

ORDINANCE 1154

AN ORDINANCE OF THE CITY OF ASHLAND, NEBRASKA TO AMEND THE ORDINANCES RESTRICTIONS ON OTHER EMPLOYMENT OR ELECTIVE OFFICE BY AMENDING CHAPTER 1, ARTICLE 1 OF THE ASHLAND MUNICIPAL CODE; TO PROVIDE FOR THE REPEAL OF ANY ORDINANCE IN CONFLICT THEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ASHLAND, NEBRASKA:

Section 1: Section 1-106 of the Ashland Municipal Code is amended to read as follows:

§1-106 RESTRICTIONS ON OTHER EMPLOYMENT OR ELECTIVE OFFICE

- (1) The Mayor and members of the City Council shall hold no other elective office or employment with the City.
- (2) For purposes of this section, (a) “elective office” means any office which has candidates nominated or elected at the time of a statewide primary election, any office which has candidates nominated at the time of a statewide primary election and elected at the time of a statewide general election, any office which has candidates elected at the time of a statewide general election, any office which has candidates nominated or elected at a city election, and any office created by an act of the Legislature which has candidates elected at an election and includes an office which is filled at an election held in conjunction with the annual meeting of a public body created by an act of the Legislature and (b) “high elective office” means a member of the Legislature, an elective office described in Article IV, Section 1 or 20, or Article VII, Section 3 or 10, of the Constitution of Nebraska, or a county, city, or school district elective office.
- (3) No candidate for member of the Legislature or an elective office described in Article IV, Section 1 or 20, or Article VII, Section 3 or 10, of the Constitution of Nebraska shall be eligible to file as a candidate, to petition on the ballot as a candidate, to accept a nomination by a political party or by party convention, caucus, or committee to fill a vacancy, or to be a declared write-in candidate for more than one elective office to be filled at the same election except for the position of delegate to a county, state, or national political party convention. No candidate for any other high elective office shall be eligible to file as a candidate, to petition on the ballot as a candidate, to accept a nomination by a political party or by party convention, caucus, or committee to fill a vacancy, or to be declared a write-in candidate for more than one high elective office to be filled at the same election.
- (4) Except as provided in subsection (5) or (7) of this section, no person shall be precluded from being elected or appointed to or holding an elective office for the reason that he or she has been elected or appointed to or holds another elective office.
- (5) No person serving as a member of the Legislature or in an elective office described in Article IV, Section 1 or 20, or Article VII, Section 3 or 10, of the Constitution of

Nebraska shall simultaneously serve in any other elective office, except that such a person may simultaneously serve in another elective office which is filled at an election held in conjunction with the annual meeting of a public body.

- (6) Whenever an incumbent serving as a member of the Legislature or in an elective office described in Article IV, Section 1 or 20, or Article VII, Section 3 or 10, of the Constitution of Nebraska assumes another elective office, except an elective office filled at an election held in conjunction with the annual meeting of a public body, the office first held by the incumbent shall be deemed vacant.
- (7) No person serving in a high elective office shall simultaneously serve in any other high elective office.
- (8) Notwithstanding subsections (5) through (7) of this section, any person holding more than one high elective office on September 13, 1997, shall be entitled to serve the remainder of all terms for which he or she was elected or appointed. (Neb. Rev. Stat. §17-108.02, 32-109, 32-603, 32-604)

Section 2: That all ordinances and parts of ordinances passed and approved prior to the passage and approval of this ordinance and in conflict therewith are hereby repealed.

Section 3: This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Section 4: That this ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED this 21st day of June, 2018.

CITY OF ASHLAND
SAUNDERS COUNTY, NEBRASKA

BY: Richard Grauerholz
Richard Grauerholz, Mayor

ATTEST:

Kathleen Sliva
Kathleen Sliva, City Clerk

