

LEGISLATIVE BILL 611

Approved by the Governor March 25, 1998

Introduced by Dw. Pedersen, 39; Bruning, 3; Hartnett, 45; Hilgert, 7;
Lynch, 13; Raikes, 25

AN ACT relating to municipal corporate limits; to amend sections 14-117 and 18-1716, Reissue Revised Statutes of Nebraska, and section 77-1344, Revised Statutes Supplement, 1997; to change provisions relating to annexation, special valuation, and regulation; and to repeal the original sections.

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

Section 1. Section 14-117, Reissue Revised Statutes of Nebraska, is amended to read:

14-117. The corporate limits of any city of the metropolitan class shall be fixed and determined by ordinance by the council of such city, ~~by ordinance.~~ The city council of any city of the metropolitan city class may at any time extend the corporate limits of such city over any contiguous or adjacent lands, lots, tracts, ~~street or highway streets, or highways,~~ such distance as may be deemed proper in any direction, and may include, annex, merge, or consolidate with such city of the metropolitan city class, by such extension of its limits, any adjoining city of the first class having less than 40,000 ~~ten thousand~~ population or any adjoining city of the second class or village. ~~Any~~ ~~PROVIDED,~~ ~~that any other laws and limitations defining the boundaries of cities or villages or the increase of area or extension of limits thereof,~~ shall not apply to lots, lands, cities, or villages annexed, consolidated, or merged under this section. ~~This grant of power shall not be construed as conferring power upon the council to extend the limits of a metropolitan city over any agricultural lands which are rural in character.~~

Sec. 2. Section 18-1716, Reissue Revised Statutes of Nebraska, is amended to read:

18-1716. Any regulation of any municipality pertaining to any area outside of its corporate limits shall be subject to any lawful and existing regulation of another municipality pertaining to that same area. ~~PROVIDED,~~ ~~that except as otherwise provided by an agreement entered into pursuant to the Interlocal Cooperation Act. However,~~ any area annexed by any municipality shall be subject to the ordinances of such municipality after such annexation.

Sec. 3. Section 77-1344, Revised Statutes Supplement, 1997, is amended to read:

77-1344. (1) Any land which has an actual value as defined in section 77-112 reflecting a potential use other than agricultural or horticultural use, is located outside the corporate boundaries of any sanitary and improvement district, city, or village, is used exclusively for agricultural or horticultural use, and is zoned for agricultural or horticultural use shall be valued at eighty percent of its actual value for agricultural or horticultural use pursuant to sections 77-1359 to 77-1363 and not at the actual value it would have if applied to other than agricultural or horticultural use if application for such special valuation is made pursuant to sections 77-1343 to 77-1348. The special valuation provisions may be applicable to real property included within the corporate boundaries of a city or village if the real property is subject to a conservation or preservation easement as provided in the Conservation and Preservation Easements Act and the governing body of the city or village approves the agreement creating the easement. The special valuation provisions shall not be applicable to that portion of lands zoned predominantly for agricultural or horticultural use if such lands have been subdivided. No land which has an actual value as defined in section 77-112 reflecting a potential use other than agricultural or horticultural use shall be valued at eighty percent of its actual value for agricultural or horticultural use unless it receives the special valuation pursuant to sections 77-1343 to 77-1348.

(2) The eligibility of land for the special valuation provisions of this section shall be determined as of January 1, but if land so qualified becomes disqualified prior to the levy date of the same year, it shall be valued at its actual value as defined by section 77-112 without regard to this section. If the land becomes disqualified after the date of levy, its valuation for that year shall continue as provided in this section.

Sec. 4. Original sections 14-117 and 18-1716, Reissue Revised Statutes of Nebraska, and section 77-1344, Revised Statutes Supplement, 1997, are repealed.