TITLE V: PUBLIC WORKS

Chapter

50. GENERAL PROVISIONS

51. WATER

52. SEWERS

53. SOLID WASTE

54. ELECTRIC

ORDINANCE NO. 50.02

VILLAGE OF GILTNER)
COUNTY OF HAMILTON) SS.
STATE OF NEBRASKA)

An ordinance of the Village of Giltner, Nebraska to set forth **definitions to Code # 50.02 UTILITY BILLS; COLLECTION**

WHEREAS, the Chairperson and the Board of Trustees is the Governing Body of the Village of Giltner,

THEREFORE, be it ordained that the Chairperson and the Board of Trustees, Giltner Nebraska, do;

HEREBY, set forth **definitions to Code # 50.02 UTILITY BILLS; COLLECTION**

***50.02 UTILITY BILLS; COLLECTION.**

Charges for utility services provided by or through the village; water, sewer, electric and garbage, shall be billed jointly on a monthly basis. The Utilitiy Superintendent shall read, or cause to be read, water and electric meters on or around the first day of each month. Utility bills shall be mailed by the twelfth (12th) of the month, and shall be due immediately and considered delinquent the last day of the same month.
Bills paid after the end of the month shall have a late penalty charge of ten percent (10%) added to the bill. Upon being deemed to be delinquent, and not paid by the twentieth (20^{th}) of the month, the village may discontinue service pursuant to #50.03 of the Giltner Code. Once discontinued; service shall not be re-commenced except upon payment of the delinquent bill and a reconnection fee in an amount set by resolution of the Board of Trustees. The village may also take any action authorized by law to effect collection of the delinquent charges.

Any other ordinance or section passed and approved prior to passage and approval of this ordinance and in conflict with its provisions is repealed.

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

Delbert E. Nuss
Delbert E. Nuss, Chairperson

Charlynn Kral Krcilek
Charlynn Kral Krcilek, Village Clerk

Date: March 10, 2008

(SEAL)

CHAPTER 50: GENERAL PROVISIONS

Section

50.01 Denial of service; when prohibited
50.02 Utility bills; collection
50.03 Discontinuance of service; notice procedure
50.04 Diversion of services, meter tampering, unauthorized reconnection, prohibited; evidence
50.05 Diversion of services; penalty
50.06 Lien

§ 50.01 DENIAL OF SERVICE; WHEN PROHIBITED.

No applicant for the services of a public or private utility company furnishing water, natural gas, or electricity at retail in this municipality shall be denied service because of unpaid bills for similar service which are not collectible at law because of statutes of limitations or discharge in bankruptcy proceedings.
(Neb. RS 70-1601)

§ 50.02 UTILITY BILLS; COLLECTION.

(A) Charges for utility services provided by or through the village, water, sewer, electric and garbage, shall be billed jointly on a monthly basis. The Utilities Superintendent shall read, or cause to be read, water and electric meters on or around the first day of each month. Utility bills shall be mailed on or around the 12th day of the month, and shall be due immediately and considered delinquent the last day of the same month.

(B) Bills paid after the end of the month shall have a penalty charge of 10% added to the bill. Upon being deemed to be delinquent and not paid by the 20th of the month, the village may discontinue service pursuant to § 50.03. Once discontinued, service shall not be recommenced except upon payment of the delinquent bill and a reconnection fee in an amount set by resolution of the Board of Trustees. The village may also take any action authorized by law to effect collection of the delinquent charges.
(Am. Ord. passed 10-14-02; Am. Ord. 50.02, passed 3-10-08)

§ 50.03 DISCONTINUANCE OF SERVICE; NOTICE PROCEDURE.

(A) The municipality shall not discontinue utility service to any domestic subscriber for nonpayment of any past-due account unless the municipality first gives written notice by mail to any subscriber whose service is proposed to be terminated at least seven days prior to termination, weekends and holidays excluded. As to any subscriber who has previously been identified as a welfare recipient to the municipality by the Department of Health and Human Services, such notice shall be by certified mail, and notice of such proposed termination shall be given to the Department of Health and Human Services.

(B) Prior to the discontinuance of service to any domestic subscriber by the municipality, the domestic subscriber, upon request, shall be provided a conference with the Board of Trustees. The Board of Trustees has established procedures to resolve utility bills when a conference is requested by a domestic subscriber. These procedures, three copies of which are on file in the office of the Municipal Clerk, are hereby incorporated by reference in addition to any amendments thereto and are made a part of this section as though set out in full. A copy of such procedures shall be furnished upon the request of any domestic subscriber. The governing body shall notify the domestic subscriber of the time, place, and date scheduled for such conference.

(C) This section shall not apply to any disconnections or interruptions of services made necessary by the municipality for reasons of repair or maintenance or to protect the health or safety of the domestic subscriber or of the general public.

Statutory reference:

Utility discontinuance regulated, Neb. RS 70-1602 et seq.

§ 50.04 DIVERSION OF SERVICES, METER TAMPERING, UNAUTHORIZED RECONNECTION, PROHIBITED; EVIDENCE.

(A) Any person who connects any pipe or conduit supplying water, without the knowledge and consent of the municipality, in such manner that any portion thereof may be supplied to any instrument by or at which water may be consumed without passing through the meter provided for measuring or registering the amount or quantity passing through it, and any person who knowingly uses or knowingly permits the use of water obtained in the above mentioned unauthorized ways, shall be deemed guilty of an offense.

(Neb. RS 86-329)

(B) Any person who willfully injures, alters, or by any instrument, device, or contrivance in any manner interferes with or obstructs the action or operation of any meter made or provided for measuring or registering the amount or quantity of water passing through it, without the knowledge and consent of the municipality shall be deemed guilty of an offense.

(Neb. RS 86-330)

(C) When water service has been disconnected pursuant to Neb. RS 70-1601 to 70-1615, or § 50.03 of this code, any person who reconnects such service without the knowledge and consent of the municipality shall be deemed guilty of an offense.

(D) Proof of the existence of any pipe or conduit connection or reconnection or of any injury, alteration, or obstruction of a meter, as provided in this section, shall be taken as prima facie evidence of the guilt of the person in possession of the premises where such connection, reconnection, injury, alteration, or obstruction is proved to exist.
(Neb. RS 86-331) Penalty, see § 10.99

§ 50.05 DIVERSION OF SERVICES; PENALTY.

(A) The municipality may bring a civil action for damages against any person who commits, authorizes, solicits, aids, abets, or attempts bypassing, tampering, or unauthorized metering when such act results in damages to a municipal utility. A municipality may bring a civil action for damages pursuant to this section against any person receiving the benefit of utility service through means of bypassing, tampering or unauthorized metering.

(B) In any civil action brought pursuant to this section, the municipality shall be entitled, upon proof of willful or intentional bypassing, tampering, or unauthorized metering to recover as damages:

(1) The amount of actual damage or loss if the amount of the damage or loss is susceptible of reasonable calculation; or

(2) Liquidated damages of $750.00, if the amount of actual damage or loss is not susceptible of reasonable calculation.

(C) In addition to damage or loss under subdivisions (B)(1) or (2) of this section, the municipality may recover all reasonable expenses and costs incurred on account of the bypassing, tampering, or unauthorized metering, including but not limited to disconnection, reconnection, service calls, equipment, costs of the suit, and reasonable attorneys' fees in cases within the scope of Neb. RS 25-1801.
(Neb. RS 86-331.02)

(D) There shall be a rebuttable presumption that a tenant or occupant at any premises where bypassing, tampering, or unauthorized metering is proven to exist caused or had knowledge of such bypassing, tampering, or unauthorized metering if the tenant or occupant:

(1) Had access to the part of the utility supply system on the premises where the bypassing, tampering, or unauthorized metering is proven to exist; and

(2) Was responsible or partially responsible for payment, either directly or indirectly, to the utility or to any other person for utility services to the premises.

(E) There shall be a rebuttable presumption that a customer at any premises where bypassing, tampering, or unauthorized metering is proven to exist caused or had knowledge of such bypassing, tampering, or unauthorized metering if the customer controlled access to the part of the utility supply system on the premises where the bypassing, tampering, or unauthorized metering was proven to exist. (Neb. RS 86-331.03)

(F) The remedies provided by this section shall be deemed to be supplemental and additional to powers conferred by existing laws, and the remedies provided in this section are in addition to and not in limitation of any other civil or criminal statutory or common law remedies.
(Neb. RS 86-331.04)

Statutory reference:

Definitions related to diversion of utility services, see Neb. RS 86-331.01

§ 50.06 LIEN.

In addition to all other remedies, if a customer shall for any reason remain indebted to the municipality for utilities service furnished, such amount due, together with any rents and charges in arrears, shall be considered a delinquent utility rent which is hereby declared to be a lien upon the real estate for which the same was furnished. The Municipal Clerk shall notify in writing or cause to be notified in writing, all owners of premises or their agents whenever their tenants or lessees are 60 days or more delinquent in the payment of the utilities rent. It shall be the duty of the Municipal Clerk to report to the Board of Trustees a list of all unpaid accounts due for utilities service together with a description of the premises served. The report shall be examined and, if approved by the Board of Trustees, shall be certified by the Municipal Clerk to the County Clerk to be collected as a special tax in the manner provided by law.

Statutory reference:

Lien authorized for water and sewer delinquency, see Neb. RS 17-538 and 17-925.01

Assessments authorized, see Neb. RS 18-503

CHAPTER 51: WATER

Section

51.01 Rules and regulations
51.02 New service
51.03 Water policy

§ 51.01 RULES AND REGULATIONS.

The Board of Trustees shall make all necessary rules and regulations governing the use, operation, and control thereof. The governing body may establish just and equitable rates or charges to be paid to it for the use of such water service by each person, firm or corporation whose premises are served thereby. Water rates are adopted by reference as if fully set forth herein and are on file at the office of the Village Clerk and available for public inspection during the hours the office is open for the transaction of business. If the service charge so established is not paid when due, such sum may be recovered by the municipality in a civil action, or it may be certified to the tax assessor and assessed against the premises served, and collected or returned in the same manner as other municipal taxes are certified, assessed, collected and returned.

§ 51.02 NEW SERVICE.

Any new connection to the village water system shall be copper or PVC pipe. Such connections are subject to inspection and approval by the Utility Superintendent or authorized municipal employee.

§ 51.03 WATER POLICY.

The village hereby adopts a water policy. The policy is attached to Ordinance 51.03, passed August 13, 2007 and incorporated by reference as if fully set forth herein. A copy of the Water Policy is on file at the office of the Village Clerk and available for public inspection during the hours the office is open for the transaction of business.
(Ord. 51.03, passed 8-13-07)

ORDINANCE NO. 2023-03

AN ORDINANCE AMENDING CHAPTER 51 OF THE MUNICIPAL CODE OF GILTNER, NEBRASKA, RELATED TO THE VILLAGE WATER SYSTEM; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF GILTNER, NEBRASKA:

SECTION 1. AMENDMENT: That the current Chapter 51 of the Municipal Code of Giltner, Nebraska, be amended in its entirety to read as follows:

§ 51.01 OPERATION AND CONTROL.

The Board of Trustees shall make all necessary rules and regulations governing the use, operation, and control thereof. The governing body may establish just and equitable rates or charges to be paid to it for the use of such water service from each person, firm or corporation whose premises are served thereby. Water rates are adopted by reference as if fully set forth herein and are on file at the office of the Village Clerk and available for public inspection during the houses the office is open for the transaction of business. If the service charge so established is not paid when due, such sum may be recovered by the municipality in a civil action, or it may be certified to the tax assessor and assessed against the premises served, and collected or returned in the same manner as other municipal taxes are certified, assessed, collected and returned.

§ 51.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Where no definition is specified, the normal dictionary usage of the word shall apply.

MAIN. Any pipe, other than a supply or service pipe, that is used for the purpose of carrying water to and disbursing the same in the Village.

SERVICE PIPE. Any pipe extending from the shut-off, stop box or curb cock at or near the lot line to and inside the property line of the consumer to the location on the premises where the water is to be disbursed.

SUPPLY PIPE. Any pipe tapped into a main and extending from there to a point at or near the lot line of a consumer's premises where the shut-off, stop box or curb cock is located.

UNIT. Each separate residential or business space. This term shall include each apartment, each mobile home and each business entity.

§ 51.03 CONSUMER'S APPLICATION.

(A) All persons within the Village, whose property abuts a water main that is now or may be laid hereafter shall be required to connect to the municipal water system upon notice by the Board of Trustees. Where a parcel of property within the Village is now connected to the municipal water system or where the municipal water system is now available or may be hereafter, no owner or occupant of the said property or any other person shall construct, connect, or use any private water supply or well on said property, except for such uses determined permittable by the Board of Trustees.

(B) Every person desiring a supply of water, or required to connect, shall make application therefor to the Board of Trustees. The Board may require a service deposit in an amount as may be set by resolution of the Board of Trustees. Water may not be supplied to any house or private service pipe except upon the written order of the Utility Superintendent or authorized municipal employee. The Village shall not supply water to any person outside the corporate limits without special permission from the Board, which may require that the entire cost of laying mains, supply pipe and service pipe be paid by the consumer. Nothing herein shall be construed to obligate the Village to provide water service to nonresidents.

Penalty, see § 51.99

§ 51.04 WATER CONTRACT.

(A) The Village shall furnish water to persons within the corporate limits of the Village whose premises abut a street or alley in which a main now is or may hereafter be laid. The Village may furnish water to persons within its corporate limits whose premises do not abut a street or alley in which a main is now or may hereafter be laid and may also furnish water to persons whose premises are situated outside the corporate limits of the Village, as and when, according to law, the Board may see fit to do so. The rules, regulations and water rates hereinafter named in this chapter, shall be considered a part of every application hereafter made for water service and shall be considered a part of the contract between every consumer now or hereafter served. Without further formality, the making of application on the part of any applicant or the use or consumption of water service by present consumers thereof and the furnishing of water service to the consumer shall constitute a contract between the consumer and the Village, to which contract both parties are bound. If the consumer shall violate any of the provisions of the contract or any reasonable

rules and regulations that the Borad may hereafter adopt pursuant to the statutes, the Village may cut off or disconnect the water service to the building, premises or place of the violation. No further connection for water service to the building, premises or place shall again be made save or except by order of the Utility Superintendent or authorized municipal employee.

(B) Contracts for water service are not transferable. Any person wishing to change from one location to another shall make a new application and enter into a new contract. If any consumer shall move from the premises where service is furnished, or if the premises is destroyed by fire or other casualty, the consumer shall at once inform the Utility Superintendent or authorized municipal employee who shall cause the water service to be shut off at the premises. If the consumer should fail to give notice, he or she shall be charged for all water used on the premises until the Village is otherwise advised of the circumstances.

(C) No consumer shall supply water to other families, or allow them to take water from the consumer's premises; nor after water is supplied into a building shall any person make or employ a plumber or other person to make a tap or connection with a pipe upon the premises for alteration, extension or attachment without the written permission of the Utility Superintendent or authorized municipal employee.

§ 51.05 INSTALLATION PROCEDURE.

No person, except as authorized by the Utility Superintendent or authorized municipal employee, shall under any circumstances tap the mains of the Village or insert ferrules therein. The Villagewill, regardless of whether a long or short tap is necessary, and computed on the basis of construction to the center of the street in each instance, tap the main to which a consumer's service pipe will be joined and will furnish the ferrules or clamps and corporation cocks and put the same in the main, and will furnish and install supply pipe, trenching, labor and all fittings and attachments to bring water service from the main in the street to a point at or near the property line where the stop box is placed; provided, the above rule shall apply only if the consumer's property abuts a street where a main is now laid or will hereafter be laid. The tap fee shall be set by resolution of the Village Board of Trustees. If the consumer's property does not abut a street where a main is now laid or will hereafter be laid, the consumer shall at the consumer's expense construct and bring water service from a point at or near the property line on a street where there is a main and where a stop box shall be placed to the consumer's premises regardless of the distance from the stop box. Applicants for water service whose property is situated outside the city shall pay tap and installation fees double those of residents.

Penalty, see § 51.99

§ 51.06 NEW SERVICE.

Any new connection to the Village water system shall be copper or PVC pipe. Such connections are subject to inspection and approval by the Utility Superintendent or authorized municipal employee.

§ 51.07 LIMITED WATER HOOK-UP.

Any resident of the Village may request a limited water hook-up. Pursuant to such limited water hook-up, water rates will be billed for a period of six months per calendar year. Sewer services will be billed for the same six-month time period.

Consumers shall be subject to a service charge of $40.00 each time the water service is shut off or turned on. This does not include any shut off or turn on for normal maintenance purposes.

§ 51.08 METERS.

(A) *Placement.* Meters shall hereafter be placed, at the expense of the consumer, in the basement or inside the residence or business building on the premises of the consumer and shall have an outdoors remote reader, both with the specifications as are hereinafter provided; provided, hereafter water meters may be placed in a pit to be located at or near the inner line of the sidewalk on applicant's property if the Utility Superintendent or authorized municipal employee is convinced that the water meter so placed will be properly protected and conveniently set for reading.

(B) *Meter pits.* Cost of the meter pit and installation shall be the responsibility of the Village. No additional meter pit will be installed at a single-family dwelling.

(C) *Specifications.* All parts and apparatus to be placed in the water service connection shall be approved by the Utility Superintendent or authorized municipal employee. Hereafter, water meters and remote readers required for measuring water used by the applicant or consumer shall be provided by the Village at the expense of the property owner. All meters and remote readers so furnished by the Village shall remain the property of the Village.

(D) *Setting and sealing.* Meters and remote readers shall be so set that the dial or face shall be easily accessible to the Utility Superintendent or

authorized municipal employee when reading or testing the same. All meters and remote readers shall be sealed, and no person shall deface, injure or break any of the seals unless authorized to do so by the Utility Superintendent or authorized municipal employee.

(E) *Tampering.* It is hereby declared unlawful for any person to tamper with any water meter or remote reader, or by means of any contrivance or device, to divert the water from the service pipe so that the same will not pass through the meter, or while passing through the meter cause the meter or remote reader to register inaccurately. If any water meter or remote reader is found to have been tampered with, the water rent shall be estimated for the rental period and the meter and/or remote reader shall be repaired and tested. Upon repetition of the offense, it will be optional with the Village to discontinue the water service or to collect the amount estimated to be due.

(F) *Frozen or recklessly destroyed.* If the consumer permits or allows a water meter or a remote reader to be damaged, injured or destroyed through his or her own recklessness, carelessness or neglect so that the water meter or remote reader must necessarily be repaired or replaced, the Village shall bill and collect from the consumer the cost of the meter and/or remote reader repair or replacement, the same as water rent; and permitting a water meter to be damaged or destroyed by freezing shall be deemed and considered always as negligence on the part of the consumer.

Penalty, see § 51.99

§ 51.09 REPAIR, REPLACEMENT AND SERVICE CHARGES.

Any required repairs and/or replacements to the main or the supply pipe, including the shut-off, stop box or curb cock, shall be at the expense of the Village, while repairs and/or replacements required to the service pipe from the shut-off, stop box or curb cock shall be paid by the consumer; provided, that damage or destruction by freezing shall be deemed and considered always as negligence on the part of the consumer and the cost of repairs and replacements to the service pipe and any service calls and service to thaw frozen pipes are the sole responsibility of the consumer. After-hours call-outs shall be charged to the consumer at an amount set by resolution of the Board.

§ 51.10 RATE SETTING.

(A) All water consumers shall be liable for the rates, fees and other charges as the Board shall by resolution hereafter provide from time to time unless and until the consumer shall, by written order, direct the Utility Superintendent or authorized municipal employee to shut off the water at the stop box, in

which case the consumer shall not be liable thereafter for water rates until the water is turned on again.

(B) The meters for recording usage of such services shall be read monthly and bills for said services shall be prepared, mailed and collected on a monthly basis as determined from the meter readings, or estimates when necessary at the rates set by resolution.

(C) Locations served by one common water meter which are divided into multiple housing or business units or which serve more than one business or entity shall be assessed the minimum charge for each unit, business, or entity served.

(D) Each non-resident user shall pay two times the rate for water use fees as established for residents (per unit if multiple units are served by one common water meter).

§ 51.11 INSPECTIONS.

The Utility Superintendent or authorized municipal employee shall have free access, at any reasonable time, to all parts of each premises and building to or in which water is delivered for the purpose of examining the pipes, fixtures and other portions of the system to ascertain whether there is any disrepair or unnecessary waste of water.

§ 51.12 LICENSED PLUMBER.

It shall be unlawful for any plumber or pipefitter to do any work upon any of the pipes or appurtenances of the system of water works, or to make any connection with or extension of the supply pipes of any consumer taking water from the system until a plumber or pipefitter shall have first procured authorization from the Village. All plumbing shall be done in the manner required by the Utility Superintendent or authorized municipal employee. The licensed plumber shall be at all times subject to the inspection and approval of the Utility Superintendent or authorized municipal employee, and it shall be further unlawful to cover or conceal willfully any defective or unsatisfactory plumbing work.

Penalty, see § 51.99

§ 51.13 EMPLOYEE LIABILITY.

Employees of the Village shall be relieved of personal liability, and the Village shall hold harmless all employees acting in good faith and without malice from

all personal liability for any damages which may occur to any person or property as a result of any act required or authorized by this chapter, or by reason of any fact or omission of any employee in the discharge of the employee's duties hereunder. Any suit shall be defended by the Village or the Village's insurance carrier.

§ 51.14 PRIVATE WATER WELLS.

No person shall drill or have drilled, nor shall any person permit a well to be drilled on property which that person owns or under the control of the person, without first obtaining written authorization from the Board of Trustees.

§ 51.99 PENALTY.

(A) In accordance with the statutes of the State of Nebraska, including Neb. Rev. Stat. § 17-505, any person who shall violate or refuse to comply with the enforcement of any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than $500 for any one offense, recoverable with costs.

(B) A new violation shall be deemed to have been committed every 24 hours of failure to comply.

SECTION 2. This Ordinance shall be in full force and effect immediately from the date of its passage, approval and publication or posting as provided by law and upon proclamation of the Chairperson of the Village Board and the Chairperson of the Village Board is hereby authorized and directed to so proclaim.

SECTION 3. Any other ordinance or section passed and approved prior to passage, approval, and publication of this Ordinance and in conflict with its provisions is hereby repealed.

Passed and approved this 21st day of August, 2023.

Cory D. Nuss, Chairperson

ATTEST:

Joan M. Fruit

Joan M. Fruit

(SEAL)

VILLAGE OF GILTNER CORPORATE SEAL HAMILTON COUNTY NEBRASKA

SUSPENSION OF RULES

Whereupon it was moved by Trustee Greathouse and seconded by Trustee Eastman that the statutory rules in regard to the passage and adoption of ordinances be suspended so that said Ordinance might be introduced, read, approved and passed at the same meeting. Chairperson Goracke instructed the Clerk to call the roll for the vote thereon. The Clerk called the roll and the following was the vote on this motion.

Yeas: Antle, Eastman, Spotts, Greathouse, Nuss
Nays: –
Absent: –
Motion: Approved

MOVED FOR FINAL PASSAGE

Read Ordinance by title and Trustee Greathouse moved for final passage of Ordinance No. 2023-02 The Clerk called the roll and the following was the vote on Ordinance No. 2023-02.

Yeas: Eastman, Antle, Spotts, Greathouse, Nuss
Nays: –
Absent: –
Motion: Approved

Trustees of the Village Board, having voted in the affirmative for the passage and approval of said Ordinance No. 2023-02, the Chairperson said Ordinance No. 2023-02 duly passed and adopted as an ordinance of the Village of Giltner, Nebraska.

CERTIFICATE OF PASSAGE AND POSTING OF ORDINANCE NO. 2023-02

STATE OF NEBRASKA)
)
COUNTY OF HAMILTON) ss.
)
VILLAGE OF GILTNER)

I, the undersigned, duly elected, qualified and acting Clerk of the Village of Giltner, County of Hamilton, State of Nebraska, do hereby certify:

That the annexed and foregoing is a full, true and correct copy of Ordinance No. 2023-02 of said Village; the same appears of record in the journal and ordinance book of said Village; that said Ordinance was duly passed by the Board of Trustees of said Village on the 21st day of August, 2023; that said Ordinance was signed and approved by the Chairperson of said Village Board on the 21st day of August, 2023; and there being no newspaper published in said Village, three (3) copies of said Ordinance were duly posted by me on the 22nd day of August, 2023, one in each of three (3) public places in said Village as follows:

Village Office, Giltner, Nebraska

Maintenance Shop, Giltner, Nebraska

U.S. Post Office, Giltner, Nebraska

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of said Village this 22nd day of August, 2023.

Joan M. Fruit
Joan M. Fruit, Village Clerk

(SEAL)

ORDINANCE 51.03

VILLAGE OF GILTNER}
COUNTY OF HAMILTON}
STATE OF NEBRASKA}

An ordinance of the Village of Giltner, Nebraska to adopt a water policy. (See attached policy marked Exhibit "A").

WHEREAS, the Chairperson and the Board of Trustees are the Governing Body of the Village of Giltner,

THEREFORE, BE IT ORDAINED THAT THE CHAIRPERSON AND THE BOARD OF TRUSTEES, GILTNER, NEBRASKA, do;

HEREBY, adopt a water policy for the Village of Giltner.

Any other ordinance or section passed and approved prior to passage and approval of this ordinance and in conflict with its provisions is repealed.

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

Reference: NE Revised State Statute

Delbert Nuss
Chairperson

Charlynn Kral Krcilek
Village Clerk

Date: August 13, 2007

(SEAL)

ORDINANCE NO.**51.03.01**

VILLAGE OF GILTNER
COUNTY OF HAMILTON
STATE OF NEBRASKA

An ordinance of the Village of Giltner, Nebraska to set water rates.

WHEREAS, the Chairperson and the Board of Trustees is the Governing Body of the Village of Giltner,

THEREFORE, BE IT ORDAINED THAT THE CHAIRPERSON AND THE BOARD OF TRUSTEES, GILTNER, NEBRASKA, do;

HEREBY, set the water rates in the Village of Giltner, Nebraska as such:

Residential **$ 32.50** Base Rate Thereafter: **$ 3.00** per thousand gallons.

Commercial **$ 32.50** Base Rate Thereafter: **$ 3.00** per thousand gallons.

School **$ 32.50** Base Rate Thereafter: **$ 3.00** per thousand gallons.

Water rates shall take effect January 1st, 2017

Any other ordinance or section passed and approved prior to passage and approval of this ordinance and in conflict with its provisions is repealed.

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

Reference: NE Revised State Statute: 17-538

John F. Eastman
Chairperson

Joan M. Eastman
Village Clerk

(SEAL)

Date: September 12, 2016

ORDINANCE NO. 51.03

BE IT ORDAINED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF GILTNER, NEBRASKA:

Section 1. Section 51.03 of the Municipal Code of Giltner, Nebraska, is amended to read as follows:

AMENDED WATER POLICY PARAGRAPH 1

All residential households and businesses of the Village of Giltner shall have municipal water hook-up. Village is responsible from the village water main to the residential or business water meter. Owner is responsible from water meter to residence or business. Owner responsibility includes initial installation and any/all future maintenance. Materials used by the property owner shall be approved by the village prior to installation. No water well of any size will be allowed within the Village of Giltner limits without board approval.

Section 2. Any other ordinance or section passed and approved prior to passages, approval, and publication or posting of this ordinance and in conflict with its provisions is 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.

Passed and approved this 12th day of May, 2014.

(SEAL)

Chairperson

Clerk

Exhibit A

VILLAGE OF GILTNER

4021 N COMMERCIAL AVENUE
P O BOX 218
GILTNER, NE 68841-0218

Phone 402-849-2800
Fax 402-849-2845

WATER POLICY

All residential households and businesses of the Village of Giltner shall have municipal water hook-up. Village is responsible from the village water main to the residential or business property line. Owner is responsible from property line to residence or business. Owner responsibility includes initial installation and any/all future maintenance. Materials used by the property owner shall be approved by the village prior to installation. No water well of any size will be allowed within the Village of Giltner limits without board approval.

Meter Pits: Each property shall have one meter pit. Cost of meter pit and installation is responsibility of the village. No additional meter pit will be installed at a single-family dwelling.

All water at each household and/or business, (inside and outside) shall run through the meter pit. Certain exceptions may be allowed after a thorough investigation by the Village Board of Trustees. No work will be allowed until approved by the Board of Trustees at a regular board meeting. Change of property owner does not guarantee transfer of exception.

Limited water hook-up: Any resident of the village may request limited water hook-up. Water charges will be billed for a period of six months per calendar year. Sewer service will be billed for the same time-period of six months per calendar year.

There will be a service charge of $40.00 each time a water service is shut off or turned on. This does not include shut off or turn on for normal maintenance purposes.

Meter reading: Meters are read on or about the last day of the month. Bills are mailed on or about the 12th of the month. Payment is due at that time and considered late the following 1st of the month. If the 1st falls on a weekend, payment is considered late the following business day. Late charges (10% per month) will be added to bills not paid by the 1st (or the following business day).

Failure to act on the past due bill shall result in disconnection of the water service on or about the 20th of the month. The meter will not be reconnected until the past due bill is paid in full. A $40.00 reconnect fee will be required.

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BUDGET PLAN CONFERENCE

All patrons are entitled to request a budget plan conference. The clerk will arrange the budget plan conference. The conference will be conducted by the board chair or a designated board member. The clerk will prepare the form and be present during the conference as a witness.

(continued on page 2)

BUDGET CONFERENCE PROCEDURE

The budget will be arrived at by:

1) computing the previous 12 month total dollar amount
2) adding the total amount in arrears
3) dividing by 12 (months).

Payment of the budget bill will be in accordance with the above set water policy. Payment will be required, or the meter will be shut off. A new budget conference is not an option.

Budget payments will end after the 12th payment at which time the past years payments will be calculated to determine money due to the village or refund due to the patron.

A copy of the signed agreement will be given to the patron and the original will be filed in the clerk's office.

VILLAGE CLERK HOURS

M-W-F	10AM-2PM
TUES	4PM-8PM

Policy in effect on August 24, 2007
Giltner Code 51.03

CHAPTER 52: SEWERS

Section

52.01 Rules and regulations
52.02 New connections

§ 52.01 RULES AND REGULATIONS.

The Board of Trustees shall make all necessary rules and regulations governing the use, operation, and control of the sewage system. The Board of Trustees shall establish just and equitable rates or charges to be paid to it for the use of such disposal plant and sewerage system by each person, firm or corporation whose premises are served thereby. Sewer rates are adopted by reference as if fully set forth herein and are on file at the office of the Village Clerk and available for public inspection during the hours the office is open for the transaction of business. If the service charge so established is not paid when due, such sum may be recovered by the municipality in a civil action, or it may be certified to the Tax Assessor and assessed against the premises served, and collected or returned in the same manner as other municipal taxes are certified, assessed, collected and returned.
(Neb. RS 18-503)

§ 52.02 NEW CONNECTIONS.

Any new connections to the municipal sewer system shall be connected with the appropriate service saddle. Hook-up should be a minimum 40 SC-40 or clay tile. Connections are subject to the inspection and approval of the Utility Superintendent or authorized municipal employee.

ORDINANCE NO.**52.03.01**

VILLAGE OF GILTNER}
COUNTY OF HAMILTON}
STATE OF NEBRASKA}

An ordinance of the Village of Giltner, Nebraska to set sewer rates.

WHEREAS, the Chairperson and the Board of Trustees is the Governing Body of the Village of Giltner,

THEREFORE, BE IT ORDAINED THAT THE CHAIRPERSON AND THE BOARD OF TRUSTEES, GILTNER, NEBRASKA, do;

HEREBY, set the sewer rates in the Village of Giltner, Nebraska as such:

Residential **$ 38.75** per month
(to include post office)

Commercial **$ 50.00** per month

School **$ 175.00** per month

Rates shall take effect November 1st, 2016

Any other ordinance or section passed and approved prior to passage and approval of this ordinance and in conflict with its provisions is repealed.

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

Reference: NE Revised State Statute: 18-503

John F. Eastman
Chairperson

Joan M. Eastman
Village Clerk

(SEAL)

Date: September 12, 2016

CERTIFICATE OF POSTING NOTICE

The undersigned hereby certifies that attached to this certificate is a true and correct copy of the public notice of meeting of the Board of Trustees of the Village of Giltner, in the State of Nebraska, for the meeting of such Board on February 27, 2012, and that such notice was posted not later than February 23, 2012 in the following three public places within said Village:

Community Center
Library
Giltner Post Office

The undersigned further certifies that such notices remained posted in such places through the date and time of the referenced meeting.

Dated this 27th day of February, 2012.

Joan Eastman
Village Clerk

ACKNOWLEDGMENT OF RECEIPT OF NOTICE OF MEETING

The undersigned members of the Village Board of Trustees of the Village of Giltner, in the State of Nebraska, hereby acknowledge receipt of notice of a meeting of said body and the agenda for such meeting held at 7:00 p.m., on February 27, 2012, at the Giltner Community Center, located at 4021 North Commercial Avenue in the Village of Giltner, Nebraska.

DATED as of the 27th day of February, 2012.

Chairperson

Trustee

Trustee

Trustee

Trustee

I hereby certify that James Lindquist was (were) absent from the meeting but that, to my personal knowledge, such member(s) received advance notice of the meeting and agenda.

Joan Eastman
Village Clerk

MINUTES OF MEETING

OF THE BOARD OF TRUSTEES OF

THE VILLAGE OF GILTNER, NEBRASKA

A meeting of the Chairperson and Village Board of Trustees of the Village of Giltner, Nebraska, was held in open and public session at 7:00 o'clock p.m., on February 27, 2012, at the Giltner Community Center, located at 4021 North Commercial Avenue in the Village of Giltner, Nebraska, the regular meeting place of the Board of Trustees. The meeting was called to order by the Chairperson, Casey Nuss; Village Clerk, Joan Eastman recorded the proceedings, and on roll call the following Board of Trustees Members answered present: John Eastman, Kay Larson, Casey Nuss, Don Bish.

Absent: James Lindquist

Notice of the meeting was given in advance thereof by publication or posting, said form of notice being the designated method for giving notice, an affidavit of publication or certificate of posting being attached to these minutes.

Advance notice of this meeting was also given to the Chairperson and all members of the Board of Trustees. Availability of the agenda was communicated in the advance notice and in the notice to the Chairperson and all members of the Board of Trustees. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public. The Chairperson publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held.

The Chairperson presided and the Clerk recorded the proceedings. Trustee C. Nuss introduced the following Ordinance entitled:

AN ORDINANCE OF THE VILLAGE OF GILTNER, NEBRASKA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012, OF THE VILLAGE OF GILTNER, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED THREE HUNDRED FIVE THOUSAND DOLLARS ($305,000) FOR THE PURPOSE OF FUNDING AN ESCROW FOR THE PURPOSE OF REFUNDING THE MARCH 15, 2019 AND 2024 MATURITIES OF THE VILLAGE'S GENERAL OBLIGATION SEWER BONDS, SERIES 2009 AND PAYING CERTAIN COSTS ASSOCIATED THEREWITH; PRESCRIBING THE FORM OF SAID BONDS; AUTHORIZING OFFICERS OF THE VILLAGE TO APPROVE FINAL TERMS OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; PROVIDING FOR A PAYING AGENT AND REGISTRAR FOR THE BONDS; AUTHORIZING A BOND PURCHASE AGREEMENT FOR THE BONDS; PROVIDING FOR AN ESCROW AGENT FOR SAID REFUNDED BONDS; AUTHORIZING AN ESCROW AGREEMENT FOR SAID REFUNDED BONDS; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

Said Ordinance was designated as Ordinance No. 2012-52.11.1 the title thereof was approved.

Trustee C. Nuss moved that the statutory rule requiring an ordinance to be fully and distinctly read on three different days be suspended. Trustee Eastman seconded the motion to suspend the rules and upon roll call vote, the following Trustees Members voted YEA: Larson, Bish, Eastman, Nuss, and Lindquist absent

The following voted NAY: —. The motion to suspend the rules was adopted by three-fourths of the members elected to the Board of Trustees and the statutory rule was declared suspended for consideration of said Ordinance.

Thereupon said Ordinance No. 2012-52.11.1 was then read by title and Trustee C. Nuss moved for its final passage, which motion was seconded by Trustee Eastman. The Chairperson stated the question "Shall Ordinance No. 2012-52.11.1 be passed and adopted?" Upon roll call, the

following voted YEA: Larson, Bish, Eastman, Nuss, Lindquist-absent. The following voted NAY: —. The passage and adoption of said Ordinance having been concurred in by a majority of all the members of the Board of Trustees, the Chairperson declared the Ordinance adopted and the Chairperson, in the presence of the Board of Trustees, signed and approved the Ordinance and the Clerk attested the passage and approval of the same and affixed his/her signature thereto.

A true, correct and complete copy of the said Ordinance is as follows:

CHAPTER 53: SOLID WASTE

Section

53.01 Health and safety
53.02 Definitions
53.03 General regulations
53.04 Collection
53.05 Board of Health supervision
53.06 Precollection requirements
53.07 Dumping ground
53.08 Fees
53.09 Rules and regulations
53.10 Burning of garbage prohibited
53.11 Garbage and refuse collection; authority

§ 53.01 HEALTH AND SAFETY.

For the purpose of promoting the health and safety of the residents of the village, the Board of Health shall, from time to time, adopt such rules and regulations relative thereto and shall make such inspections, prescribe such penalties, and make such reports as may be necessary toward that purpose. (Ord. 134, passed 2-7-94)

§ 53.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOARD OF HEALTH or ***BOARD.*** The Board of Health of the village.

GARBAGE. Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of food.

REFUSE. All putrescible and nonputrescrible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, and solid market and industrial wastes.

RUBBISH. Nonputrescible solid wastes (excluding ashes), consisting of both combustible and non-combustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, and similar materials.
(Ord. 134, passed 2-7-94)

§ 53.03 GENERAL REGULATIONS.

It shall be unlawful for any person to keep in, on, or about any dwelling house, buildings or premises in the village, any decayed vegetable or animal substance, garbage offal or refuse matter or any substance that may be injurious to the public health or offensive to the residents or inhabitants of the vicinity unless the same is kept in receptacles as set forth in this chapter.
(Ord. 134, passed 2-7-94) Penalty, see § 10.99

§ 53.04 COLLECTION.

(A) *By village.* Within the village limits, no person, partnership, corporation, or other entity shall hereafter collect and remove refuse, including ashes, garbage, or rubbish produced on other than his/her premises (whether owned or leased). The village by and through its Sanitation Department, or in its discretion, by resolution may provide for the letting of a contract for collection, and shall hereafter collect and remove all refuse, including ashes, garbage and rubbish; provided, however, the village shall not collect and remove yard wastes (including grass clippings, leaves, and garden wastes), discarded tires, waste oil, lead-acid batteries, or discarded household appliances, and it shall be unlawful for anyone to deposit such refuse for collection by the village. This section shall not prohibit the actual producers of refuse or the owners of premises upon which refuse had accumulated, from personally collecting, conveying, and disposing of such refuse, provided such producers and owners comply with the provisions of this chapter and with any other governing law or ordinance. This section shall not prohibit collectors or refuse from outside the village from hauling such refuse over the village streets, provided such collectors comply with the provisions of this chapter and with any other governing law or ordinance.

(B) *Practices.*

(1) *Frequency of collection.* The Board of Health may, by regulation, set the frequency of collection of refuse for both residential and commercial properties.

(2) *Quantity.* The village shall be responsible for collecting a reasonable accumulation of refuse from both residential and commercial properties. Additional charges may be assessed for excess collections.

(3) *Special refuse problems.* The Board of Health shall direct collection of refuse that may be infectious or ban collection in an area where contagious diseases have prevailed or that may be highly inflammable or explosive.

(C) *Vehicles.* Every person hauling refuse shall haul the same in water-tight wagons, motor trucks or conveyances and the wagons, motor trucks and other conveyances shall be kept clean at all times. All wagons, motor trucks and other conveyances shall be kept painted and in a sanitary and sightly condition. All containers used for hauling, whether in the form of wagon containers or separate containers used in a wagon, motor truck or other conveyance, shall consist of covered galvanized tanks or 30-gallon drums which shall, in either case, be securely covered and containers must be painted on the outside and cleaned on the inside so that the same may not become offensive to the eye or in an unsanitary condition.
(Ord. 134, passed 2-7-94) Penalty, see § 10.99

§ 53.05 BOARD OF HEALTH SUPERVISION.

All refuse accumulated in the village shall be collected, conveyed and disposed of under the supervision of the Board of Health. The Board of Health shall have the authority to make regulations concerning collection, conveyance and disposal as it shall find necessary, and to change and modify the same from time to time as required.
(Ord. 134, passed 2-7-94)

§ 53.06 PRECOLLECTION REQUIREMENTS.

(A) *Preparation.* Garbage, ashes and rubbish to be collected by the village shall each be placed and maintained in separate containers.

(B) *Preparation of refuse.*

(1) *Garbage.* All garbage before being placed in garbage cans for collection shall have drained from it all free liquids and may be wrapped in paper.

(2) *Rubbish.* All rubbish shall be drained of liquid before being deposited for collection; cans and bottles shall be rinsed and drained before being deposited for collection.

(C) *Refuse containers.*

(1) *Sanitary condition.* Refuse containers shall be provided by the owner, tenant, lessee, or occupant of the premises and shall be maintained in good condition. Any container that does not conform to the provision of this section or that may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof shall be promptly replaced upon notice. The Board of Health shall have the authority to refuse collection services for failure to comply herewith.

(2) *Garbage.* Garbage containers shall be made of metal or plastic, equipped with suitable handles and tight fitting covers, and shall be water tight, with a capacity of not more than 110 gallons. Exceptions to this subsection are large hopper-type containers designed to be lifted and emptied by mechanical means.

(3) *Rubbish.* Rubbish containers shall be of a kind suitable for collection purposes, and shall be of such weight they can be handled by one man.

(D) *Storing of refuse.*

(1) No person shall place any refuse in any street, alley or other public place, or upon any private property whether owned by such person or not, within the village unless it is in proper containers for collection or under express approval granted by the Board of Health. Nor shall any person throw or deposit any refuse in any stream or other body of water. Any unauthorized accumulation of refuse on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse within 30 days after the effective date of this section shall be deemed a violation of this section.

(2) No person shall cast, place, sweep or deposit anywhere within the village any refuse in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway, or other public place, or into any occupied premises within the village.

(E) *Points of collection.* Refuse containers shall be placed for collection at ground level on the property, not within the right-of-way of a street or alley, and accessible to the street from which collection is made; provided, containers may be placed for collection at other than ground level when approved by the Board of Health.
(Ord. 134, passed 2-7-94) Penalty, see § 10.99

§ 53.07 DUMPING GROUND.

The Village Chairperson and the Village Board shall by resolution designate the territory within or adjacent to the village which shall be used as a dumping ground. The Board of Health may make such rules and regulations concerning the dumping ground as may be necessary to maintain the same in a sanitary condition. (Leaves and trees only.)
(Ord. 134, passed 2-7-94)

§ 53.08 FEES.

Whether refuse is collected therefrom or not, each tenant, occupant, or owner in possession of premises within the corporate limits of the village which is on village water and/or sewer, shall pay to the village refuse fees as the Village Board shall by resolution hereafter provide. Refuse bills shall be consolidated with water bills and shall be subject to the applicable provisions of Chapter 50 of this code for purposes of billing, delinquency, and discontinuance of service. Garbage rates are adopted by reference as if fully set forth herein and are on file at the office of the Village Clerk and available for public inspection during the hours the office is open for the transaction of business.
(Ord. 134, passed 2-7-94)

ORDINANCE NO. 2021-04

AN ORDINANCE TO REPEAL CERTAIN PROVISIONS OF CHAPTER 53 OF THE CODE OF GILTNER; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF GILTNER, NEBRASKA:

SECTION 1. Ordinance 53.08.01 of the Code of Giltner relating to an increase in the village refuse rates is hereby repealed.

SECTION 2. This Ordinance shall be in full force and effect immediately from the date of its passage, approval and publication or posting as provided by law and upon proclamation of the Chairperson of the Village Board and the Chairperson of the Village Board is hereby authorized and directed to so proclaim.

SECTION 3. Any other ordinance or section passed and approved prior to passage, approval, and publication of this Ordinance and in conflict with its provisions is hereby repealed.

Passed and approved this 13th day of December, 2021.

Cody D. Nuss, Chairperson

ATTEST:

Joan M. Eastman

Joan M. Eastman, Village Clerk

(SEAL) VILLAGE OF GILTNER CORPORATE SEAL HAMILTON COUNTY NEBRASKA

SUSPENSION OF RULES

Whereupon it was moved by Trustee Tom Lambert and seconded by Trustee Jimmie Smith that the statutory rules in regard to the passage and adoption of ordinances be suspended so that said Ordinance might be introduced, read, approved and passed at the same meeting. Chairperson Nuss instructed the Clerk to call the roll for the vote thereon. The Clerk called the roll and the following was the vote on this motion.

Yeas: Antle, Smith, Spotts, Lambert and Nuss
Nays: None
Absent: None
Motion: Approved

MOVED FOR FINAL PASSAGE

Read Ordinance by title and Trustee Jimmie Smith moved for final passage of Ordinance No. 2021-04. The Clerk called the roll and the following was the vote on Ordinance No. 2021-04.

Yeas: Antle, Smith, Spotts, Lambert and Nuss
Nays: None
Absent: None
Motion: Approved

Trustees of the Village Board, having voted in the affirmative for the passage and approval of said Ordinance No. 2021-04, the Chairperson declared said Ordinance duly passed and adopted as an ordinance of the Village of Giltner, Nebraska.

CERTIFICATE OF PASSAGE AND POSTING OF ORDINANCE NO. 2021-04

STATE OF NEBRASKA)
)
COUNTY OF HAMILTON) ss.
)
VILLAGE OF GILTNER)

I, the undersigned, duly elected, qualified and acting Clerk of the Village of Giltner, County of Hamilton, State of Nebraska, do hereby certify:

That the annexed and foregoing is a full, true and correct copy of Ordinance No. 2021-04 of said Village; the same appears of record in the journal and ordinance book of said Village; that said Ordinance was duly passed by the Board of Trustees of said Village on the 13th day of December, 2021; that said Ordinance was signed and approved by the Chairperson of said Village Board on the 13th day of December, 2021; and there being no newspaper published in said Village,

three (3) copies of said Ordinance were duly posted by me on the 14th day of December, 2021, one in each of three (3) public places in said Village as follows:

Village Office, Giltner, Nebraska

Giltner Public Library

U.S. Post Office, Giltner, Nebraska

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of said Village this 14th day of December, 2021.

(SEAL)

Joan M. Eastman

Joan M. Eastman, Village Clerk

RESOLUTION 2025-05 OF THE
VILLAGE OF GILTNER, NEBRASKA

Resolution to increase the refuse fees for the Village of Giltner, Nebraska.

WHEREAS Village refuse fees shall be set by resolution pursuant to Section 52.08 of the Code of Giltner; and

NOW THEREFORE, the Chairperson and Board of Trustees of the Village of Giltner, Nebraska, in consideration of the foregoing recitals, hereby adopt the following Resolution:

BE IT RESOLVED that the Board of Trustees of the Village hereby increase the refuse fees for the Village of Giltner, Nebraska as follows:

Residential single tote: $20.12 per month

Residential two tote: $29.25 per month

Rates shall take effect November 1, 2025.

PASSED AND APPROVED THIS 13th day of October 2025.

Cody D. Nuss, Chairperson

ATTEST:

Joan M. Fruit, Village Clerk

§ 53.09 RULES AND REGULATIONS.

The Board of Health may make such rules and regulations concerning the collection and dumping of refuse as may be necessary for maintaining sanitary conditions in the village.
(Ord. 134, passed 2-7-94)

§ 53.10 BURNING OF GARBAGE PROHIBITED.

It shall be unlawful for any person at any time to burn garbage (exception will be leaves) within the village limits; provided, however, this section shall not apply to village-approved dump grounds.
(Ord. 134, passed 2-7-94) Penalty, see § 10.99

§ 53.11 GARBAGE AND REFUSE COLLECTION; AUTHORITY.

The Board of Health may require the owner, duly authorized agent, or tenant of any lot or land within the zoning jurisdiction of the village, which contains garbage or refuse or upon the streets, or alleys abutting such lot or land to remove the garbage or refuse if necessary notice shall be given to each owner or owner's duly authorized agent and to the tenant, if any, by personal service or by certified mail. After providing such notice, the village through its proper offices shall, in addition to other proper remedies, remove the garbage or refuse, or cause it to be removed, from such lot or land and streets, roads, or alleys, unless removed by the owner, agent, or tenant within a reasonable time specified in the notice (not to exceed two weeks). If the Chairperson of the Village Board declares that the accumulation of such garbage or refuse upon any lot or land constitutes an immediate nuisance and hazardous to public health and safety, the village shall remove the garbage or refuse, or cause it to be removed, from such lot or land within 48 hours after notice. Whenever the village removes any garbage or refuse, or causes it to be removed, from any lot or land pursuant to this section, it shall, after a hearing conducted by the Village Board, assess the cost of the removal against such lot or land.
(Ord. 134, passed 2-7-94)

VILLAGE OF GILTNER

4021 N COMMERCIAL AVENUE
P O BOX 218
GILTNER, NE 68841-0218

Phone/Fax 402-849-2800

ELECTRIC POLICY

All residential households and businesses of the Village of Giltner shall have municipal electric hook-up.

New hook-up: Meter will be in the alley or easement. Village is responsible to bottom of the meter. Patron is responsible from bottom of the meter to residence or business. All electric lines will be underground.

Existing services: Any changes to service shall be responsibility of the patron. All electric lines shall be underground.

Exceptions shall be at the discretion of the Board of Trustees.

* * * * * * *

Meters will be read on or about the last day of the month. Bills will be mailed on or about the 12th of the month. Payment is due at that time and considered late the following 1st of the month, or if the 1st falls on a weekend, the following business day. Late charges (10%) will be added to bills not paid by the 1st (or the following business day).

Failure to act on the past due bill will result in the pulling of the electric meter on the 20th of the month, (or the following business day) unless you have contacted the clerk to set up a budget plan conference.

The meter will not be reconnected until the bill is paid in full. A $40 fee to disconnect and $40 reconnect fee will be required. A fee of $165 is required for reconnect after regular business hours.

The clerk will arrange the budget plan conference, but the actual conference will be conducted by the board chair or a designated board member.

The budget will be arrived at by:

1. computing the previous 12 month total dollar amount
2. adding the total amount in arrears
3. dividing by 12 (months).

The budget bill will be paid in accordance with the paying of a normal light bill with the exception that a new budget conference will not be an option. Payment will be required, or the meter will be pulled.

Budget payments will end after the 12th payment and the past years payments will be calculated to determine money due to the village or refund due to the patron.

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BUDGET CONFERENCE PROCEDURE(on back)

1. The clerk will:
   a. arrange the conference
   b. inform board chair/designated board member of appointment
   c. prepare the form
   d. be present during the conference as a witness.

2. A copy of the signed agreement will be given to the patron and the original will be filed in the clerk's office.

VILLAGE CLERK HOURS
M-F 8am to 4:30PM

Policy Amended in effect on June 10, 2013
Giltner Code 54.01

VILLAGE OF GILTNER

4021 N COMMERCIAL AVENUE
PO BOX 218
GILTNER, NE 68841-0218

Phone/Fax 402-849-2800

DEPOSIT POLICY

All residential households and businesses of the Village of Giltner shall pay a deposit for utility services. The deposit fee covers for services of electric, water, garbage and sewer. The price of the deposit is $300.00, and a break down is $100 for each service of water, electric and sewer.

The deposit will be refunded to the resident after 5 years of good standings or upon moving out and will be in the form of a check or can be applied to the last months bill. If resident moves out and leaves a bill behind the deposit will go towards that and anything left over will be returned to resident.

Village Clerk Hours
M-F 8am to 4:30pm

Policy Amended in effect on March 12, 2012
Giltner Code 54.01

ORDINANCE NO. 2026-01

AN ORDINANCE OF THE VILLAGE OF GILTNER, NEBRASKA, ESTABLISHING RATES TO BE CHARGED BY THE VILLAGE FOR ELECTRICAL SERVICES TO THE PUBLIC; REPEALING ALL OTHER RATES OR ORDINANCES AND PART OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING THE EFFECTIVE DATE.

BE IT RESOLVED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF GILTNER, NEBRASKA:

SECTION 1: Effective the 13th day of April 2026, the Village of Giltner shall charge the following rates and for electric service. As provided in this Ordinance, summer rates shall be for usage during the months of June through September and winter rates shall be for usage during the months of October through May.

A. Residential:

Availability: Available to single family residences, individually metered apartments and churches for all domestic purposes, including space heating, when all services are supplied through a single meter and whose entire requirements are provided by the electric utility. Not applicable to resale, stand-by or auxiliary service.

Character of Service: AC, 60 Hertz, single-phase, at any of the Village's standard voltages where the service may be supplied by a single power transformation.

Rate:

Customer Charge, per month		$16.48
Energy Charge		
Summer		
	First 600 kWh, per kWh	0.1600
	Excess, per kWh	0.1350
Winter		
	First 600 kWh, per kWh	0.1600
	Excess, per kWh	0.1250

Minimum Bill: The sum of the Customer Charge and Energy Charge.

B. Residential All-Electric:

Availability: Available to single family residences and individually metered apartments for all domestic purposes, including space heating, when all services are supplied through a single meter and whose entire requirements are provided by the electric utility, and the primary source of winter space heating is electrical energy. Not applicable to resale, standby or auxiliary service.

Character of Service: AC, 60 Hertz, single-phase, at any of the Village's standard voltages where the service may be supplied by a single power transformation.

Rate:

Customer Charge, per month		$16.48
Energy Charge		
Summer		
	First 600 kWh, per kWh	0.1600
	Excess, per kWh	0.0900
Winter		
	First 600 kWh, per kWh	0.1600
	Excess, per kWh	0.0800

Minimum Bill: The sum of the Customer Charge and Energy Charge.

C. Commercial Service:

Availability: Available to non-residential customers whose monthly demand does not exceed 75 kW per month for three (3) consecutive months and whose entire requirements are provided by the electric utility. Not applicable to resale, stand-by or auxiliary service.

Character of Service: AC, 60 Hertz, single-phase or three-phase, at any of the Village's standard voltages where the service may be supplied by a single power transformation.

Rate:

Customer Charge, per month		
Single-Phase		$21.63
Three-Phase		$30.90
Energy Charge		
Summer		
	First 600 kWh, per kWh	0.1650
	Excess, per kWh	0.1500
Winter		
	First 600 kWh, per kWh	0.1650
	Excess, per kWh	0.1450

Minimum Bill: The sum of the Customer Charge and Energy Charge.

D. Industrial:

Availability: Available to customers with demand of 75 kW or more per month for three (3) consecutive months and whose entire requirements are provided by the electric utility. Not applicable to resale, stand-by or auxiliary service.

Character of Service: AC, 60 Hertz, three-phase, at any of the Village's standard voltages where the service may be supplied by a single power transformation.

Rate:

Customer Charge, per month	$30.90
Demand Charge	
Summer, per kW-month	$11.33
Winter, per kW-month	$10.56
Energy Charge	
Summer, per kW-month	0.0750
Winter, per kW-month	0.0700

Billing Demand: The billing demand shall be the higher of the peak demand for the current month or 65% of the maximum summer demand for the previous 11 months. Peak demand is calculated as the highest 60-minute integrated demand occurring during the billing month.

Minimum Bill: The sum of the Customer Charge, Demand Charge and Energy Charge.

Power Factor: The customer shall maintain a minimum power factor of 95% (lagging or leading). If the customer fails to do this, measured demand may be adjusted by multiplying by a correction factor of 0.95 divided by the actual power factor at peak demand.

E. Irrigation:

Availability: Available for seasonal irrigation service to customers served from existing single or three-phase distribution lines, whose entire requirements are taken through a single meter, under a contract of standard form. Not applicable to resale, stand-by or auxiliary service.

Character of Service: AC, 60 Hertz, three-phase, at any of the Village's standard voltages where the service may be supplied by a single power transformation.

Rate:

Horsepower Charge, per connected horsepower	$30.90
Energy Charge, per kWh	0.1180

Minimum Bill: The sum of the Horsepower Charge and Energy Charge.

F. The meter charge shall be assessed for each electric meter held by each customer of the Municipal electric distribution system.

G. All bills for electric use shall be due and payable on the last day of each month, without notice, at the office of the Village Clerk. In no case shall the minimum charge for any use of electric energy be less than the minimum amounts herein provided for any respective type of electric use.

H. When electric service to any meter has been disconnected for any reason other than delinquent or nonpayment of customer's electric bill, the customer shall pay a reconnection fee of $40.00 for restoration of service during business hours and $ 165.00 for restoration after business hours.

I. The Chairperson and Board of Trustees may, by resolution or motion, make adjustments of the rates to be charged to customers of the electric distribution system to reflect periodic fluctuations in the cost of purchased power. Such adjustments shall be temporary and shall remain in effect only until further adjustments are necessary or until subsequent amendment of this Section of the Municipal Code.

SECTION 2: That any ordinance or other provisions passed and approved prior to the passage of this ordinance, and in conflict with its provisions, is hereby repealed.

SECTION 3: That 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 the provisions of this ordinance are separable, and the invalidity of any phrase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance

Passed and approved this 13th day of April 2026.

Cody D. Nuss, Chairperson

ATTEST:

Joan M. Fruit, Village Clerk

SUSPENSION OF RULES

Whereupon it was moved by Trustee Logan Eastman and seconded by Trustee Kyle Spotts that the statutory rules in regard to the passage and adoption of ordinances be suspended so that said Ordinance No. 2026-01 might be introduced, read, approved and passed at the same meeting. Chairperson instructed the Clerk to call the roll for the vote thereon. The Clerk called the roll and the following was the vote on this motion.

Yeas: Eastman, Spotts, Greathouse, Nuss
Nays: —
Absent: —
Motion: Approved

MOVED FOR FINAL PASSAGE

Read Ordinance by Title and Trustee Kelli Greathouse moved for final passage of Ordinance No. 2026-01. Seconded by Trustee Kyle Spotts. The Clerk was then instructed by the Chairperson to call the roll for the vote on final passage of said Ordinance. The Clerk called the roll and the following was the vote on said Ordinance.

Yeas: Greathouse, Spotts, Eastman, Nuss
Nays: —
Absent: —
Motion: Approved

The Trustees of the Village Board, having voted in the affirmative for the passage and approval of Ordinance No. 2026-01, the Chairperson declared said Ordinance duly passed and adopted as an Ordinance of the Village of Giltner, Nebraska.

APPROVAL

Whereupon the Chairperson approved said Ordinance No. 2026-01 of the Village of Giltner, Nebraska, by subscribing her name thereto, and the Clerk attested said signature of the Chairperson by subscribing her name thereto and affixing thereon the seal of the Village of Giltner, Nebraska.

The above proceedings of the Chairperson and the Board of Trustees of this Village, with reference to the Ordinance aforesaid, were had on the 13th day of April, 2026.

Joan M. Fruit
Joan M. Fruit, Village Clerk

CERTIFICATE OF PASSAGE AND POSTING
OF ORDINANCE NO. 2026-01

STATE OF NEBRASKA)
)
COUNTY OF HAMILTON) ss.
)
VILLAGE OF GILTNER)

I, the undersigned, duly elected, qualified and acting Clerk of the Village of Giltner, in the County of Hamilton, State of Nebraska, do hereby certify:

That the annexed and foregoing is a full, true and correct copy of Ordinance No. 2026-01 of said Village; the same appears of record in the journal and ordinance book of said Village; and that said Ordinance was duly passed by the Board of Trustees of said Village on the 13th day of April, 2026; and was signed and approved by the Chairperson of said Village Board on the 13th day of April, 2026; there being no newspaper published in said Village, three (3) copies of said Ordinance were duly posted by me on the 14th day of April, 2026, one in each of three (3) public places in said Village as follows:

- Community Center
- Maintenance Shop
- Post Office

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of said Village this 14th day of April 2026.

Joan M. Fruit
Joan M.Fruit, Village Clerk

(SEAL) VILLAGE OF GILTNER CORPORATE SEAL HAMILTON COUNTY NEBRASKA