

Denied

ORDINANCE NO. 02-612

not passed

-AN ORDINANCE TO ESTABLISH AND CREATE SECTION 5-211 OF THE MUNICIPAL CODE OF THE CITY OF FRIEND, NEBRASKA, RELATED TO THE USE AND OPERATION OF SNOWMOBILES WITHIN THE CITY LIMITS; TO DEFINE THE LIMITED ROUTES OF TRAVEL OF SNOWMOBILES AND THE PURPOSE OF TRAVEL; TO REPEAL ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, The Municipal Code of the City of Friend, Nebraska, presently has no provisions which allow or prohibit the operation of snowmobiles upon the public streets of the City of Friend, Nebraska; and

WHEREAS, Nebraska Revised Statutes 60-6,335 allows a governmental subdivision to authorize the use and operation of snowmobiles, and to enact regulations permitting, prohibiting, and controlling their use; and,

WHEREAS, it is the desire of the Mayor and City Council to allow the operation of snowmobiles within the municipal limits for the limited purpose of traveling to the edge of and outside of the city limits, provided that rules and regulations regarding the use and operation of snowmobiles are adopted concurrently;

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

Section 1. That Section 5-211 of the Municipal Code of the City of Friend, Nebraska, is created to read as follows:

Snowmobiles: Operation and Use: The operation of snowmobiles upon the public streets and right-of-ways within the city limits is authorized for the sole and limited purpose of traveling from the place of its storage to the boundary of the city limits. The route taken in its travel to such site shall be the most direct route possible. Under no other circumstances, other than in cases of emergency at times when snow upon the roadway renders travel by automobile impractical, shall the operation of snowmobiles within the city limits be allowed. All snowmobiles shall at all times be operated in accordance with and subject to the regulations and requirements of Nebraska Revised Statutes 60-6,335 through 60-6,345 or any successor or amended legislation. (Source Ref. 60-6,335 through 60-6,345 RS Neb.)

Section 2. That all ordinances and parts of ordinances in conflict herewith are hereby specifically repealed.

Section 3. 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 Friend, Nebraska, that it would have passed all other portions of this Ordinance independent of

the elimination hereof of any such portion as may be declared invalid.

Section 4. This Ordinance shall take effect after its approval, passage, and publication in pamphlet form according to law.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

**THE CITY OF FRIEND, NEBRASKA**

By: \_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
CITY CLERK/TREASURER