

## LEGISLATIVE BILL 971

Approved by the Governor March 24, 1986

Introduced by Urban Affairs Committee, Withem, 14,  
Chairperson; Pappas, 42; Baack, 47;  
Haberman, 44; Morehead, 30; Higgins, 9

AN ACT relating to cities of the metropolitan class; to amend section 14-405, Reissue Revised Statutes of Nebraska, 1943; to change requirements for protesting a zoning change as prescribed; to define a term; and to repeal the original section.

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

Section 1. That section 14-405, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

14-405. Such regulations, restrictions, and boundaries may from time to time be amended, supplemented, changed, modified, or repealed. When a protest against a change of boundaries is presented to the city clerk at least six days prior to the city council vote on such change, such change shall not become effective except by a favorable vote of five-sevenths of all members of the city council. The protest shall be in writing, signed, and sworn and acknowledged pursuant to section 64-206 by the required owners. For purposes of this section, the required owners shall mean those fee simple owners of record as recorded by the register of deeds owning at least twenty per cent of the area: (1) Included in the proposed change; (2) abutting either side of the proposed change; (3) abutting the rear of the proposed change; (4) abutting the front of the proposed change; or (5) directly opposite of the proposed change on the other side of a dedicated public right-of-way and extending fifty feet on either side of such opposite lot. However, in case a protest against such change be presented, duly signed and acknowledged by the owners of twenty per cent or more of the area of the lots included in such proposed change, or of those immediately adjacent in the rear thereof extending one hundred feet therefrom, or of those directly opposite thereto, extending one hundred feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of five-sevenths

of all the members of the city council. The provisions of section 14-404 relative to public hearings and official notice shall apply equally to all changes or amendments.

Sec. 2. That original section 14-405, Reissue Revised Statutes of Nebraska, 1943, is repealed.