

LEGISLATIVE BILL 190

Approved by the Governor March 25, 1977

Introduced by Lamb, 43

AN ACT to amend sections 16-238 and 17-121, Reissue Revised Statutes of Nebraska, 1943, relating to boards of health; to remove physician residency requirements for board of health membership; and to repeal the original sections.

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

Section 1. That section 16-238, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

16-238. A city of the first class may make regulations to prevent the introduction and spread of contagious, infectious or malignant diseases into the city. A board of health shall be created, consisting of five members: ~~the~~ The mayor, who shall be chairman, a physician, ~~who resides permanently in the city~~, who shall be medical adviser, the chief of police, who shall be secretary and quarantine officer, the president of the council, and one other member. A majority of such board shall constitute a quorum and shall enact rules and regulations, having the force and effect of law, to safeguard the health of the people of such city, and prevent nuisances and unsanitary conditions, enforce the same, and provide fines and punishments for the violation thereof.

Sec. 2. That section 17-121, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

17-121. A second-class city shall have power to make regulations to prevent the introduction and spread of contagious, infectious or malignant diseases into the city, to make quarantine laws for that purpose, and to enforce the same. There shall be created a board of health to consist of four members: The mayor, who shall be chairman, a physician, ~~who resides permanently in the city~~, who shall be medical adviser, the president of the city council, and the marshal of such city, who shall be secretary and quarantine officer. A majority of such board shall constitute a quorum and shall enact rules and regulations, which shall have the force and effect of law, to safeguard the health of the people of such city, ~~may enforce them~~, and provide fines and punishments for the violation thereof. The board of health shall have

power to and shall make all needful rules and regulations relating to matters of sanitation of such city, including the removal of dead animals, the sanitary condition of the streets and alleys and vacant grounds, and of stockyards, cattle and hog pens, wells, cisterns, privies, waterclosets, cesspools, stables, and all buildings and places not specified where filth, nuisances or offensive matter is kept or is liable to or does accumulate. It may regulate, suppress, and prevent the occurrence of nuisances and enforce all laws of the state and ordinances of the city relating to the same or to matters of sanitation of such city. The board shall also have control of hospitals, dispensaries, and places for treatment of sick, and of matters relating to the same under such restrictions and provisions as may be provided by ordinance of such city.

Sec. 3. That original sections 16-238 and 17-121, Reissue Revised Statutes of Nebraska, 1943, are repealed.