

LEGISLATIVE BILL 541

Approved by the Governor May 2, 1973

Introduced by Miscellaneous Subjects Committee, Carpenter, 48; Waldron, 42; Skarda, 7; Mahoney, 5; Luedtke, 28

AN ACT to amend section 16-622, Revised Statutes Supplement, 1972, relating to cities of the first class; to change the manner in which special assessments become delinquent; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 16-622, Revised Statutes Supplement, 1972, be amended to read as follows:

16-622. The cost of making such improvements of the streets and alleys within any street improvement district shall be assessed upon the lots and lands in such districts specially benefited thereby in proportion to such benefits. The amounts thereof shall be determined by the mayor and council under the provisions of section 16-615. The assessment of the special tax for the cost of such improvements, except as provided in this section, shall be levied at one time and shall become delinquent in equal annual installments over such period of years, not to exceed twenty, as the mayor and city council may determine at the time of making the levy, the first such installment to become delinquent in fifty days after the date of such levy. ~~as follows: One-twentieth of the total cost shall become delinquent in fifty days after such levy; one-twentieth in one year; one-twentieth in two years; one-twentieth in three years; one-twentieth in four years; one-twentieth in five years; one-twentieth in six years; one-twentieth in seven years; one-twentieth in eight years; one-twentieth in nine years; one-twentieth in ten years; one-twentieth in eleven years; one-twentieth in twelve years; one-twentieth in thirteen years; one-twentieth in fourteen years; one-twentieth in fifteen years; one-twentieth in sixteen years; one-twentieth in seventeen years; one-twentieth in eighteen years; and one-twentieth in nineteen years.~~ Each of said installments, including those for ~~those for~~ graveling and the construction and replacement of pedestrian walks, plazas, malls, landscaping, lighting systems and permanent facilities used in connection therewith as hereinafter provided, except the first, shall draw interest at a rate

established by the mayor and council not exceeding ~~six~~ seven and one half per cent per annum from the time of levy until the same shall become delinquent. After the same shall become delinquent, interest at a rate not exceeding nine per cent per annum shall be paid thereon. Should there be three or more of said installments delinquent and unpaid on the same property the mayor and city council may by resolution declare all future installments on such delinquent property to be due on a future fixed date. The resolution shall set forth the description of the property and the names of its record title owners and shall provide that all future installments shall become delinquent upon the date fixed. A copy of such resolution shall be published one time each week for not less than twenty days in a legal newspaper of general circulation published in the city and after the fixed date such future installments shall be deemed to be delinquent and the city may proceed to enforce and collect the total amount due and all future installments. As to assessments for graveling alone and without guttering or curbing, one-third of the total amount assessed against each lot or parcel of land shall become delinquent in fifty days after the date of the levy of the same, one-third in one year, and one-third in two years.

Sec. 2. That original section 16-622, Revised Statutes Supplement, 1972, is repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.