to communicate with your residents. You have the ability to send mass notifications to all account holders via text message, email or automated phone call.

7

Full Control

With our system, you gain the ability to prevent a burn from being registered during a ban. You also have the ability to revoke permits and prevent permits from being registered to specific areas of your township.

8

Top-Notch Security

Every part of the online system is protected. Our servers are located in a secure data centre, as well as protected with multiple layers of security so your resident's data is kept safe.

05

Flexible Plans to Suit Every Budget

You can decide whether you buy just enough credits for the permits and notifications you need – or whether you stock up and save for future use. The more you buy, the less each credit costs; and they never expire, so they'll always be there when you need them.

Credits Purchased	Base Price	Discount	Discounted Price
5,000	\$500.00	0.0%	\$500.00
10,000	\$1,000.00	2.5%	\$975.00
15,000	\$1,500.00	5.0%	\$1,425.00
20,000	\$2,000.00	7.5%	\$1,850.00
25,000	\$2,500.00	10.0%	\$2,250.00
50,000	\$5,000.00	20.0%	\$4,000.00
75,000	\$7,500.00	30.0%	\$5,250.00
100,000	\$10,000.00	40.0%	\$6,000.00

How Our Credit System Works

Public Website:	FREE
Inbound Call/Burn Registration:	1 Credit
Outbound Alert:	1 Credit
Automated Permit:	10 Credits

06

Key Features - In Depth

Automated Call-In System

Using BurnPermits.com, residents are required to call into the automated phone system before they burn. The reasoning is twofold:

1. It ensures that residents are receiving the most up-to-date information regarding the Municipality's risk level. Residents receive a clear message outlining what is expected of them during their burn.
2. Integration with Who's Responding and the Admin Portal. With every registered burn, an indicator will appear on a map, communicating to Fire Personnel that an active burn is taking place at a specific address.



07

Key Features - In Depth

Online Burn Registration

Residents may also register their intent to burn online.

The same information communicated to residents via the automated call-in system is provided online when they register their burn. Again, residents are informed of the risk level status and any other important information you deem necessary for the resident to agree to.

Mass Notifications

The Fire Chief or Designate can send out mass alerts to all residents/permit holders to provide vital information, at any time. You can also filter the mass alert by a variety of parameters in order to reach a targeted group of the population.

Residents can receive notifications via:

- Text Message;
- Email; or
- Phone Call.



08

Key Features - In Depth

Zoning

BurnPermits.com has the ability to restrict certain permit types based on geographic zone.

If there is a downtown core where no burning is allowed, or only certain types of permits are allowed, the system will communicate this requirement to the resident when they are completing their permit application.

Additionally, in the event that residents violate the terms and conditions of their permit, you can create a restricted zone around someone's address to prevent them from applying for permits in the future. These do not have to be viewable on the public website.



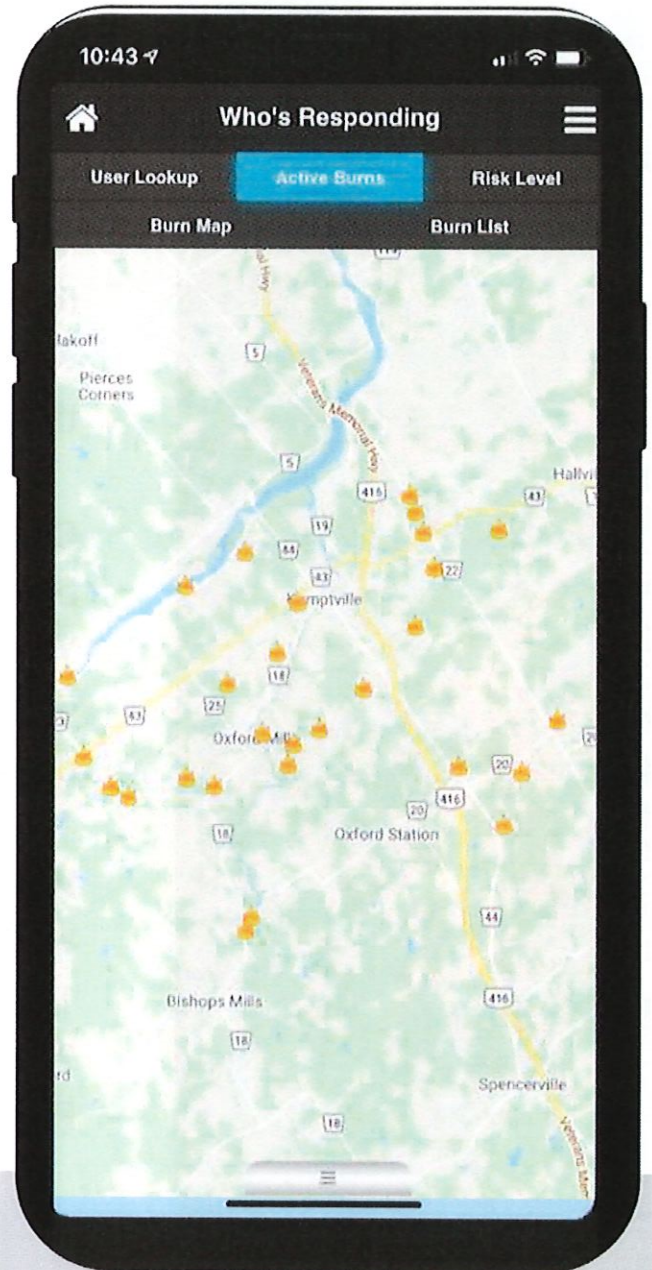
09

Who's Responding Integration

Valid Fire Personnel can search among all accounts for valid permits based on resident name, address or geographic area from their **Who's Responding App**.

Also, admins can change the risk level right from their phone without having to log into the admin portal. All information is saved and reflected back to the public through the automated call-in system and the public website.

Moreover, responding personnel can quickly get a visual of active burns in the area with access to the active burns map



10

Frequently Asked Questions



**Some of our residents don't have computers!
How do they use this system?**

They can come into the office and register just as they would before. You can enter their information into the system yourself through the IMS Admin Control Panel. They can then call in with their registered phone number whenever they are burning.

Can permits be submitted for approval before being issued?

Yes. Applications can be submitted for approval where residents will not be presented with a permit PDF until approval is received.

How can residents pay for their permits?

We have two options for accepting payment:

- 1) Square and;
- 2) PayPal

Residents can then pay with their credit card.

11

Frequently Asked Questions

The funds that are received through Square or PayPal, how are these handled?

We do not touch any of the funds that go through the payment processing system. The funds go directly from the resident to your Square or PayPal account. From your Square or PayPal account, you can transfer your funds to your municipal bank account with ease.



Are there any fees associated with Square or PayPal?

The payment processing provider will charge 2.9% + \$0.30 per transaction for any transaction completed through the online payment window.

Is the system capable of distributing free permits?

Yes. The system can accommodate free permits. The pricing measure can be easily changed if in the future you decide to start charging for permits.

12

Frequently Asked Questions

What do we need to do for the automated phone system?

We use a state-of-the-art cloud-based system to make and receive phone calls. We will provide a local or toll-free number. The phone system operates through a digital phone number, that uses the internet (VOIP). We take care of everything remotely, removing the need for additional hardware or phone lines.

What kind of alerts can be sent?

You can send an alert for anything you need to inform your residents of: when there is a change to the risk level, a ban is in effect, changes to pricing, promotions, etc. Residents will receive a text message, phone call or email with your message. You will also be able to control who receives the message by permit type, permit status, geographical location, etc.



13

Frequently Asked Questions

Can we use our existing phone number?

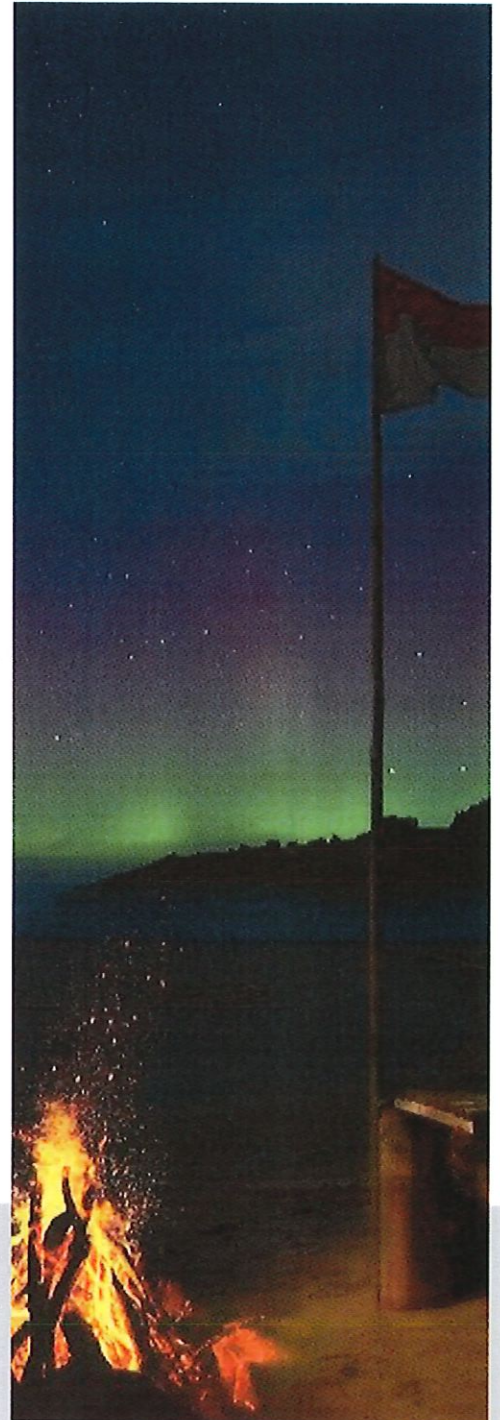
At this time, it is not possible to directly use an existing number with our system. We would recommend that you have calls to your existing number forwarded to the number that we assign you, and advise your residents to use the new number.

How customizable are the permits? Can we distribute more than one type?

Permits can be customized from the terms and conditions to the approval method to the varied prices. You can also have as many permit types distributed through the system as you need.

For mass alerting, are credits charged on a per person basis?

Credits are charged on a per notification basis. So, if a resident signs up to receive texts and emails, then it will cost 2 credits to alert them.



14

Frequently Asked Questions

Do residents need to renew their permits? How often?

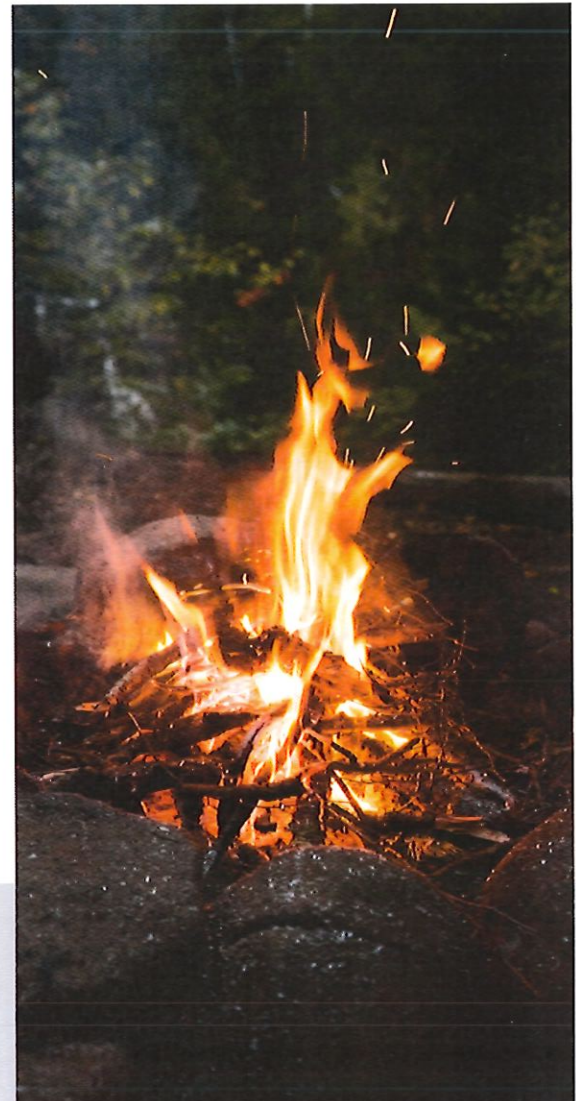
The system is adaptable and can be customized to make the transfer to a new permit distribution method easy. If residents are required to renew their permit every calendar year or if permits expire after 2 weeks, **BurnPermits.com** will be able to support it.

Do residents need to create a new account every time?

No. Residents only need to create an account once. When they go back to renew their permit or get a new one, they simply log back into their account and go through the application process again.

Is there a free trial to determine if BurnPermits.com will suit our needs?

Absolutely! We want to ensure that **BurnPermits.com** is the best solution for you. We can create a demo account with full access to all features for your department.



15

Contact Us!



1-855-358-3684

Monday to Friday

8:30am - 5:00pm



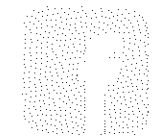
sales@fluentims.com



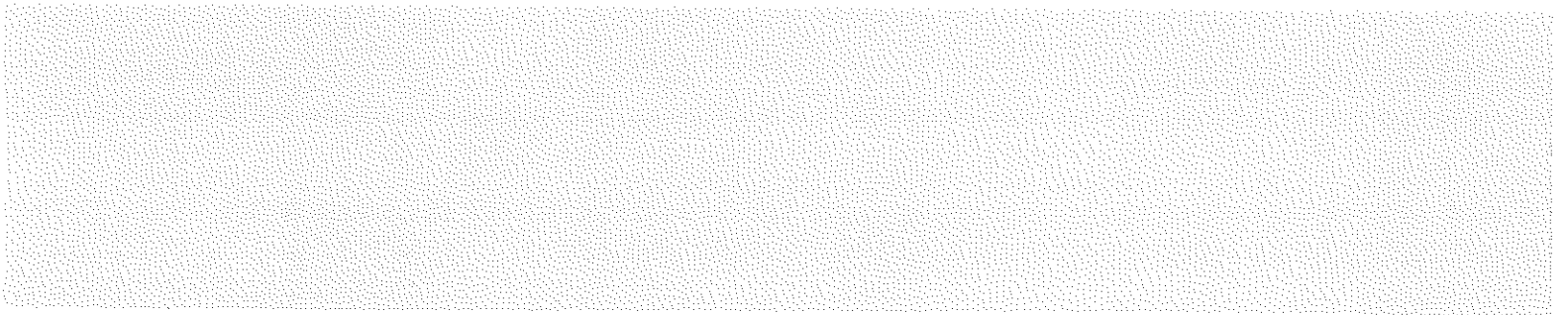
www.burnpermits.com



@whos_responding



facebook.com/whosresponding



RESOLUTION NO. 2025-04

CITY OF WAHOO MASTER FEE RESOLUTION

WHEREAS, it is necessary for the staff of the City of Wahoo to provide services, materials and products, permits, and facilities for use by the public, that will be reimbursed by said members of the public, and,

WHEREAS, it is necessary for the Mayor and City Council of the City of Wahoo to establish and adopt, by resolution, a schedule of appropriate fees and charges as are necessary to recover City costs in providing City services, materials, permits, and products,

WHEREAS, it is desirable to maintain a Master Fee Schedule which provides a compilation of fees and charges assessed by the departments of the City of Wahoo, as attached herein,

WHEREAS, the City did, on March 11, 2021 adopt a Master Fee Scheduled, containing Attachments 1 to 9 as follows:

- Attachment 1: General Fund Fees and Charges
- Attachment 2: Police Department Fees and Charges
- Attachment 3: Street Department Fees and Charges
- Attachment 4: Cemetery Fees and Charges
- Attachment 5: Park and Recreation Fees and Charges
- Attachment 6: Fire and Rescue ~~Squad~~ Fees and Charges
- Attachment 7: Wahoo Public Library Fees and Charges
- Attachment 8: Building Department Fees and Charges
- Attachment 9: Zoning Department Fees and Charges

WHEREAS, it is necessary to update particular Attachments to adopt changes to said fees and charges, specifically Attachment 6: Fire and Rescue Fees and Charges.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wahoo that the following amendments to Attachment 8: Fire and Rescue Fees and Charges are hereby adopted and are to be incorporated into the City of Wahoo's Master Fee Resolution, and

BE IT FURTHER RESOLVED that the effective date of this amendment shall be May 1st, 2025.

PASSED AND APPROVED this ___ Day of April 2024.

Gerald D Johnson, Mayor

ATTEST:

Christina Fasel, City Clerk

[SEAL]

**ATTACHMENT 6 TO MASTER FEE SCHEDULE
FIRE AND RESCUE FEES AND CHARGES**

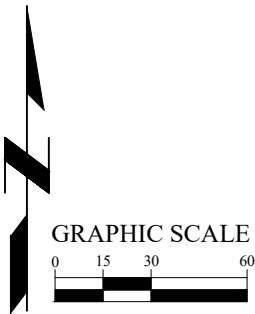
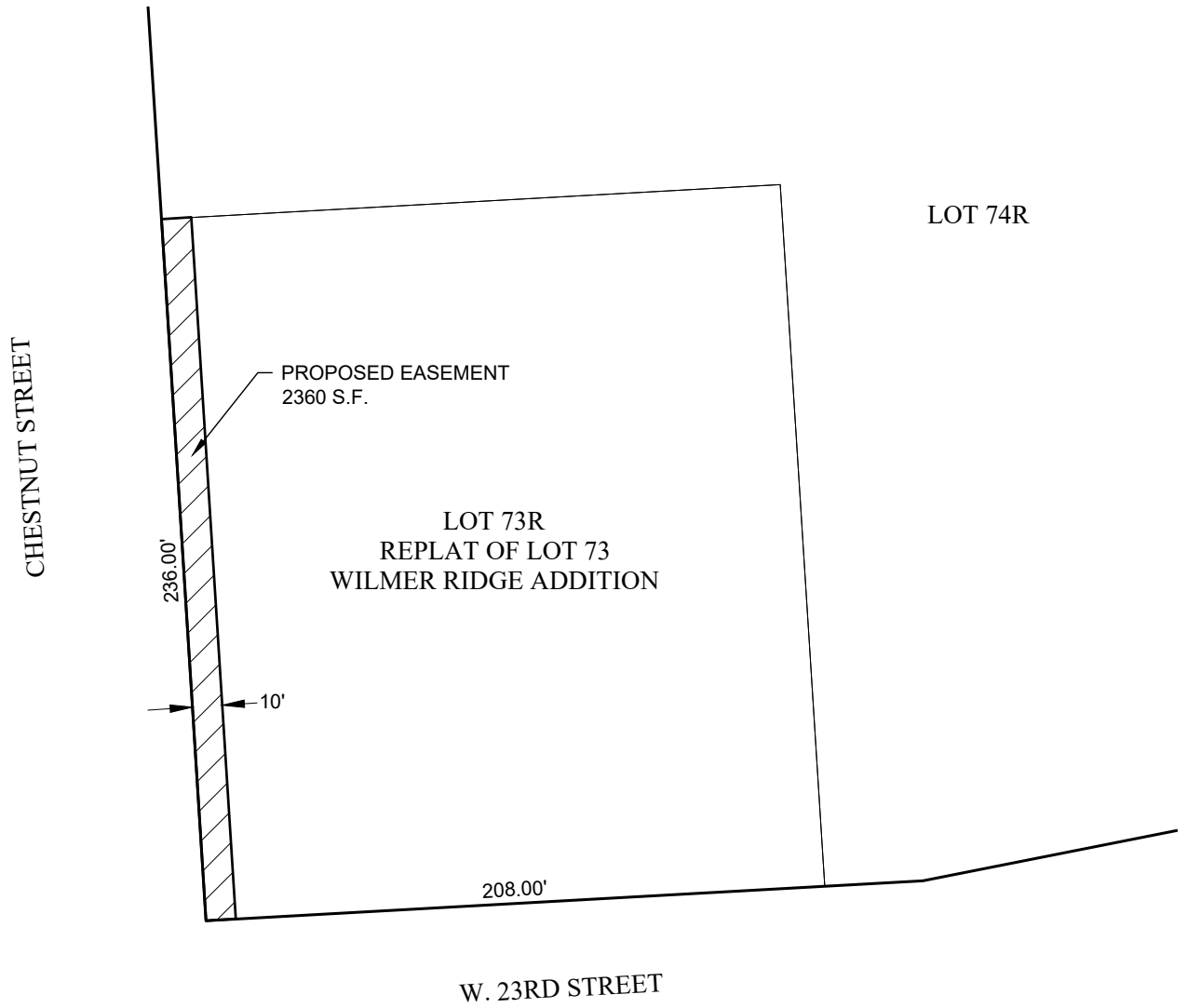
Billing Rate Schedule for EMS Services (3/1/2012)

BLS Non-Emergency Base	\$750.00
BLS Emergency Base	\$900.00
ALS Non-Emergency Base	\$1100.00
ALS Emergency Level 1	\$1350.00
ALS Emergency Level 2	\$1600.00
Specialty Care Transport	\$2800.00
Mileage	\$30.00
Assess and Release, No Transport	\$150.00
EMS Medical Standby	\$75/Half Hour

Billing Rate Schedule for Burn Permits (5/1/25)

Brun Permits	\$10.00
--------------	---------

EASEMENT CITY OF WAHOO



VICINITY SKETCH
CITY OF WAHOO,
SAUNDERS COUNTY, NEBRASKA



EASEMENT DESCRIPTION:

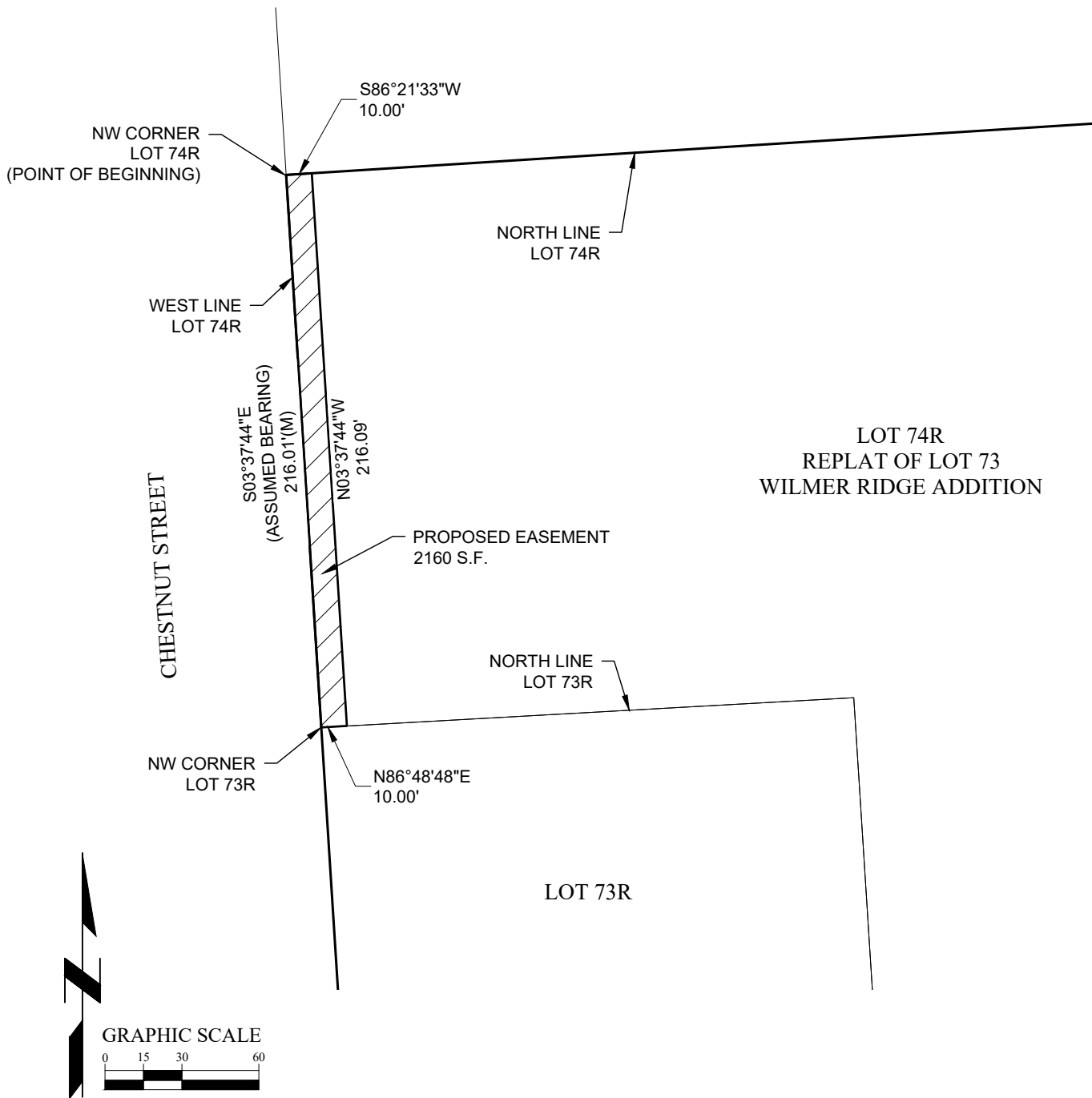
THE WEST 10.00 FEET OF LOT 73R, REPLAT OF LOT 73, WILMER RIDGE ADDITION, CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, CONTAINING 2360 SQUARE FEET, MORE OR LESS.

DATE	4/15/2025
SCALE	1" = 60'
DRAWN	AWH
JOB NO.	241858
FIELD BOOK	
FIELD WORK	
SHEET	1 OF 1
FILE NO.	

JEO CONSULTING GROUP

800.723.8567
Wahoo, NE 402-443-4661
www.jeo.com

EASEMENT CITY OF WAHOO



VICINITY SKETCH

CITY OF WAHOO,
SAUNDERS COUNTY, NEBRASKA



EASEMENT DESCRIPTION:

A PARCEL OF LAND LOCATED IN LOT 74R, REPLAT OF LOT 73, WILMER RIDGE ADDITION, CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 74R; THENCE S03°37'44"E (ASSUMED BEARING) ON THE WEST LINE OF SAID LOT 74R, A DISTANCE OF 216.01 FEET TO THE NORTHWEST CORNER OF LOT 73R, REPLAT OF LOT 73, WILMER RIDGE ADDITION; THENCE N86°48'48"E ON THE NORTH LINE OF SAID LOT 73R, A DISTANCE OF 10.00 FEET; THENCE N03°37'44"W, PARALLEL WITH AND 10.00 FEET DISTANT FROM SAID WEST LINE, A DISTANCE OF 216.09 FEET TO THE NORTH LINE OF SAID LOT 74R; THENCE S86°21'33"W ON SAID NORTH LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2160 SQUARE FEET, MORE OR LESS.

DATE	4/15/2025
SCALE	1" = 60'
DRAWN	AWH
JOB NO.	241858
FIELD BOOK	
FIELD WORK	
SHEET	1 OF 1
FILE NO.	



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ORDINANCE NO. 21922474

AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, TO AMEND TITLE IX: GENERAL REGULATIONS OF THE WAHOO MUNICIPAL CODE BY AMENDING CHAPTER 94 PROVISIONS PERTAINING TO NUISANCES; TO PROVIDE THAT THE MAYOR AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE CITY OF WAHOO, NEBRASKA, ARE AUTHORIZED AND DIRECTED TO IMPLEMENT THIS ORDINANCE; TO PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, OR PROVISION OR PORTION OF THIS ORDINANCE FOUND UNCONSTITUTIONAL OR INVALID; TO PROVIDE FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED WITHIN THE FIRST FIFTEEN (15) DAYS AFTER ITS PASSAGE AND APPROVAL, IN PAMPHLET FORM, IN THE CITY OF WAHOO, NEBRASKA, AND SHALL BE IN FULL FORCE AND TAKE EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION, AS PROVIDED BY LAW, AND AS PROVIDED HEREIN; AND THAT IT IS THE INTENTION OF THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA, AND IT IS HEREBY ORDAINED, THAT THE PROVISIONS OF THIS ORDINANCE SHALL BECOME AND BE MADE A PART OF WAHOO MUNICIPAL CODE, AND THE SECTIONS OF THIS ORDINANCE MAY BE RENUMBERED TO ACCOMPLISH SUCH INTENTION.

WHEREAS, on January 24, 2002, the Mayor and Council of the City of Wahoo, Nebraska, did adopt the Wahoo Municipal Code, and,

WHEREAS, the Mayor and Council of the City of Wahoo, Nebraska, deem it in the best interests of the citizens of the City of Wahoo, Nebraska, that Wahoo Municipal Code be amended to allow one member of the Library Board to be a resident from the extraterritorial zoning jurisdiction of the City of Wahoo,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA, as follows:

1. That the findings hereinabove should be and are hereby made a part of this Ordinance as fully as if set out at length herein.
2. That the Wahoo Municipal Code, Chapter 94, of Title IX, HEALTH AND SAFETY, pertaining to the nuisances, currently regulations 94.20 through 94.36 be replaced in their entirety, to read as follows:

“§ 94.20 DEFINITION, GENERAL AND SPECIFIC TERMS”

(A) Terms Defined:

- a. **Abandon** shall mean any personal property left on public property for more than 24 hours, except when the leaving of said personal property on said portion of public property, at that location, is legally permitted.
- b. **Abated** shall mean removal, rehabilitation, demolition, or repair pursuant to procedures set forth herein.

- c. Code Enforcement shall be defined as the City Administrator, the Chief of Police, and/or the Building Inspector of the city as directed to enforce this city code against all nuisances.
- d. Hearing Officer shall mean The President of the City Council, or his/her council appointee in their absence
- e. Owner as used herein shall mean any person in possession and also any person having or claiming to have any legal or equitable interest in any vehicle, machinery and/or real property upon which a public nuisance is being maintained and/or exists.
- f. ~~For purposes of this code, real property and premises shall have the same meaning as~~Property shall mean real estate and any appurtenances appurtenances located thereon, vehicles, and machinery.—
- g. Public Property shall mean any public right-of-way, street, highway, alley, park, or other state, county, or city owned property.

“§ 94.21 DEFINITION, GENERAL AND SPECIFIC.

(BA) General definition. A nuisance consists in doing any unlawful act, or omitting to perform a duty, or suffering or permitting any condition or thing to be or exist, which act, omission, condition or thing either:

- (1) Injures or endangers the comfort, repose, health, or safety of others;
- (2) Offends decency;
- (3) Is offensive to the senses;
- (4) Unlawfully interferes with, obstructs, tends to obstruct, or renders dangerous for passage any stream, public park, parkway, square, street, or highway in the city;
- (5) In any way renders other persons insecure in life or the use of property; or
- (6) Essentially interferes with the comfortable enjoyment of life and property, or tends to depreciate the value of the property of others.

(’72 Code, § 4-301, § 18-1720)

(CB) Specific definition. The maintaining, using, placing, depositing, leaving, or permitting of any of the following specific acts, omissions, places, conditions, and things are hereby declared to be nuisances:

- (1) Any odorous, putrid, unsound, or unwholesome grain, meat, hides, skins, feathers, vegetable matter, or the whole or any part of any dead animal, fish, or fowl;
- (2) Offal and dead animals;
- (3) Privies, vaults, cesspools, dumps, pits, or like places which are not securely protected from flies or rats, or which are foul or malodorous;
- (4) Filthy, littered, or trash-covered cellars, house yards, barnyards, stable-yards, factory-yards, mill yards, vacant areas in rear of stores, granaries, vacant lots, houses, buildings, or premises property;
- (5) Animal manure in any quantity which is not securely protected from flies and the elements, or which is kept or handled in violation of any ordinance of the city;
- (6) Liquid household waste, human excreta, garbage, butcher’s trimmings and offal, parts of fish, or any waste vegetable or animal matter in any quantity, provided that nothing herein contained shall prevent the temporary retention of waste in receptacles in a

- manner provided by the health officer of the city, nor the dumping of non-putrefying waste in a place and manner approved by the health officer;
- (7) Tin cans, bottles, glass, cans, ashes, small pieces of scrap iron, wire metal articles, bric-a-brac, broken stone or cement, broken crockery, broken glass, broken plaster, and all trash or abandoned material, unless the same be kept in covered bins or galvanized iron receptacles;
 - (8) Litter, accumulations of barrels, boxes, crates, packing crates, mattresses, bedding, excelsior, packing hay, straw or other packing material, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, old automobiles or parts thereof, or any other waste materials; litter shall include, but not be limited to, the following:
 - (a) Trash, rubbish, refuse, garbage, paper, rags, and ashes;
 - (b) Wood, plaster, cement, brick, or stone building rubble;
 - (c) Grass, leaves, and worthless vegetation;
 - (d) Any machine or machines, vehicle or vehicles, or vehicles, or parts of a machine or vehicle which have lost their identity, character, utility, or serviceability as such through deterioration, dismantling, or the ravages of time, are inoperative or unable to perform their intended functions, or are cast off, discarded, or thrown away or left as waste, wreckage, or junk;
 - (9) Any unsightly building, billboard, or other structure, or any old, abandoned or partially destroyed building or structure or any building or structure commenced and left unfinished;
 - (10) All places used or maintained as junk yards, or dumping grounds, or for the wrecking and disassembling of automobiles, trucks, tractors, or machinery of any kind, or for the storing or leaving of worn-out, wrecked or abandoned automobiles, trucks, tractors, or machinery of any kind, or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons;
 - (11) Stagnant water permitted or maintained on any lot or piece of ground;
 - (12) Stockyards, granaries, mills, pig pens, cattle pens, chicken pens or any other place, building, or enclosure, in which animals or fowls of any kind are confined or on which are stored tankage or any other animal or vegetable matter, or on which any animal or vegetable matter including grain is being processed, when the places in which the animals are confined, or the premises property on which the vegetable or animal matter is located are maintained and kept in such a manner that foul and noxious odors are permitted to emanate therefrom;
 - (13) Storage, accumulation, keeping, placing, or allowing to remain of trash, garbage, scrap and wrecked, worn-out, broken or inoperative, or partially destroyed or disassembled personal or real property of any kind, including any motor vehicles, tractors, trailers, machinery, and equipment;
 - (14) The practice of engine braking within the corporate limits of the city or within one mile thereof, which is hereby prohibited unless the motor vehicle upon which the engine braking is being performed has an adequate muffler system to muffle the noise emitted from the motor vehicle when engine braking;
 - (15) The growth of twelve (12) inches or more in height of weeds, grasses, or worthless vegetation on any lot or parcel of ground within the city, and/or the adjoining streets and alleys to said lot or parcel; the term weeds, shall include, but not be limited to, the following:
 - (a) Bindweed (*convolvulus arvensis*);
 - (b) Puncture vine (*tribulus terrestris*);

- (c) Leafy spurge (euphorbia esula);
 - (d) Canada thistle (cirsium arvense);
 - (e) Perennial peppergrass (lepidium draba);
 - (f) Russian knapweed (centaurea picris);
 - (g) Johnson grass (sorghum halepense);
 - (h) Horse Nettle (solanum carolinense);
 - (i) Bull thistle (cirsium lanceolatum);
 - (j) Buckthorn (rhamus sp.) (toun);
 - (k) Hemp plant (cannabis sativa);
 - (l) Ragweed (ambrosiaceae);
 - (m) Nodding or musk thistle;
 - (n) Quack grass (agropyron repens); and
 - (o) Perennial sow thistle (sonchus arvensis);
- (16) The permitting of a refrigerator, icebox, freezer, or other dangerous appliance to be in the open and accessible to children whether on private or public property unless all doors are first removed and the appliance is made reasonably safe;
- (17) The storage or keeping of one or more motor vehicles, each not having a properly issued current motor vehicle registration and current motor vehicle license plate properly displayed; provided, however, that this section shall not apply to the storage of unlicensed and/or unregistered motor vehicles in a fully enclosed garage or where otherwise authorized by city zoning regulations;
- (18) The storage, keeping or abandonment of inoperable vehicles or machinery in full or in parts, including scrap metals, ~~from motor vehicles or machinery, or parts thereof~~, except in enclosed buildings or garages or where otherwise authorized by the city zoning regulations;
- (19) The permitting, allowing, or maintaining of any dead or diseased trees within the right-of-way of streets within the corporate limits of the city adjacent to any lot or parcel of ground within the city (provided, however, the procedure as set forth in Neb. RS 17-555 or its successor shall control);
- (20) The permitting, allowing, or maintaining of any dead or diseased trees on private property within the corporate limits of the city;
- (21) The keeping of bees within the corporate limits of the city 200 feet or less from any dwelling other than that of the owner of the bees;
- (22) The permitting of emission of smoke from any source that is polluted. The standards for air pollution established or adopted by the State of Nebraska shall be presumptive evidence as to when the air is deemed to be polluted under this section;
- (23) The obstruction or impeding without legal authority any river or collection of water or to corrupt and render unwholesome or impure any watercourse, stream, or other water within the corporate limits of city. The standards for water quality established or adopted by the State of Nebraska shall be presumptive evidence as to when the water is deemed to be polluted under this section;
- (24) The abandoning of personal property, on public property, ~~of personal property. For purposes of this division, PUBLIC PROPERTY shall mean any public right-of-way, street, highway, alley, park, or other state, county, or city owned property. For purposes of this division, ABANDON shall mean any personal property left on public property for more than 24 hours, except when the leaving of said personal property on said portion of public property, at that location, is legally permitted. For purposes of this division, PERSONAL PROPERTY shall not include any motor vehicle for which a~~

~~registration, from the State of Nebraska, is required to operate said motor vehicle on those portions of public property which constitute a street, highway, or alley.~~

- (25) The permitting or allowing of the infestation of insects, rodents, and other pests in and about any private property;
- (26) The permitting, allowing, or maintaining of any buildings or structures, or portions thereof, which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or which are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety, health, or public welfare by reason of inadequate maintenance;
- (27) All other things specifically designated as nuisances elsewhere in this code.

('72 Code, § 4-302, § 18-720, § 17-555, § 17-563) (Am. Ord. 1056, passed 12-11-75; Am. Ord. 1465, passed 8-11-94; Am. Ord. 1466, passed 8-11-94; Am. Ord. 1715, passed 2-10-00; Am. Ord. 1943, passed 11-9-06; Am. Ord. 1999, passed 7-24-08)- Penalty, see § 10.99; [§94.99](#).
Statutory reference:

Authority to regulate and abate nuisances, see Neb. RS 18-1720

§ 94.212 JURISDICTION.

The City Administrator, the Chief of Police, and/or the Building Inspector of the city are directed to enforce this city code against all nuisances. The jurisdiction of the City Administrator, Chief of Police, Building Inspector, and court shall extend to ~~and~~ the territorial application of this chapter shall include all territory adjacent to the limits of the city within the extra territorial zoning jurisdiction of the city.

('72 Code, § 4-304)
Statutory reference:
Zoning jurisdiction, see Neb. RS 17-1001
Authority to regulate and abate nuisances, see Neb. RS 18-1720

§ 94.22 OWNER, DEFINITION.

~~Owner as used herein shall mean any person in possession and also any person having or claiming to have any legal or equitable interest in any real property upon which a public nuisance is being maintained and/or exists. For purposes of this code, real property and premises shall have the same meaning as real estate and any appurtenances located thereon.~~

§ 94.23 DUTY.

It shall be the duty of every owner, occupant, lessee, or mortgagee of real estate in the city, and within the extraterritorial zoning jurisdiction of the city, to keep such real estate property free of public nuisances. All, or any part of said premises property found, ~~as provided herein~~, to constitute a public nuisance ~~shall be abated pursuant to procedures set forth herein. shall be abated by removal, rehabilitation, demolition, or repair pursuant to procedures set forth herein.~~

('72 Code, § 4-303) (Am. Ord. 1056, passed 12-11-75; Am. Ord. 1238, passed 3-28-85)
Statutory reference:
Authority, see Neb. RS 17-123, 17-123.01

§ 94.24 NON-EXCLUSIVE PROCEDURE.

The procedure set forth in this chapter for abatement of a nuisance is non-exclusive and is in addition to the procedure for abatement which is set forth in §§ 94.27, 94.35, 94.36, 94.37 and/or 94.38 of this code.

('72 Code, § 4-305, § 18-1720) (Ord. 1238, passed 3-28-85)

§ 94.25 ENFORCEMENT.

(A) When ~~the City Administrator, the Chief of Police, or the Building Inspector Code Enforcement~~ declares ~~or find~~ that any ~~premises property~~ within the city or its extra territorial zoning jurisdiction, ~~may be is~~ maintained contrary to one or more of the provisions of Chapter 94, except § 94.20(B)(24) hereof, ~~he or she they~~ shall mail, via first class ~~(in which case such mail shall be conspicuously marked as to its importance),~~ ~~Or~~ post conspicuously on the property a written notice to the owner, ~~or~~ the owner's duly authorized agent, occupant, lessee, and/or mortgagee of the ~~premises property~~. The notice shall state the conditions which constitute the public nuisance, ~~and~~ shall order the abatement of the nuisance within the time period set forth in the notice, detail the owners ability to dispute the nuisance, and shall be substantially in the following form:

Commented [mc1]: This is to make it consistent with 94.26. Out of town owners. I would recommend that out of town owners, as they are in other notices regarding real property, be sent a certified letter, but the statute does not require it.

Date:

NOTICE OF NUISANCE

—TO: (OWNER)

CC: ~~OR~~ (OWNER'S DULY AUTHORIZED AGENT, OCCUPANT, LESSEE, MORTGAGEE)

RE: (ADDRESSES)

NOTICE OF NUISANCE

Pursuant to Chapter 94 of the Wahoo Municipal Code of the City of Wahoo, Nebraska, I, the undersigned, declare that the following ~~premises~~real property in the City of Wahoo, Nebraska, known as _____ (street address) and more particularly described as follows:

(legal description)

is being maintained as a public nuisance contrary to § 94.20 of the Wahoo Municipal Code of the City of Wahoo, Nebraska.

_____The conditions which constitute the public nuisance upon the above described ~~real estate~~property are as follows:

You shall have _____ days from the date of receipt of this Notice to abate said above described nuisance. Failure to do so will result in the City abating the nuisance with the cost of the abatement to be assessed to you.

If you are of the opinion that my determination of the above conditions does not constitute a public nuisance, you may within **five (5) days of date of receipt of this Notice of Nuisance**, file a request with ~~the City Administrator of~~ the City of Wahoo, Nebraska, for a hearing before a hearing officer concerning such determination. The hearing shall be conducted pursuant to the hearing rules and procedures adopted by the City Council. The hearing shall be held within fourteen (14) days after the filing of your request. The City ~~Administrator Clerk~~ shall fix a date and time for the hearing. The address and telephone number of the City ~~Administrator of Wahoo~~ is as follows:

City Hall
605 North Broadway
Wahoo, NE 68066
402-443-3222

DATED _____, 20__.

CITY OF WAHOO, NEBRASKA

By _____
City of Wahoo Code Enforcement

~~Its City Administrator, Chief of Police, or Building Inspector~~

CERTIFICATE OF SERVICE

~~_____ The undersigned hereby certifies that a copy of the foregoing Notice of Nuisance was mailed by first class U. S. Mail, postage prepaid, as noted above, in envelopes conspicuously marked as to their importance, on the _____ day of _____, 20__, to the individuals, at their respective addresses, as noted above.~~

CITY OF WAHOO, NEBRASKA

By _____

~~Its City Administrator, Chief of Police, or Building Inspector~~

(B) As to § 94.20(B)(24) of this code, said division shall be enforced pursuant to § 34.40 of this code.

('72 Code, § 4-306 [NRS §17-563](#)) (Ord. 1238, passed 3-28-85; Am. Ord. 1943, passed 11-9-06)

§ 94.26 FORM OF PROPER SERVICE OF NOTICE.

Service of ~~said~~ Notice of Nuisance shall be by posting of the Notice of Nuisance conspicuously at the property, the posting of which will be documented with a photograph, and by depositing the original and/or copy of said Notice of Nuisance with the United States Postal Service enclosed in a sealed envelope conspicuously marked as to its importance and with postage thereon fully prepaid. Said Notice

Commented [CF2]: Comment from Melissa: This is the section that talks about "abandoned personal property" on public property. Maybe this needs to be moved to be included in the nuisance section? Vs. being the in section under the Police Department? Again a question for legal.

of Nuisance shall be mailed by first-class and addressed to said owner, owner's duly authorized agent, occupant, lessee, and/or mortgagee at the last known address of said parties as disclosed by the current tax rolls, and if there is no known address, then in care of the property address. Service is complete at the time of such posting or deposit. The failure of any person to receive such notice shall not affect the validity of the proceedings hereunder.

('72 Code, § 4-307) (Ord. 1238, passed 3-28-85)

§ 94.27 AFFECT OF FAILURE TO ABATE.

If the nuisance is not abated ~~within five (5) days after the receipt of said Notice of Nuisance, or within the period given in the Notice of Nuisance, whichever is later, the City Administrator, Chief of Police, or Building Inspector~~Code Enforcement, may determine to proceed to abate the nuisance pursuant to the provisions of this code (Neb. RS 17-123, 17-123.01, 18-1720) ('72 Code, § 4-308) (Ord. 1238, passed 3-28-85; Am. Ord. 1943, passed 11-9-06)

§ 94.28 HEARING.

(A) If the owner, as defined in § 94.22-20 hereof, of the premises property upon which the ~~re has been determined to the existence of a nuisance~~City Administrator, the Chief of Police or the Building Inspector, has determined that there exists a nuisance, shall, does file a request for hearing before the Hearing Officer within five (5) days of receipt of the Notice of Nuisance ~~by the City Administrator, Chief of Police or the Building Inspector for the abatement of said nuisance, files a request with the City Administrator for a hearing before the hearing officer concerning such determination,~~ the City ~~Administrator~~Clerk shall fix a date and time to hear the matter, said hearing to be held within fourteen (14) days after the filing of the request. The City ~~Administrator~~Clerk shall prepare a written Notice of Hearing which shall include the name and address, including mailing address, of the owner. The City ~~Administrator~~Clerk shall then mail by first-class mail a Notice of Hearing to the owner no later than (10) days prior to the date of the hearing.

(B) At the time fixed in the Notice of Hearing, the hearing officer shall hear the testimony of all competent persons desiring to testify respecting the condition constituting the nuisance, including the estimated cost of abatement and other matters which may be pertinent. At the conclusion of the hearing, the hearing officer shall, within five (5) days of the date of the hearing, declare the hearing officer's findings in a written Decision of Hearing. If the hearing officer so concludes, the hearing officer may declare the condition existing to be a nuisance and direct the ~~City Administrator, the Chief of Police, or the Building Inspector to proceed to~~property owner to abate the nuisance pursuant to the provisions of this code. Such final determination shall be considered a final order of the city. The said Notice of Decision of Hearing shall be substantially in the following form:

NOTICE OF DECISION OF HEARING OFFICER

TO:

YOU ARE HEREBY NOTIFIED THAT ON _____, 20____, the hearing officer of the City of Wahoo, Nebraska, after notice and hearing, did determine that the following (did) (did not) constitute a public nuisance, to wit:

upon the following described real estate, to wit:

If the Hearing Officer concluded that the above did constitute a public nuisance)

You are granted _____ days from the date of this Notice of Decision to abate said nuisance. Failure to abate said nuisance shall result in said nuisance being abated by the City of Wahoo and the cost of abatement shall be assessed upon said ~~premises property~~ and constitute a lien upon said ~~premises~~real property until paid.

DATED _____, 20____.

CITY OF WAHOO, NEBRASKA

By _____
City of Wahoo Code Enforcement

~~Its City Administrator~~

CERTIFICATE OF SERVICE

~~_____ The undersigned hereby certifies that a copy of the foregoing Notice was posted on the premises afore-described and mailed by registered or certified U.S. Mail, postage prepaid, on this _____ day of _____, 20____, to the following:~~

_____ CITY OF WAHOO, NEBRASKA

By _____
_____ ~~Its City Administrator~~

('72 Code, § 4-309) (Ord. 1238, passed 3-28-85; Am. Ord. 1943, passed 11-9-06)

~~§ 94.29 HEARING OFFICER.~~

~~_____ The President of the City Council, or his/her council appointee in their absence, shall be the hearing officer of the City on all matters pertaining to Chapter 94 of the Wahoo Municipal Code. The City Council shall promulgate, by council resolution, hearing rules which shall govern the handling of hearings before the hearing officer.~~

('72 Code, § 4-310) (Ord. 1238, passed 3-28-85; Am. Ord. 1943, passed 11-9-06)

~~§ 94.30 ABATEMENT BY CITY.~~

~~_____ If the person fails to abate the nuisance within the time set forth, the City Administrator, the Chief of Police, or the Building Inspector may order the abatement of the nuisance.~~

('72 Code, § 4-311, § 18-1720) (Ord. 1238, passed 3-28-85; Am. Ord. 1943, passed 11-9-06)

§ 94.31 RECORD OF EXPENSES.

The City ~~Administrator-Clerk~~ shall keep an itemized account of the expenses involved in abating the nuisance included but not limited to labor, equipment costs, postage, and city staff time. The City ~~Administrator-Clerk~~ shall post conspicuously on the property and the City ~~Administrator-Clerk~~ shall also mail to the owner of the property a statement showing the expense of the abatement, together with a notice of the time and place when the statement will be submitted to the Hearing Officer for approval and confirmation and at which time the Hearing Officer may consider the objections and protests to the cost of the work. Said notice shall be substantially in the following form:

Commented [CF3]: Comment from Melissa: could change the notice to state that if the owner disagreed with the statement of expenses they have five or ten or whatever days to request a hearing. And if they don't request a hearing, then the costs are acceptable and we can move on.

NOTICE OF HEARING ON EXPENSE
OF ABATEMENT OF NUISANCE

TO:

Pursuant to § 94.30 of the Municipal Code of the City of Wahoo, Nebraska, you are hereby notified that the following is a statement showing the expense incurred by the City of Wahoo in abating a nuisance upon the following described real estate, to wit:
Said expenses are as follows:

You are further notified that said Statement of Expenses shall be submitted to the Hearing Officer for consideration on the _____ day of _____, 20____, at _____ o'clock __M., _____, Wahoo, Nebraska, at which time you may appear to object or protest the expense incurred in the abatement of said nuisance.

CITY OF WAHOO, NEBRASKA

By _____
City of Wahoo Code Enforcement

~~Its City Administrator~~

CERTIFICATE OF SERVICE

~~_____ The undersigned hereby certifies that a copy of the foregoing Notice was posted on the premises afore-described and mailed by Registered or Certified U. S. Mail, postage prepaid, this _____ day of _____, 20____, to the following:~~

CITY OF WAHOO, NEBRASKA

By _____

~~Its City Administrator~~

('72 Code, § 4-312) (Ord. 1238, passed 3-28-85; Am. Ord. 1943, passed 11-9-06)

§ 94.32 HEARING ON STATEMENT OF EXPENSES.

At the time fixed for hearing on the statement of expense, the Hearing Officer shall consider the statement and protest or objections raised by the persons liable to be assessed for the costs of the abatement. The Hearing Officer may revise, correct, or modify the statement as it considers just and thereafter shall confirm the statement by motion or resolution. The decision of the Hearing Officer on all

protests and objections which may be made shall be final and conclusive. The procedure governing the hearing shall be provided by § 94.28 of this chapter.

('72 Code, § 4-313) (Ord. 1238, passed 3-28-85)

§ 94.33 EXPENSES A SPECIAL ASSESSMENT AGAINST THE PROPERTY.

If the property owner does not pay the expense of abating the nuisance within ~~two(2) months~~~~thirty (30) days~~ two(2) months after the Hearing Officer confirms the cost of abatement, the City may either: (a) levy and assess the costs and expenses of the work upon the real estate upon which the nuisance was abated in the same manner as other special taxes for improvements are levied and assessed; or (b) recover in any civil action the costs and expenses of the work upon the real estate upon which the nuisance existing.

The assessment shall continue until it is paid together with interest as set by the applicable statutes of the State of Nebraska.

('72 Code, § 4-314, § 18-1722 NRS §17-563) (Ord. 1238, passed 3-28-85)

§ 94.34 NOTICE OF SPECIAL ASSESSMENT.

The city may file in the offices of the County Register of Deeds and County Treasurer a certificate substantially in the following form:

NOTICE OF SPECIAL ASSESSMENT

Under the authority of the Wahoo Municipal Code, the City did on _____, 20____, abate a nuisance upon the real estate hereinafter described and then on _____, 20____, did assess the cost of the abatement upon the real estate. The City of Wahoo claims a special assessment on the real estate for the expense of doing the work in the amount of \$ _____. This amount is a special assessment against the real estate until it is paid, with interest as set by the applicable statutes of the State of Nebraska, until discharged of record. The real estate referred to above, and upon which the special assessment is claimed is that certain parcel of land situated within the City of Wahoo, County of Saunders, State of Nebraska and more particularly described as follows:

(legal description)

DATED _____

CITY OF WAHOO, NEBRASKA

By _____
Its City Administrator

('72 Code, § 4-315) (Ord. 1238, passed 3-28-85)

§ 94.35 ALTERNATIVES.

Nothing in the foregoing sections shall be deemed to prevent ~~the City Administrator, the Chief of Police or Building Inspector~~Code Enforcement from directing the City Attorney to commence a civil and/or criminal proceeding to abate a public nuisance under applicable civil or penal code provisions as an alternative to the proceedings set forth herein.

('72 Code, § 4-316, § 28-822) (Ord. 1238, passed 3-28-85; Am. Ord. 1943, passed 11-9-06)

§ 94.36 PROCEDURE IN CASE OF EMERGENCY.

When the conditions which constitute the nuisance pose an immediate threat to the public peace, health, or safety, ~~the City Administrator, the Chief of Police or the Building Inspector~~Code Enforcement may order the nuisance abated immediately.

('72 Code, § 4-317) (Ord. 1238, passed 3-28-85; Am. Ord. 1943, passed 11-9-06)

§ 94.37 EXPENSES COLLECTED BY CIVIL ACTION.

If the property owner does not pay the expense of abating the nuisance within ~~two (2) months~~ five days~~thirty (30) days~~ after the Hearing Officer confirms the cost of abatement, the city may collect the costs associated with said abatement from the property owner included but not limited to labor, equipment costs, postage, and city staff time and enforce the collection by civil action of any court of competent jurisdiction.

('72 Code, § 4-319 NRS §17-563) (Ord. 1361A, passed 2-28-91)

§ 94.38 PENALTY Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this chapter, set forth at length herein or incorporated by reference, shall be deemed guilty of Class V misdemeanor and upon conviction thereof shall be fined not more than \$500 for each offense. A new violation shall be deemed to have been committed every 24 hours of such failure to comply. ~~Whenever a nuisance exists as defined in this chapter, the City may proceed to a suit in equity to enjoin and abate the same, in the manner provided by law.~~

Whenever, in any action, it is established that a nuisance exists, the court may together with the fine or penalty imposed, enter an order of abatement as a part of the judgment in the case. §§ 17-207; 17-563; 18-1720; 18-1722)"

3. That the Mayor and the appropriate Department, whether one or more, of the City of Wahoo, Nebraska, are hereby authorized and directed to implement this Ordinance.

4. That should any section, paragraph, sentence or word of this Ordinance hereby adopted be declared for any reason be invalid, it is the intent of Mayor and Council of the City of Wahoo, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

5. That all ordinances or parts of ordinances passed and approved prior to the passage, approval, and publication of this Ordinance and in conflict herewith, are hereby repealed.

6. That this Ordinance shall be published within the first fifteen (15) days after its passage and approval in pamphlet form within the City of Wahoo, Nebraska, and shall be effective on the fifteenth (15th) day from and after its passage and approval as provided by law.

7. That the provisions of this Ordinance shall become and be made a part of the Wahoo Municipal Code and the sections of this Ordinance may be renumbered to accomplish such intention.

PASSED AND APPROVED this ~~27th day of August, 2015.~~

CITY OF WAHOO, NEBRASKA

By: _____
~~Loren L. Lindahl~~ Gerald Johnson, Its Mayor

ATTEST:

~~Melissa M. Harrell~~ Christina Fasel, Its Clerk
(SEAL)

ORDINANCE NO. 2475

AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF WAHOO, NEBRASKA, PERTAINING TO THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT:

LOTS 1, 2 AND THE EAST HALF OF THE VACATED OAK STREET ADJACENT TO BLOCK 13, ALL IN BLOCK 13, DICKINSON'S SECOND ADDITION TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, AND LOTS 1 AND 2 BLOCK 1, IN ANDRUS ADDITION OF SUBURBAN LOTS TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA,

WHICH IS CURRENTLY ZONED R-2 RESIDENTIAL DISTRICT, BY ALLOWING THEREON A CONDITIONAL USE, I.E.: ASSISTED LIVING FACILITY; TO PROVIDE THAT THE MAYOR AND THE APPROPRIATE DEPARTMENT WHETHER ONE OR MORE OF THE CITY OF WAHOO, NEBRASKA, ARE AUTHORIZED AND DIRECTED TO IMPLEMENT THIS ORDINANCE; TO PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, OR PROVISION OR PORTION OF THIS ORDINANCE FOUND UNCONSTITUTIONAL OR INVALID; TO PROVIDE FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED WITHIN THE FIRST FIFTEEN (15) DAYS AFTER ITS PASSAGE AND APPROVAL, IN PAMPHLET FORM, IN THE CITY OF WAHOO, NEBRASKA, AND SHALL BE IN FULL FORCE AND TAKE EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION AS PROVIDED BY LAW, AND AS PROVIDED HEREIN; AND THAT IT IS THE INTENTION OF THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA, AND IT IS HEREBY ORDAINED, THAT THE PROVISIONS OF THIS ORDINANCE SHALL NOT BE MADE A PART OF THE ZONING ORDINANCE OF THE CITY OF WAHOO, NEBRASKA.

WHEREAS, the following described real estate, to wit:

LOTS 1, 2 AND THE EAST HALF OF THE VACATED OAK STREET ADJACENT TO BLOCK 13, ALL IN BLOCK 13, DICKINSON'S SECOND ADDITION TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, AND LOTS 1 AND 2 BLOCK 1, IN ANDRUS ADDITION OF SUBURBAN LOTS TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA,

the street address of which is 1145 North Laurel Street, Wahoo, Nebraska 68066, owned by John L. Pinkerton and Rachel Pinkerton, husband and wife, and,

WHEREAS, the Mayor and Council of the City of Wahoo, Nebraska, have, pursuant to Ordinance No. 1886, known and cited as the Zoning Ordinance of the City of Wahoo, Nebraska, adopted zoning regulations for the City of Wahoo, Nebraska, and its extra territorial jurisdiction, and,

WHEREAS, the above described real estate lies within the corporate limits of the City of Wahoo, Nebraska, and is currently in the R-2 Residential District of the Zoning Ordinance of the City of Wahoo, Nebraska, and,

WHEREAS, said Zoning District does permit, as a Conditional Use thereon, Assisted Living Facility, as defined in the Zoning Ordinance of the City of Wahoo, Nebraska, and,

WHEREAS, Article 6 of the Zoning Ordinance of the City of Wahoo, Nebraska, sets forth the Standards for the granting of a Conditional Use Permit, and,

WHEREAS, the City of Wahoo did by adoption of Ordinance No. 2071 approve an application filed by the owners of the above real estate for Conditional Use Permit to allow as a Conditional Use upon said real estate an Assisted Living Facility, and,

WHEREAS, Ordinance No. 2153 provided for the permit to be valid for a period to expire on April 30, 2015; Ordinance No. 2186, expiring on April 30, 2016; Ordinance No. 2211, expiring on April 14, 2017; Ordinance No. 2240, expiring on April 30, 2018; and, which was extended by Ordinance No. 2279, expiring on April 30, 2019; and, Ordinance No. 2306, expiring on April 30, 2020; and, which was extended by Ordinance No. 2351, expiring on April 30, 2021; Ordinance No. 2368 expiring on April 30, 2022; Ordinance No. 2390 expiring on April 30, 2023; Ordinance No. 2432 expiring on April 30, 2024; Ordinance No 2455 expiring April 30, 2025.

WHEREAS, Ordinance No. 2351 also provided for a recommendation by a Monitoring Committee as to the renewal of said Conditional Use Permit; and

WHEREAS, based upon annual report information submitted by public safety officials and the public, regarding issues concerning the Conditional Use Permit, the Mayor has determined there is no need for the Monitoring Committee to hold an additional meeting for the current review; and

WHEREAS, the Mayor and Council of the City of Wahoo, Nebraska, deem it in the best interests of the citizens of the City of Wahoo, Nebraska, that the Conditional Use Permit approved by Ordinance No. 2351 be extended subject to terms and conditions as set forth within this Ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA, as follows:

Section 1. That the findings here and above made should be and are hereby made a part of this Ordinance as fully as if set out at length herein.

Section 2. That the Official Zoning Map of the City of Wahoo, Nebraska, be amended, as to the following described real estate, to wit:

LOTS 1, 2 AND THE EAST HALF OF THE VACATED OAK STREET ADJACENT TO BLOCK 13, ALL IN BLOCK 13, DICKINSON'S SECOND ADDITION TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, AND LOTS 1 AND 2 BLOCK 1, IN ANDRUS ADDITION OF SUBURBAN LOTS TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA,

the street address of which is 1145 North Laurel Street, Wahoo, Nebraska 68066, to allow as a Conditional Use thereon an Assisted Living Facility, hereinafter called "Facility", subject to the following conditions, to wit:

- a. That no resident in the Facility located upon the above described real estate shall have been:
 - i. Convicted of a felonious offense against a person;
 - ii. Convicted of an offense involving arson;
 - iii. Convicted of a crime listed in Neb. Rev. Stat. §29-4003 and who is required to register as a sex offender pursuant to the Sex Offender Registration Act of the State of Nebraska;
- b. That the Facility located upon the above described real estate shall be licensed by the State of Nebraska, Department of Health and Human Services System, as an Assisted Living Facility;
- c. That said Conditional Use Permit shall continue to be valid for a period to expire on April 30, 2026, subject further to Subsections e. (vii) and f. hereof;
- d. That the Mayor's Monitoring Committee to be comprised of the following individuals, to wit:
 - (i) The Mayor of the City of Wahoo, Nebraska;
 - (ii) Two (2) Council members of the City Council of the City of Wahoo, Nebraska, preferably, the two (2) Council Members whose Ward includes the above described real estate;
 - (iii) The Chief of Police of the City of Wahoo, Nebraska;
 - (iv) The owner or a representative of the owner of the Facility;
 - (v) One or more individuals representing the owners of real estate adjacent to Facility;

Shall meet on an as needed basis as called by the Mayor of the City of Wahoo, Nebraska, to be held prior to the expiration of the Conditional Use Permit. The Monitoring Committee shall establish its own rules and regulations for its governance.
- e. The purposes of the Monitoring Committee shall be, but shall not be limited to, the following:
 - (i) Review the Conditional Use Permit;
 - (ii) Review State of Nebraska, Department of Health and Human Services Inspection Reports reference Facility;
 - (iii) Review the City of Wahoo, Nebraska's Emergency Unit responses to Facility;
 - (iv) Review 911 emergency calls from/to Facility;
 - (v) Review the Standards for a Conditional Use as set forth in the Zoning Ordinance of the City of Wahoo, Nebraska;
 - (vi) Report to the City Council of the Meetings of the Monitoring Committee;
 - (vii) Present an Annual Report to the City Council prior to the expiration of the Conditional Use Permit which Annual Report shall contain a recommendation to

the City Council as to extending the Conditional Use Permit for an additional period of time;

- f. If there is a violation of any of the conditions for the Conditional Use Permit as set forth in subparagraphs a., b., and e. hereof, the Monitoring Committee shall grant to the owner of the Facility a reasonable time in which to correct said violations, but if said violations continue after the owner of the Facility has been given a reasonable length of time, considering the violation, to rectify the violation, the Monitoring Committee shall so inform the City Council of the City of Wahoo, Nebraska, and the City Council may proceed to revoke the Conditional Use Permit and grant the owner of Facility sixty (60) days in which to close the Facility, at which point in time said Conditional Use Permit shall be null and void, or the City Council may determine not to renew the Conditional Use Permit for the Facility.

Section 3. That the Mayor and the appropriate Department, whether one or more, of the City of Wahoo, Nebraska, are hereby authorized and directed to implement this Ordinance.

Section 4. That should any section, paragraph, sentence or word of this Ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the Mayor and Council of the City of Wahoo, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination here from of any such portion as may be declared invalid.

Section 5. That all Ordinances and parts of Ordinances passed and approved prior to the passage, approval, and publication of this Ordinance, in conflict herewith, are hereby repealed.

Section 6. That this Ordinance shall be published in pamphlet form and shall be in full force and take effect from and after its passage and approval, provided it has been published, as aforementioned, within the first fifteen (15) days after its passage and approval.

Section 7. That this Ordinance shall not be made a part of the Zoning Ordinance of the City of Wahoo, Nebraska.

PASSED AND APPROVED this 22th day of April 2025.

CITY OF WAHOO, NEBRASKA

By: _____
Gerald D. Johnson, Its Mayor

ATTEST:

Christina Fasel, City Clerk

(SEAL)

ORDINANCE NO. 2476

AN ORDINANCE OF THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA, TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF WAHOO, NEBRASKA, PERTAINING TO THE FOLLOWING-DESCRIBED REAL ESTATE, TO WIT:

WEST HALF OF LOT 10, BLOCK 150, COUNTY ADDITION TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA

BY ALLOWING THEREON A PERMITTED CONDITIONAL USE, THAT BEING DEVELOPMENT OF A BEER GARDEN, AS ALLOWED BY PERMITTED CONDITIONAL USES LISTED UNDER C-1 DOWNTOWN COMMERCIAL ZONING DISTRICT OF WAHOO ZONING REGULATIONS SECTION 5.12.03; TO PROVIDE THAT THE MAYOR AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE OF THE CITY OF WAHOO, NEBRASKA, ARE AUTHORIZED AND DIRECTED TO IMPLEMENT THIS ORDINANCE; TO PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, OR PROVISION OR PORTION FOUND UNCONSTITUTIONAL OR INVALID; TO PROVIDE FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM AND THE EFFECTIVE DATE THEREOF; AND TO PROVIDE THAT THIS ORDINANCE SHALL NOT BE MADE A PART OF THE ZONING ORDINANCE OF THE CITY OF WAHOO, NEBRASKA.

WHEREAS, Copper Kong NE, LLC, is the owner of the following described real estate, to wit:

WEST HALF OF LOT 10, BLOCK 150, COUNTY ADDITION TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA

commonly known as 128 West 5th Street, and,

WHEREAS, the Mayor and Council of the City of Wahoo, Nebraska, pursuant to Ordinance No. 1886, have adopted zoning for the City of Wahoo, Nebraska, said ordinance cited and known as the Wahoo Zoning Ordinance, and,

WHEREAS, said Wahoo Zoning Ordinance does provide for the Official Zoning Map of the City of Wahoo, Nebraska, and,

WHEREAS, said Wahoo Zoning Ordinance does provide for various zoning districts within the City of Wahoo, Nebraska, and its extraterritorial jurisdiction, and,

WHEREAS, said Official Zoning Map does indicate that the above-described real estate is zoned C-1 Downtown Commercial, and,

WHEREAS, said Wahoo Zoning Ordinance, ARTICLE 5 ZONING DISTRICTS, Section 5.12 C-1 Downtown Commercial District, Section 5.12.03 PERMITTED CONDITIONAL USES does allow for a beer garden associated with a tavern, subject to obtaining a Beer Garden Permit as outlined in Municipal Code, and

WHEREAS, Copper Kong NE, LLC, requested, in writing, that the Mayor and Council of the City of Wahoo, Nebraska, amend the Official Zoning Map of the City of Wahoo, Nebraska, to allow upon the above-described real estate, as a Permitted Conditional Use, a beer garden, and,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WAHOO, NEBRASKA, AS FOLLOWS:

1. That the findings here and above made should be, and are hereby made a part of this Ordinance as fully as if set out at length herein.
2. That the Official Zoning Map of the City of Wahoo, Nebraska, be amended, as to the following-described real estate, to wit:

WEST HALF OF LOT 10, BLOCK 150, COUNTY ADDITION TO THE CITY OF WAHOO, SAUNDERS COUNTY, NEBRASKA,

commonly known as 128 West 5th Street, to allow as a Permitted Conditional Use thereon a facility for a beer garden, subject to obtaining a Beer Garden Permit as outlined in Municipal Code, subject to the following:

- a. There shall be maintained a minimum of six (6) foot tall iron, wood, concrete, stone, or similar material fence surrounding the beer garden area. The maximum distance between any posts of the fencing shall be four (4) inches. Design and structure of the fence and landscaping shall preserve harmony with the appearance of the surrounding property. The fence shall contain the required fire exit(s) which must be used as emergency exits only. The gate(s) or exit(s) shall be of the same height as that required of the beer garden fence, shall swing to egress, shall be equipped with proper hardware, and shall swing free and clear of public sidewalks. The beer garden fence shall comply with all regulations regarding vision clearance along with required distance from corner.
 - b. Utility meters and services shall be accessible outside said fence to City of Wahoo, Wahoo utilities staff at all times.
 - c. This Conditional Use Permit is subject to review in twelve (12) months, on or about April 22, 2025.
3. That the Mayor and the appropriate Department, whether one or more, of the City of Wahoo, Nebraska, are hereby authorized and directed to implement this Ordinance.
 4. That should any section, paragraph, sentence or word of this Ordinance hereby adopted be declared for any reason to be invalid, it is the intent of the Mayor and Council of the City of Wahoo, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.
 5. That all Ordinances and parts of Ordinances passed and approved prior to the passage, approval, and publication of this Ordinance, in conflict herewith, are hereby repealed.
 6. That this Ordinance shall be published in pamphlet form and shall be in full force and take effect from and after its passage and approval, provided it has been published, as aforementioned, within the first fifteen (15) days after its passage and approval.

7. That this Ordinance shall not be made a part of the Zoning Ordinance of the City of Wahoo, Nebraska.

PASSED AND APPROVED this 22nd day of April 2025

CITY OF WAHOO, NEBRASKA

By: _____
Gerald D. Johnson, Its Mayor

ATTEST:

Christina Fasel, City Clerk

(SEAL)