City Council Regular Meeting
Tuesday, September 3, 2024 6:00 PM
Columbus Community Building/Community Room
2500 14 Street
Columbus, NE 68601

The Mayor and City Council reserve the right to go into closed session as per Section 84-1410 of the Nebraska Revised Statutes. A current agenda is on file at City Hall, 2500 14 Street, Columbus, Nebraska. For more information, call 402-562-4224 or visit our website at www.columbusne.us.

{{Name: Agenda Item Name}}

1. **STATEMENT OF COMPLIANCE WITH OPEN MEETINGS ACT AND ROLL CALL**

84-1407. Act, how cited.

Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

Source: Laws 2004, LB 821, § 34.

84-1408. Declaration of intent; meetings open to public.

It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret.

Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

Source: Laws 1975, LB 325, § 1; Laws 1996, LB 900, § 1071; Laws 2004, LB 821, § 35.

Annotations

- Nebraska's public meetings laws do not apply to school board deliberations pertaining solely to disputed adjudicative facts. McQuinn v. Douglas Cty. Sch. Dist. No. 66, 259 Neb. 720, 612 N.W.2d 198 (2000).
- The primary purpose of the public meetings law is to ensure that public policy is formulated at open meetings. Marks v. Judicial Nominating Comm., 236 Neb. 429, 461 N.W.2d 551 (1990).
- The public meetings law is broadly interpreted and liberally construed to obtain the objective of openness in favor of the public, and provisions permitting closed sessions must be narrowly and strictly construed. Grein v. Board of Education of Fremont, 216 Neb. 158, 343 N.W.2d 718 (1984).
- Although a committee was a subcommittee of a natural resources district board, it was not subject to the Open Meetings Act because there was never a quorum of board members in attendance and the committee did not hold hearings, make policy, or take formal action on behalf of the board. Koch v. Lower Loup NRD, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- A county board of equalization is a public body whose meetings shall be open to the public. Wolf v. Grubbs, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

84-1409. Terms, defined.

For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders, and (iii) the Judicial Resources Commission or subcommittees or subgroups of the commission;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Virtual conferencing means conducting or participating in a meeting electronically or telephonically with interaction among the participants subject to subsection (2) of section 84-1412.

Source: Laws 1975, LB 325, § 2; Laws 1983, LB 43, § 1; Laws 1989, LB 429, § 42; Laws 1989, LB 311, § 14; Laws 1992, LB 1019, § 124; Laws 1993, LB 635, § 1; Laws 1996, LB 1044, § 978; Laws 1997, LB 798, § 37; Laws 2004, LB 821, § 36; Laws 2007, LB296, § 810; Laws 2011, LB366, § 2; Laws 2021, LB83, § 11; Laws 2022, LB922, § 12.

Annotations

- A township is a political subdivision, and as such, a township board is subject to the provisions of the public meetings laws. Steenblock v. Elkhorn Township Bd., 245 Neb. 722, 515 N.W.2d 128 (1994).
- A county agricultural society is a public body to which the provisions of the Nebraska public meetings law are applicable. Nixon v. Madison Co. Ag. Soc'y, 217 Neb. 37, 348 N.W.2d 119 (1984).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943, and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. State ex rel. Schuler v. Dunbar, 208 Neb. 69, 302 N.W.2d 674 (1981).
- Although a committee was a subcommittee of a natural resources district board, it was not subject to the Open Meetings Act because there was never a quorum of board members in attendance and the committee did not hold hearings, make policy, or take formal action on behalf of the board. Koch v. Lower Loup NRD, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- Although the Open Meetings Act does not define "subcommittee," a subcommittee is generally defined as a group within a committee to which the committee may refer business. Koch v. Lower Loup NRD, 27 Neb. App. 301, 931 N.W.2d 160 (2019).
- The Open Meetings Act does not require policymakers to remain ignorant of the issues they must decide until the moment the public is invited to comment on a proposed policy. By excluding nonquorum subgroups from the definition of a public body, the Legislature

has balanced the public's need to be heard on matters of public policy with a practical accommodation for a public body's need for information to conduct business. Koch v. Lower Loup NRD, 27 Neb. App. 301, 931 N.W.2d 160 (2019).

- As an administrative agency of the county, a county board of equalization is a public body. Wolf v. Grubbs, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- The electors of a township at their annual meeting are a public body under the Open Meetings Act. State ex rel. Newman v. Columbus Township Bd., 15 Neb. App. 656, 735 N.W.2d 399 (2007).
- The meeting at issue in this case was a "meeting" within the parameters of subsection (2) of this section because it involved the discussion of public business, the formation of tentative policy, or the taking of any action of the public power district. Hansmeyer v. Nebraska Pub. Power Dist., 6 Neb. App. 889, 578 N.W.2d 476 (1998).
- Informational sessions in which the governmental body hears reports are briefings. Johnson v. Nebraska Environmental Control Council, 2 Neb. App. 263, 509 N.W.2d 21 (1993).

84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as:

(a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;

(b) Discussion regarding deployment of security personnel or devices;

(c) Investigative proceedings regarding allegations of criminal misconduct;

(d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting;

(e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or

(f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close

passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

Source: Laws 1975, LB 325, § 3; Laws 1983, LB 43, § 2; Laws 1985, LB 117, § 1; Laws 1992, LB 1019, § 125; Laws 1994, LB 621, § 1; Laws 1996, LB 900, § 1072; Laws 2004, LB 821, § 37; Laws 2004, LB 1179, § 1; Laws 2006, LB 898, § 1; Laws 2011, LB390, § 29; Laws 2012, LB995, § 17.

Annotations

- There is no absolute discovery privilege for communications that occur during a closed session. State ex rel. Upper Republican NRD v. District Judges, 273 Neb. 148, 728 N.W.2d 275 (2007).
- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. Wasikowski v. Nebraska Quality Jobs Bd., 264 Neb. 403, 648 N.W.2d 756 (2002).
- The public interest mentioned in this section is that shared by citizens in general and by the community at large concerning pecuniary or legal rights and liabilities. Grein v. Board of Education, 216 Neb. 158, 343 N.W.2d 718 (1984).
- Hearing in closed executive session was contrary to this section since there was no showing of necessity or reason under subdivision (1)(a), (b), or (c), but did not result in reversal of board decision. Simonds v. Board of Examiners, 213 Neb. 259, 329 N.W.2d 92

(1983).

- Negotiations for the purchase of land need not be conducted at an open meeting but the deliberations of a city council as to whether an offer to purchase real estate should be made should take place in an open meeting. Pokorny v. City of Schuyler, 202 Neb. 334, 275 N.W.2d 281 (1979).
- Public meeting law was not violated where the Board of Regents of the University of Nebraska voted to hold a closed session to consider the university president's resignation, and also discussed the appointment of an interim president during such session. Meyer v. Board of Regents, 1 Neb. App. 893, 510 N.W.2d 450 (1993).

84-1411. Meetings of public body; notice; method; contents; when available; right to modify; duties concerning notice; virtual conferencing authorized; requirements; emergency meeting without notice; appearance before public body; applicability of section.

(1) Until January 1, 2025:

(a) Except as provided in subsection (10) of this section, each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public.

(b)(i) Except as provided in subdivision (1)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committee, such notice shall be published in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's website.

(ii) In the case of the governing body of a city of the second class or village or such body's advisory committee or the governing body of a rural or suburban fire protection district, such notice shall be published by:

(A) Publication in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's website; or

(B) Posting written notice in three conspicuous public places in such city, village, or district. Such notice shall be posted in the same three places for each meeting.

(iii) In the case of a public body not described in subdivision (1)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body.

(iv) In case of refusal, neglect, or inability of the newspaper to timely publish the notice, the public body shall (A) post such notice on its website, if available, and (B) post such notice in a conspicuous public place in such public body's jurisdiction. The public body shall keep a written record of such posting. The record of such posting shall be evidence that such posting was done as required and shall be sufficient to fulfill the requirement of publication.

(c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee.

(d) Each public body shall record the methods and dates of such notice in its minutes.

(e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours.

Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2) Beginning January 1, 2025:

(a) Except as provided in subsection (10) of this section, each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public.

(b)(i) Except as provided in subdivision (2)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committees, such notice shall be given by:

(A)(I) Publication in a newspaper of general circulation within the public body's jurisdiction that is finalized for printing prior to the time and date of the meeting, (II) posting on such newspaper's website, if available, and (III) posting on a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers. Such notice shall be placed in the newspaper and on the websites by the newspaper; or

(B)(I) Posting to the newspaper's website, if available, and (II) posting to a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers if no edition of a newspaper of general circulation within the public body's jurisdiction is to be finalized for printing prior to the time and date of the meeting. Such notice shall be placed in the newspaper and on the websites by the newspaper.

(ii) In the case of the governing body of a city of the second class or village, any advisory committee of such governing body, or the governing body of a rural or suburban fire protection district, such notice shall be given by:

(A)(I) Publication in a newspaper of general circulation within the public body's jurisdiction that is finalized for printing prior to the time and date of the meeting, (II) posting on such newspaper's website, if available, and (III) posting on a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers. Such notice shall be placed in the newspaper and on the websites by the newspaper;

(B)(I) Posting to the newspaper's website, if available, and (II) posting on a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers if no edition of a newspaper of general circulation within the public body's jurisdiction is to be finalized for printing prior to the time and date of the meeting. Such notice shall be placed in the newspaper and on the websites by the newspaper; or

(C) Posting written notice in three conspicuous public places in such city, village, or district. Such notice shall be posted by the public body in the same three places for each meeting.

(iii) In the case of a public body not described in subdivision (2)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body.

(iv) In case of refusal, neglect, or inability of the newspaper to publish the notice, the public

body shall (A) post such notice on its website, if available, (B) submit a post on a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers, and (C) post such notice in a conspicuous public place in such public body's jurisdiction. The public body shall keep a written record of such posting. The record of such posting shall be evidence that such posting was done as required and shall be sufficient to fulfill the requirement of publication.

(3)(a) The following entities may hold a meeting by means of virtual conferencing if the requirements of subdivision (3)(b) of this section are met:

(i) A state agency, state board, state commission, state council, or state committee, or an advisory committee of any such state entity;

(ii) An organization, including the governing body, created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act;

(iii) The governing body of a public power district having a chartered territory of more than one county in this state;

(iv) The governing body of a public power and irrigation district having a chartered territory of more than one county in this state;

(v) An educational service unit;

(vi) The Educational Service Unit Coordinating Council;

(vii) An organization, including the governing body, of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act;

(viii) A community college board of governors;

(ix) The Nebraska Brand Committee;

(x) A local public health department;

(xi) A metropolitan utilities district;

(xii) A regional metropolitan transit authority; and

(xiii) A natural resources district.

(b) The requirements for holding a meeting by means of virtual conferencing are as follows:

(i) Reasonable advance publicized notice is given as provided in subsections (1) and (2) of this section, including providing access to a dial-in number or link to the virtual conference;

(ii) In addition to the public's right to participate by virtual conferencing, reasonable arrangements are made to accommodate the public's right to attend at a physical site and participate as provided in section 84-1412, including reasonable seating, in at least one designated site in a building open to the public and identified in the notice, with: At least one member of the entity holding such meeting, or his or her designee, present at each site; a recording of the hearing by audio or visual recording devices; and a reasonable opportunity for input, such as public comment or questions, is provided to at least the same extent as would be

provided if virtual conferencing was not used;

(iii) At least one copy of all documents being considered at the meeting is available at any physical site open to the public where individuals may attend the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act; and

(iv) Except as otherwise provided in this subdivision, subsection (1) of section 70-1014, subsection (2) of section 70-1014.02, or subsection (4) of section 79-2204, no more than one-half of the meetings of the state entities, advisory committees, boards, councils, organizations, or governing bodies are held by virtual conferencing in a calendar year. In the case of (A) an organization created under the Interlocal Cooperation Act that sells electricity or natural gas, (B) an organization created under the Municipal Cooperative Financing Act, (C) a governing body of a risk management pool and any advisory committee of such governing body, or (D) any advisory committee of any state entity created in response to the Opioid Prevention and Treatment Act, such organization, governing body, or committee may hold more than one-half of its meetings by virtual conferencing if such organization holds at least one meeting each calendar year that is not by virtual conferencing.

(4) Virtual conferencing, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(5) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(6) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by virtual conferencing. The provisions of subsection (5) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(7) A public body may allow a member of the public or any other witness to appear before the public body by means of virtual conferencing.

(8)(a) Notwithstanding subsections (3) and (6) of this section, if an emergency is declared by the Governor pursuant to the Emergency Management Act as defined in section 81-829.39, a public body the territorial jurisdiction of which is included in the emergency declaration, in whole or in part, may hold a meeting by virtual conferencing during such emergency if the public body gives reasonable advance publicized notice as described in subsections (1) and (2) of this section. The notice shall include information regarding access for the public and news media. In addition to any formal action taken pertaining to the emergency, the public body may hold such meeting for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any action by the public body.

(b) The public body shall provide access by providing a dial-in number or a link to the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Reasonable arrangements shall be made to accommodate the public's right to hear and speak at

the meeting and record the meeting. Subsection (5) of this section shall be complied with in conducting such meetings.

(c) The nature of the emergency shall be stated in the minutes. Complete minutes of such meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available for inspection as provided in subsection (5) of section 84-1413.

(9) In addition to any other statutory authorization for virtual conferencing, any public body not listed in subdivision (3)(a) of this section may hold a meeting by virtual conferencing if:

(a) The purpose of the virtual meeting is to discuss items that are scheduled to be discussed or acted upon at a subsequent non-virtual open meeting of the public body;

(b) No action is taken by the public body at the virtual meeting; and

(c) The public body complies with subdivisions (3)(b)(i) and (ii) of this section.

(10) This section does not apply to a meeting of the Nebraska Power Review Board or a public power district, a public power and irrigation district, an electric membership association, an electric cooperative company, a municipality having a generation and distribution system, or a registered group of municipalities if such meeting is subject to section 70-1034.

Source: Laws 1975, LB 325, § 4; Laws 1983, LB 43, § 3; Laws 1987, LB 663, § 25; Laws 1993, LB 635, § 2; Laws 1996, LB 469, § 6; Laws 1996, LB 1161, § 1; Laws 1999, LB 47, § 2; Laws 1999, LB 87, § 100; Laws 1999, LB 461, § 1; Laws 2000, LB 968, § 85; Laws 2004, LB 821, § 38; Laws 2004, LB 1179, § 2; Laws 2006, LB 898, § 2; Laws 2007, LB199, § 9; Laws 2009, LB361, § 2; Laws 2012, LB735, § 1; Laws 2013, LB510, § 1; Laws 2017, LB318, § 1; Laws 2019, LB212, § 5; Laws 2020, LB148, § 3; Laws 2021, LB83, § 12; Laws 2022, LB742, § 1; Laws 2022, LB908, § 1; Laws 2022, LB922, § 13; Laws 2024, LB287, § 74; Laws 2024, LB399, § 4; Laws 2024, LB1370, § 8.
Note: The Revisor of Statutes has pursuant to section 49-769 correlated LB287, section 74, with LB399, section 4, and LB1370, section 8, to reflect all amendments.
Note: Changes made by LB287 became operative April 17, 2024. Changes made by LB399 became effective July 19, 2024. Changes made by LB1370 became operative July 19, 2024.

Cross References

- **Emergency Management Act,** see section 81-829.36.
- **Intergovernmental Risk Management Act,** see section 44-4301.
- **Interlocal Cooperation Act,** see section 13-801.
- **Joint Public Agency Act,** see section 13-2501.
- **Municipal Cooperative Financing Act,** see section 18-2401.
- **Opioid Prevention and Treatment Act,** see section 71-2485.

Annotations

- Under subsection (1) of this section, the Legislature has imposed only two conditions on

the public body's notification method of a public meeting: (1) It must give reasonable advance publicized notice of the time and place of each meeting and (2) it must be recorded in the public body's minutes. City of Elkhorn v. City of Omaha, 272 Neb. 867, 725 N.W.2d 792 (2007).

- An emergency is "(a)ny event or occasional combination of circumstances which calls for immediate action or remedy; pressing necessity; exigency; a sudden or unexpected happening; an unforeseen occurrence or condition." Steenblock v. Elkhorn Township Bd., 245 Neb. 722, 515 N.W.2d 128 (1994).
- An agenda which gives reasonable notice of the matters to be considered at a meeting of a city council complies with the requirements of this section. Pokorny v. City of Schuyler, 202 Neb. 334, 275 N.W.2d 281 (1979).
- When notice is required, a notice of a special meeting of a city council posted in three public places at 10:00 p.m. on the day preceding the meeting is not reasonable advance publicized notice of a meeting as is required by this section. Pokorny v. City of Schuyler, 202 Neb. 334, 275 N.W.2d 281 (1979).
- Teacher waived right to object to lack of public notice in board of education employment hearing by voluntary participation in the hearing without objection. Alexander v. School Dist. No. 17, 197 Neb. 251, 248 N.W.2d 335 (1976).
- A county board of commissioners and a county board of equalization are not required to give separate notices when the notice states only the time and place that the boards meet and directs a citizen to where the agendas for each board can be found. Wolf v. Grubbs, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- A county board of equalization is a public body which is required to give advanced publicized notice of its meetings. Wolf v. Grubbs, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Notice of recessed and reconvened meetings must be given in the same fashion as the original meeting. Wolf v. Grubbs, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- True notice of a meeting is not given by burying such in the minutes of a prior board proceeding. Wolf v. Grubbs, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- An agenda notice which merely stated "work order reports" was an inadequate notice under this section because it did not give interested persons knowledge that plans for a 345 kv transmission line through the district was going to be discussed and voted upon at the meeting. Inadequate agenda notice under this section meant there was a substantial violation of the public meeting laws; however, later actions by the board of directors cured the defects in notice, and such actions were in substantial compliance with the statute. Hansmeyer v. Nebraska Pub. Power Dist., 6 Neb. App. 889, 578 N.W.2d 476 (1998).

84-1412. Meetings of public body; rights of public; public body; powers and duties.

(1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, a camera, video equipment, or any other means of pictorial or sonic reproduction or in writing. Except for closed sessions called pursuant to section 84-1410, a public body shall allow members of the public an opportunity to speak at each meeting.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings, including meetings held by virtual conferencing.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body shall require any member of the public desiring to address the body to identify himself or herself, including an address and the name of any organization represented by such person unless the address requirement is waived to protect the security of the individual.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if:

(a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction;

(b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience;

(c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making virtual conferencing available at an instate location to members, the public, or the press, if requested twenty-four hours in advance;

(d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state;

(e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act; and

(f) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) Each public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at a meeting.

(8) Public bodies shall make available at the meeting or the instate location for virtual conferencing as required by subdivision (6)(c) of this section, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting, either in paper or electronic form. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

Source: Laws 1975, LB 325, § 5; Laws 1983, LB 43, § 4; Laws 1985, LB 117, § 2; Laws 1987, LB 324, § 5; Laws 1996, LB 900, § 1073; Laws 2001, LB 250, § 2; Laws 2004, LB 821, § 39; Laws 2006, LB 898, § 3; Laws 2008, LB962, § 1; Laws 2021, LB83, § 13; Laws 2024, LB43, § 21.
Operative Date: July 19, 2024

Annotations

- To preserve an objection that a public body failed to make documents available at a public meeting as required by subsection (8) of this section, a person who attends a public meeting must not only object to the violation, but must make that objection to the public body or to a member of the public body. Stoetzel & Sons v. City of Hastings, 265 Neb. 637, 658 N.W.2d 636 (2003).

84-1413. Meetings; minutes; roll call vote; secret ballot; when; agenda and minutes; required on website; when.

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written or kept as an electronic record and shall be available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing or keeping the minutes is absent due to a serious illness or emergency.

(6) Beginning July 31, 2022, the governing body of a natural resources district, the city council of a city of the metropolitan class, the city council of a city of the primary class, the city council of a city of the first class, the county board of a county with a population greater than twenty-five thousand inhabitants, and the school board of a school district shall make available on such entity's public website the agenda and minutes of any meeting of the governing body. The agenda shall be placed on the website at least twenty-four hours before the meeting of the governing body. Minutes shall be placed on the website at such time as the minutes are available for inspection as provided in subsection (5) of this section. This information shall be available on the public website for at least six months.

> **Source:** Laws 1975, LB 325, § 6; Laws 1978, LB 609, § 3; Laws 1979, LB 86, § 9; Laws 1987, LB 663, § 26; Laws 2005, LB 501, § 1; Laws 2009, LB361, § 3; Laws 2015, LB365, § 2; Laws 2016, LB876, § 1; Laws 2021, LB83, § 14; Laws 2022, LB742, § 2.

Annotations

- Under prior law, if a person present at a meeting observes and fails to object to an alleged public meetings laws violation in the form of a failure to conduct rollcall votes before

taking actions on questions or motions pending, that person waives his or her right to object at a later date. Hauser v. Nebraska Police Stds. Adv. Council, 264 Neb. 944, 653 N.W.2d 240 (2002).

- Subsection (2) of this section does not require the record to state that the vote was by roll call, but requires only that the record show if and how each member voted. Neither does the statute set a time limit for recording the results of a vote, after which no corrections of the record can be made. If no intervening rights of third persons have arisen, a board of county commissioners has power to correct the record of the proceedings had at a previous meeting so as to make them speak the truth, particularly where the correction supplies some omitted fact or action and is done not to contradict or change the original record but to have the record show that a certain action was taken or thing done, which the original record fails to show. State ex rel. Schuler v. Dunbar, 214 Neb. 85, 333 N.W.2d 652 (1983).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943, and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. State ex rel. Schuler v. Dunbar, 208 Neb. 69, 302 N.W.2d 674 (1981).
- There is no requirement that a public body make a record of where notice was published or posted. Wolf v. Grubbs, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

Source: Laws 1975, LB 325, § 9; Laws 1977, LB 39, § 318; Laws 1983, LB 43, § 5; Laws 1992, LB 1019, § 126; Laws 1994, LB 621, § 2; Laws 1996, LB 900, § 1074; Laws 2004, LB 821, § 40; Laws 2006, LB 898, § 4.

Annotations

- The Legislature has granted standing to a broad scope of its citizens for the very limited purpose of challenging meetings allegedly in violation of the Open Meetings Act, so that they may help police the public policy embodied by the act. Schauer v. Grooms, 280 Neb. 426, 786 N.W.2d 909 (2010).
- Any citizen of the state may commence an action to declare a public body's action void. City of Elkhorn v. City of Omaha, 272 Neb. 867, 725 N.W.2d 792 (2007).
- The reading of ordinances constitutes a formal action under subsection (1) of this section. City of Elkhorn v. City of Omaha, 272 Neb. 867, 725 N.W.2d 792 (2007).
- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. Wasikowski v. Nebraska Quality Jobs Bd., 264 Neb. 403, 648 N.W.2d 756 (2002).
- Under the Public Meetings Act, a county lacks capacity to maintain an action to declare its official conduct "void" for noncompliance with the act. County of York v. Johnson, 230 Neb. 403, 432 N.W.2d 215 (1988).
- When a petitioner under this section is successful in the district court, that court may allow attorney fees. Tracy Corp. II v. Nebraska Pub. Serv. Comm., 218 Neb. 900, 360 N.W.2d 485 (1984).
- Informal discussions between the Tax Commissioner and the State Board of Equalization in which instructions were clarified, with such clarification leading to the amendment of hearing notices, did not constitute a public meeting subject to the provisions of this section. Box Butte County v. State Board of Equalization and Assessment, 206 Neb. 696, 295 N.W.2d 670 (1980).
- The right to collaterally attack an order made in contravention of the Public Meeting Act must occur within a period of one year as is specifically provided by this section. Witt v. School District No. 70, 202 Neb. 63, 273 N.W.2d 669 (1979).
- Statutory change, requiring "publicized notice" for board of education employment hearings, occurring between dates meeting scheduled and conducted, held not to void proceedings. Alexander v. School Dist. No. 17, 197 Neb. 251, 248 N.W.2d 335 (1976).
- Voiding an entire meeting is a proper remedy for violations of the Open Meetings Act. Once a meeting has been declared void pursuant to Nebraska's public meetings law, board members are prohibited from considering any information obtained at the illegal meeting. Wolf v. Grubbs, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Actions by the board of directors were merely voidable under this section, and not void. Pursuant to subsection (3) of this section, the plaintiffs were awarded partial attorney fees because they were successful in having the court declare that the board of directors was in substantial violation of the statute, even though the plaintiffs did not get the relief requested of having the board's actions declared void. Hansmeyer v. Nebraska Pub. Power Dist., 6 Neb. App. 889, 578 N.W.2d 476 (1998).

2. **PRAYER**

3. **NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE**

4. **CONSENT AGENDA - The following items are considered to be routine by the city council and will be enacted by one motion. There will be no separate discussion of these items unless a city council member or citizen so requests, in which event the item will be removed from consent status and considered in its normal sequence on the agenda.**

4.A. Minutes of August 19, 2024, City Council meeting.

PROCEEDINGS OF CITY COUNCIL
August 19, 2024

A regular meeting of the mayor and council of the City of Columbus, Nebraska, was convened in open and public session on August 19, 2024, at 6 p.m. in the Columbus Community Building, Community Room, 2500 14 Street, Columbus, Nebraska. Notice of this meeting was given in advance thereof by publication in the Columbus Telegram on July 31, 2024, with a copy of the proof of publication being on file in the office of the city clerk. Notice of this meeting was given simultaneously to the mayor and members of the city council, with a copy of the acknowledgment of receipt of notice being on file in the office of the city clerk. Availability of the agenda was communicated in the advance notice and in the notice to the mayor and city council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public.

1. **STATEMENT OF COMPLIANCE WITH OPEN MEETINGS ACT AND ROLL CALL:** Mayor Bulkley announced that a copy of the Open Meetings Act is posted in the meeting room. Present were Mayor James Bulkley and Council Members Cynthia Alarcòn, Charlie Bahr, Hope Freshour, Troy Hiemer, Rich Jablonski, Kat Lopez, Prent Roth, and Ron Schilling. City staff members included City Attorney Neal Valorz, City Administrator Tara Vasicek, City Engineer Rick Bogus, City Clerk Shuraya Choat, Police Captain Molcyzk, Fire Chief Ryan Gray, Finance Director Heather Lindsley, Public Works Director Chuck Sliva, Human Resources Director Tammy Orender, Parks and Recreation Director Betsy Eckhardt, Building and Code Official Andy Woehrer, and Communications Manager Matt Lindberg.

2. **PRAYER:** Jablonski led in prayer.

3. **NATIONAL ANTHEM AND PLEDGE OF ALLEGIANCE:** The National Anthem was played and the Pledge of Allegiance was recited.

4. **CONSENT AGENDA:** The following items are considered to be routine by the city council and will be enacted by one motion. There will be no separate discussion of these items unless a city council member or citizen so requests, in which event the item will be removed from consent status and considered in its normal sequence on the agenda. The items on the consent agenda were approved as presented with a motion by Jablonski and a second by Schilling. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

4.A. **Minutes of August 5, 2024, City Council meeting.**

4.B. **Minutes of August 5, 2024, Community Development Agency meeting.**

4.C. **Resolution No. R24-92 authorizing payment of various improvement projects.** Resolution No. R24-92 is entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO AUTHORIZE AND DIRECT THAT A CHECK BE ISSUED AND MADE PAYABLE TO THE RESPECTIVE CONTRACTOR(S) FOR LABOR, EQUIPMENT, AND MATERIALS FURNISHED FOR IMPROVEMENTS IN THE FOLLOWING DESIGNATED DISTRICTS AND PROJECTS WITHIN THE CITY OF

COLUMBUS, ALL AS SET FORTH ON THE ATTACHED CERTIFICATES OF PROGRESS PREPARED BY THE RESPECTIVE SPECIAL ENGINEER TO WIT: GEHRING CONSTRUCTION AND READY MIX CO., INC., VITALITY VILLAGE SUBDIVISION AND COMMUNITY BUILDING SOUTH PARKING LOT, $43,582.50; GEHRING CONSTRUCTION AND READY MIX CO., INC., STORM DRAINAGE AND CONCRETE IMPROVEMENTS 2024, $413,265.05.

4.D. Finance department report.

4.E. Payroll and bills on file. B=Bnd Pymnts; CP=Capt'l Proj; E=Expns; G=Grnts; I=Insrnc; L=Lic; M=Mbrshp; P=Pymt; R=Rfnd; RT=Rent; S=Srvc & Supp; T=Trng; 8/30/24 payroll $694,034.79; A to Z Msg 130.00 S; Ace Hdwr 917.34 S; Adv Auto 410.22 S; AG Spry Equip 518.88 S; Amer Lg Pub 495.00 S; Anderson Ford 154,722.00 CP; Aqua-Chem 5,678.40 S; Aqua-Pure 14,199.47 S; Armor Equip 2,873.46 S; Arnld Mtr 669.12 S; Auxiant 142,743.11 I; Barcel Lndscp 27,117.75 S; B-D Const 5,605.00 S; Behlen Tw 1,860.00 S; A Benesch 2,418.82 CP; Birddog Elec 5,229.00 S; Blk Hills 1,600.80 S; K Bomberger 500.00 T; Bnd Tree Med 2,248.46 S; BS&A 825.00 T; BVH Arch 56,263.80 CP; Cptl Bus Sys 19.67 S; Carlna Sftwr 802.95 S; Casey's Mail Ser 5,055.31 S; Cntr Pnt Lrg Prnt 169.59 S; Cent Comm Coll 518.00 T; Cent Lnk 930.00 S; Chestrmn Co 3,280.70 S; Chrm N Stl Trck 86.00 S; City of Col 10,661.09 S; Club Prpht 500.00 S; CNC Rpr 5,476.03 S; Colibri Sys 899.41 S; Col Area Chmbr 1,200.00 T; Col Comm Hosp 910.62 S; Col Fam Rsrc 10,937.84 S; Commwlth Elec 76.00 S; Conner Psych Srv 520.00 S; Crnhskr Marr Hotel 119.00 S; Crnhskr Pub Pwr 909.98 S; Crnhsker St Ind 47.00 S; Culligan 194.50 S; D & K Prdcts 2,729.00 S; Daniels Prod 9,094.88 S; DAS St Acctng 132.00 S; Demco 413.99 S; DIstar Ind 8,482.50 S; Dultmr Sales 77.95 S; D Dunbar 42,088.00 P; Dymxn Rsrch 2,040.00 S; Eakes 1,948.46 S; Elect Engr 70,041.70 CP; Eller Htng 39.26 S; ESRI 8,500.00 S; Fastenal 587.17 S; Fifth Ssn 186.75 S; First Natl Bnk 18,170.41 S; Frontier 2,293.75 S; Galls 680.33 S; Gehring Cnstr 458,646.29 CP; Grhld Cncrt 1,086.09 S; G Moon 100.00 S; Golfnow 191.22 S; Great Plns Bldg Sup 94.80 S; Great Plns Comm 1,407.52 S; G Young Chvrlt GMC 118.31 S; Grosch Irr 3,287.29 S; Hach Co 1,158.83 S; Hadley-Braithwait 567.30 S; Hawkins 6,471.65 S; HD Sup 192.87 S; HDR 1,176.69 CP; Hrtlnd Nat Gas 1,752.35 S; Hrtlnd Office Clnrs 500.00 S; Hobby Lobby 160.42 S; MD Howerter 1,271.00 S; HR Direct 94.99 S; HTR 125.85 S; Hyvee 150.12 S; Intrst Bttry 306.90 S; Jackson Srv 1,855.94 S; JEO 4,897.50 CP; Kelly Sup 941.12 S; Koch Excvtng 537.31 S; A Laborde 7,200.00 S; Lkvw Sml Eng 19.00 S; Lnguge Ln Srv 256.57 S; Lawson Prod 38.85 S; Lncln Jrnl Str 1,272.42 S; Lncln Wnwtr Wrks 1,197.46 S; Loup Pwr 130,098.45 S; M & O Door 29.15 S; MacQueen Equip 234.07 S; Mthsn-Lnwld 444.82 S; Mccrometer 440.65 S; Mellen & Assoc 4,543.82 S; Mnrds 1,285.90 S; Md-Amer Rsrch Chem 316.00 S; Mdwst Dsl 1,042.02 S; Mdwst Lab 151.17 S; Mdwst Srvc 6,662.50 S; Mdwst Tape 1,131.80 S; Mdwst Turf & Irr 4,920.40 S; Mike's Twng 2,050.00 S; Moms & Mops 470.00 S; Mtn Ind 4.99 S; MR Glf Car 2,904.00 S; Napa 184.25 S; NDEE 165.00 L; NE State Vol 471.00 M; NE-IA Ind 82.71 S; NE NE Solid Wste 75,919.87 S; NoSwett 30,251.00 S; Occ Hlth Srv 1,100.00

S; Olson's Pest 558.00 S; One Call Cncpts 386.22 S; One Srce 68.00 S; O'Reilly 300.42 S; Ppr Tigr 35.00 S; PBC Guru 3,500.00 M; Ptty Csh 24.81 E; B Pflum 39.96 S; ; PC Atty 4,062.00 S; Port-A-Johns 450.00 S; Quick Med Clms 5,795.50 S; Reardon Lwn & Grdn 876.18 S; Red Dr Dsgn 5,000.00 S; RR Dnnlly 122.33 S; Rutt's 16.98 S; RVW 17,909.88 CP; Sand Crk Const 89,597.94 CP; Sapp Bros 34,482.77 S; Sayler Scrnprntng 180.00 S; Schemmer Asso 2,703.00 S; Schieffer Sgns 658.50 S; SCP Dist 2,690.00 S; S & J Jenny 400.00 R; Srvmstr by Shevlin 13,315.00 S; Sherwin Wllms 197.20 S; Shevlin Sup 1,368.59 S; Sipple, Hansen, Emerson 4,220.60 S; Sleep Inn 1,033.00 S; Speicher Elec 1,042.69 S; St of NE Rev 80,009.26 P; Stericycle 759.88 S; Snblt Rent 190.97 S; Spr Svr 103.27 S; Sysco Lncln 26,304.46 S; Teleflex 1,327.50 S; The Golf Shop 4,074.35 S; Tire Outlet 1,990.00 S; TK Elvtr 248.20 S; Too Fast Sup 23.98 S; Tooley Drg 104.96 S; Trtch Sftwr 82,804.73 S; Trck Ctr 18,261.01 S; True Ag & Trf 531.66 S; Twin Rvr Vet 1,020.50 S; Ty's Outdr Pwr 48.88 S; USA Blue Bk 399.52 S; Utilities Sctn 75.00 T; C Van Dyke 146.50 S; Vector Crsh Grphc 1,750.00 S; Vendnovation 1,200.00 L; Vrzn 45.85 S; Vrzn Wrls 840.21 S; Wahltek 3,122.84 S; Waste Conn 564.00 S; Wlnes Prtnrs 10.00 S; Z & M Ent 1,451.78 S; R Zywiec 80.00 E. TOTAL $2,512,384.37.

5. APPROVAL OF MINUTES: Included in Consent Agenda

6. SPECIAL PRESENTATIONS:

6.A. Recognition of Avalynn Carey and Daniel Boynton for completing the "50-Yard Challenge". Bulkley welcomed Carey and Boynton who volunteered their time mowing over fifty lawns this summer for elderly, disabled, and veteran residents. He commended them for their hard work and commitment to helping others, adding that the pair plan to complete another 50-yard challenge.

7. PUBLIC HEARINGS:

7.A. Public Hearing - Application from Balaji Petroleum LLC dba Dual Stop Columbus-14th Street for retail Class D liquor license located at 3417 14 Street and Niraj Patel as manager. Niraj Patel was available to answer questions. No public testimony was heard. The public hearing closed with a motion by Bahr and a second by Hiemer. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted "Aye" and none voted "Nay". A recommendation was made to the Nebraska Liquor Control Commission to approve the application from Balaji Petroleum LLC for a retail Class D liquor license and Niraj Patel as manager with a motion by Bahr and a second by Lopez. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted "Aye" and none voted "Nay".

7.B. Public hearing - Application from CBUS Hotels LLC dba Fairfield Inn and Townplace Suites for retail Class C liquor license located at 5912 Howard Blvd and Justin Martin as manager. Justin Martin was available to answer questions. The public hearing closed with a motion by Schilling and a second by Alarcòn. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and

Schilling voted “Aye” and none voted “Nay”. A recommendation was made to the Nebraska Liquor Control Commission to approve the application from CBUS Hotels LLC for a retail Class C liquor license and Justin Martin as manager with a motion by Schilling and a second by Hiemer. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

7.C. Public hearing - Application from Union Bank and Trust for final plat and development agreement of Union Bank and Trust Subdivision (southwest corner 23rd Street and 16th Avenue). (Planning Commission recommends approval.) Eric Beiermann, Olsson Engineering on behalf of the applicant, explained that demolition is expected to begin in September and that the subdivision will include a Union Bank branch and off-site improvements. No public testimony was heard. The public hearing closed with a motion by Bahr and a second by Alarcòn. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

7.C.1. Resolution No. R24-93 approving final plat and development agreement. Resolution No. R24-93 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ACCEPTING THE DEED OF DEDICATION TO A PARCEL OF LAND LEGALLY DESCRIBED AS: A TRACT OF LAND COMPOSED OF THE REMAINING PORTION OF LOT 5, BLOCK 'D', GOECKEL ADDITION, AND LOTS 6 AND 7, GOECKEL 2ND ADDITION, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 17 NORTH, RANGE 1 EAST OF THE 6TH P.M., CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID REMAINING PORTION OF LOT 5, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE, EASTERLY, ON THE NORTH LINE OF SAID REMAINING PORTION OF LOT 5, AND THE NORTH LINE OF SAID LOT 6, SAID LINE BEING THE SOUTH RIGHT OF WAY LINE OF 23RD STREET/US HIGHWAY 30, ON AN ASSUMED BEARING OF N88°33'38"E, A DISTANCE OF 215.18' TO A NORTHEAST CORNER OF SAID LOT 6; THENCE S66°53'01"E, ON A NORTHEAST LINE OF SAID LOT 6, A DISTANCE OF 12.99' TO A NORTHEAST CORNER OF SAID LOT 6; THENCE S01°11'38"E, ON AN EAST LINE OF SAID LOTS 6 AND 7, SAID LINE BEING A WEST RIGHT OF WAY LINE OF 16TH AVENUE, A DISTANCE OF 206.53' TO THE SOUTHEAST CORNER OF SAID LOT 7; THENCE S88°32'31"W, ON THE SOUTH LINE OF SAID LOT 7 AND THE SOUTH LINE OF SAID REMAINING PORTION OF LOT 5, A DISTANCE OF 227.10' TO THE SOUTHWEST CORNER OF SAID REMAINING PORTION OF LOT 5; THENCE N01°10'16"W, ON THE WEST LINE OF SAID REMAINING PORTION OF LOT 5, A DISTANCE OF 212.01' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 48,096.21 SQUARE FEET OR 1.10 ACRES, MORE OR LESS, HEREINAFTER KNOWN AS UNION BANK AND TRUST SUBDIVISION TO THE CITY OF COLUMBUS, PLATTE COUNTY, NEBRASKA;, APPROVING THE PLAT THEREOF; APPROVING AND ACCEPTING THE UNION BANK AND TRUST

SUBDIVISION DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF COLUMBUS, NEBRASKA, A MUNICIPAL CORPORATION, AND UNION BANK AND TRUST COMPANY, WHICH SETS FORTH THE AGREEMENT BETWEEN THE PARTIES INCLUDING THE DUTIES AND RESPONSIBILITIES OF THE OWNER/DEVELOPER WITH RESPECT TO SAID SUBDIVISION; AND AUTHORIZING THE MAYOR TO SIGN THE DEVELOPMENT AGREEMENT PROVIDING FOR PUBLIC IMPROVEMENTS TO SERVE THE PROPERTY was adopted with a motion by Schilling and a second by Hiemer. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

7.D. **Public hearing - Text Amendment to Columbus Land Development Ordinance including changes to the Zoning Chapter proposing to add as a permitted use a "Truck Terminal" as a permitted use in an "MH" zone or with a Special Use Permit in a "B-2" zone and to amend Table 4-3 to reflect said change, and to add a new Section 6-13 Supplemental Use Regulations: Truck Terminals, setting forth supplemental use regulations for such use. (Planning Commission recommends approval.)** Woehrer explained that the proposed changes would allow truck terminals in the general industrial district (MH) and general commercial district (B-2). The public hearing closed with a motion by Bahr and a second by Roth. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

7.D.1. **Ordinance No. 24-19 approving Text Amendments to Columbus Land Development Ordinance.** On its first reading, Ordinance No. 24-19 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND CHAPTER 1, ARTICLE 4: ZONING REGULATIONS, TABLE 4-3, TRANSPORTATION USES, AND TO ADD SECTION 6-13 TO CHAPTER 1, ARTICLE 6, SUPPLEMENTAL USE REGULATIONS, OF THE COLUMBUS LAND DEVELOPMENT ORDINANCE OF THE CITY OF COLUMBUS IN ORDER TO ALLOW FOR TRUCK TERMINALS AS A PERMITTED USE IN A GENERAL INDUSTRIAL DISTRICT (MH) AND BY SPECIAL PERMIT IN A GENERAL COMMERCIAL DISTRICT (B-2) AND TO PROVIDE SUPPLEMENTAL USE REGULATIONS FOR SUCH USE; REPEALING ALL ORDINANCES OR PORTIONS THEROF IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM AS AUTHORIZED BY SECTION 16-405 OF NEBRASKA REVISED STATUTES was read by number only.

8. **PETITIONS AND COMMUNICATIONS:** None

9. **REPORTS OF CITY OFFICES:** Finance department report included in Consent Agenda

10. **REPORTS OF COUNCIL COMMITTEES:**

10.A. **PUBLIC PROPERTY, SAFETY, AND WORKS COMMITTEE - July 8, 2024.**

10.A.1. **Traffic Control Device Committee report for 2nd Quarter 2024.** The Public Property, Safety, and Works Committee recommended approval of the Traffic Control Device Committee report for 2nd Quarter 2024. The reported was adopted with a motion by Schilling and a second by Lopez. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

10.B. **PUBLIC PROPERTY, SAFETY, AND WORKS COMMITTEE - August 12, 2024.**

10.B.1. **2025 Pavement Management Program and Priority List.** The Public Property, Safety, and Works Committee recommended approval of the 2025 Pavement Management Program and Priority list. The reported was adopted with a motion by Schilling and a second by Bahr. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

10.B.2. **2025 One and Six Year Road Plan.** The Public Property, Safety, and Works Committee recommended approval of the 2025 One and Six Year Road Plan. The reported was adopted with a motion by Schilling and a second by Bahr. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

10.B.3. **Permanent utility blanket easement on Lot 3, Jackson Subdivision (west of 30th Avenue and 9th Street).** The Public Property, Safety, and Works Committee recommended approval of the permanent utility blanket easement. The reported was adopted with a motion by Schilling and a second by Bahr. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

10.B.4. **Authorization to advertise sale of city-owned properties of Lot 3, Jackson Subdivision (west side of 30th Avenue and 9th Street) and Lots 1 through 8 and vacated alley, Block 73, Original City (northwest corner of 12th Street and 15th Avenue).** The Public Property, Safety, and Works Committee recommended approval to authorize staff to advertise the sale of the city-owned properties. The reported was adopted with a motion by Schilling and a second by Lopez. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

10.C. **PUBLIC FINANCE, JUDICIARY, AND PERSONNEL COMMITTEE - August 13, 2024.**

10.C.1. **Schedule of Fees for Fiscal Year 2024-25.** The Public Finance, Judiciary, and Personnel Committee recommended approval of the 2024-25 Schedule of Fees. The reported was adopted with a motion by Hiemer and a second by Jablonski. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

10.C.2. **Update to Employee Personnel Manual.** The Public Finance, Judiciary, and Personnel Committee recommended approval of the Employee Personnel

Manual updates. The reported was adopted with a motion by Hiemer and a second by Jablonski. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

11. REPORTS OF SPECIAL COMMITTEES: None

12. REPORTS ON LEGISLATION: None

13. NEW BUSINESS:

13.A. Authorization to advertise sale of city-owned properties of Lot 3, Jackson Subdivision and Lots 1 through 8 and vacated alley, Block 73, Original City. Staff was authorized to advertise the sale of the city-owned properties with a motion by Bahr and a second by Alarcòn. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

13.B. Quote from Rehab Systems LLC in the amount of $41,300 for manhole rehabilitation for wastewater collection. CIP #20-94 The quote from Rehab Systems LLC was accepted with a motion by Jablonski and a second by Hiemer. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

13.C. Comments from mayor and city council members. Bulkley announced that the Columbus Community Building (CCB) has received national recognition as the recipient of the “Award of Merit” in the Engineering News-Record Midwest’s 2024 Best Project Awardees in the government/public building category. He added that the CCB was submitted for contest consideration by the project contractor Boyd Jones Construction. Bulkley also invited the public to stay after the meeting to watch Captain Molcyzk put a pie in the face of Chief Gray as part of the “Battle of the Badges” challenge.

14. RESOLUTIONS:

14.A. Resolution No. R24-94 approving grant application to Nebraska Game and Parks Commission for playground equipment in East Pawnee Park. Resolution No. R24-94 entitled: A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AUTHORIZING AN APPLICATION TO THE NEBRASKA GAME AND PARKS COMMISSION FOR THE LAND AND WATER CONSERVATION FUND GRANT IN THE AMOUNT OF $215,606 FOR A PLAYGROUND STRUCTURE IN THE SERTOMALAND PLAYGROUND AREA IN EAST PAWNEE PARK; TO AUTHORIZE THE MAYOR TO EXECUTE THE SAME ON BEHALF OF THE CITY; AND TO REPEAL ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH was adopted with a motion by Bahr and a second by Schilling. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

15. ORDINANCES ON FIRST READING:

15.A. **Ordinance No. 24-20 decreasing the telecommunications occupation tax to four percent to reflect recent changes in state law.** Vasicek explained that this is a state mandated change, which will result in a general fund revenue loss of over $90,000. The rules were suspended and Ordinance No. 24-20 entitled: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING SECTION 111.01 OF CHAPTER 110 OF TITLE XI OF ORDINANCE NO. 24-01 (COLUMBUS CITY CODE) TO DECREASE THE TELECOMMUNICATIONS OCCUPATION TAX TO FOUR PERCENT (4%) TO REFLECT RECENT CHANGES IN STATE LAW; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM was read by number only with a motion by Hiemer and a second by Schilling. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”. Ordinance No. 24-20 was adopted with a motion by Hiemer and a second by Schilling. Alarcòn, Bahr, Freshour, Hiemer, Jablonski, Lopez, Roth, and Schilling voted “Aye” and none voted “Nay”.

17. **ORDINANCES ON THIRD READING:** None

18. **CONSIDERATION OF PAYROLL AND BILLS ON FILE:** Included in Consent Agenda

19. **UNFINISHED BUSINESS:** None

20. **ADJOURNMENT:** The meeting adjourned at 6:37 p.m.

Presented and approved this 3rd day of September 2024.

OFFICE OF THE CITY CLERK
: Shuraya Choat

4.B. Minutes of August 20, 2024, Civil Service Commission meeting certifying Laura Hespen and Steven Zarate as police officer candidates.

CIVIL SERVICE COMMISSION MINUTES **August 20, 2024**

A meeting of the Columbus Civil Service Commission was convened in open and public session on Tuesday, August 20, 2024 at 3:45 p.m. in the Conference Room at the Police Station.

Notice of this meeting was given in advance thereof by public posting in City Hall, Platte County Courthouse, and Columbus Public Library on July 10, 2024, 2024. Availability of the agenda was communicated in the advance notice and in the notice to the Columbus Civil Service Commission of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public.

STATEMENT OF COMPLIANCE WITH OPEN MEETINGS ACT AND ROLL CALL:
The following statement: "In compliance with the Open Meetings Act, Legislative Bill 898, Second Session Ninety-Ninth Legislature of Nebraska, a current copy of the Act is available in this meeting room".

Present were members, Troy Loeffelholz, Jessica Caban, Logan Bronson and Russ Strehle. Member Chis Steinke was absent. The minutes from the May 21, 2024 meeting were approved with a motion by Strehle and a second by Caban with all members voting "Aye".

The purpose of the meeting was to interview two applicants for the position of Police Officer and agree if the candidates would be certified to the appointing authority as qualified for the position of Police Officer for one year.

Following discussion, a motion was made by Loeffelholz and seconded by Strehle to certify to the Mayor and City Council, the applicants Laura Hespen and Steven Zarate. The motion passed unanimously.

There being no further items of business for the agenda, the meeting was adjourned.

Respectfully submitted,

Tammy Orender
Civil Service Commission Secretary

4.C. Reappointment of Anne Kinnison to Library Board for four-year term.

City Hall
2500 14th St. Suite 3
Columbus, NE 68601
402-562-4232
columbusne.us

MEMORANDUM

DATE: **August 27, 2024**

TO: **City Council Members**

FROM: **James B. Bulkley, Mayor**

SUBJECT: **Reappointment**

With your permission, I wish to submit the following name to you for reappointment at the September 3, 2024, City Council meeting. Per Council Rules, the two-week waiting period is automatically waived for someone who is reappointed to the same or similar position.

LIBRARY BOARD
(Full Four-Year Term after serving for 4 months to fill a prior member's unexpired term)
Anne Kinnison

James B. Bulkley, Mayor

4.D. Resolution No. R24-95 authorizing payment of various improvement projects.

DRAFT

RESOLUTION NO. R24-95

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, TO AUTHORIZE AND DIRECT THAT A CHECK BE ISSUED AND MADE PAYABLE TO THE RESPECTIVE CONTRACTOR(S) FOR LABOR, EQUIPMENT, AND MATERIALS FURNISHED FOR IMPROVEMENTS IN THE FOLLOWING DESIGNATED DISTRICTS AND PROJECTS WITHIN THE CITY OF COLUMBUS, ALL AS SET FORTH ON THE ATTACHED CERTIFICATES OF PROGRESS PREPARED BY THE RESPECTIVE SPECIAL ENGINEER TO WIT: BIERMAN CONTRACTING INC., CENTENNIAL PARK RESTROOM & CONCESSION BUILDING, $46,531.80; GEHRING CONSTRUCTION AND READY MIX CO., INC., VITALITY VILLAGE SUBDIVISION AND COMMUNITY BUILDING SOUTH PARKING LOT, $24,925.50; GEHRING CONSTRUCTION AND READY MIX CO., INC., STORM DRAINAGE AND CONCRETE IMPROVEMENTS 2024, $292,620.00; RUTJENS CONSTRUCTION, LOST CREEK PARKWAY SEWER, $86,746.93.

WHEREAS, the mayor and council of the City of Columbus, Nebraska, hereby find and determine that pursuant to contract, labor, equipment, and materials have been furnished for improvements in the following designated districts and projects within said City, to wit:

Bierman Contracting, Inc.	Centennial Park Restroom and Concession Building	$ 46,531.80
Gehring Const & Ready Mix Co., Inc.	Vitality Village Subdivision and Community Building South Parking Lot	$ 24,925.50
Gehring Const & Ready Mix Co., Inc.	Storm Drainage and Concrete Improvements 2024	$292,620.00
Rutjens Construction	Lost Creek Parkway Sewer	$ 86,746.93

that the respective special engineer has prepared and filed with the city clerk a certificate of progress respecting said improvements, copies of which are attached and are hereby incorporated herein by reference and made a part hereof as if fully set forth herein; and that pursuant to said contract, the plans, specifications, and said certificate of progress, there is due the respective contractor on account the amount as set forth in the attached.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, that the said improvements in the aforesaid districts and projects and the respective certificate of progress be and are hereby accepted and adopted; that a check be issued and made payable to the respective contractor in the amount and in the manner as set forth in the respective certificate of progress; that each check shall be drawn on the appropriate and respective fund; that each check shall be redeemed and paid upon collection of special assessments and sale of various purpose bonds at the completion of each of said districts and projects.

INTRODUCED BY COUNCIL MEMBER_____

PASSED AND ADOPTED THIS _____ DAY OF _____, 2024.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

TO OWNER:
City of Columbus
2500 14th Street Suite 3
Columbus, NE 68601

PROJECT: *Centennial Park RR & Concession*
100-150-57200-24030 - 46,531.80

VIA ARCHITECT:

FROM CONTRACTOR:
Bierman Contracting, Inc
PO Box 1887
Columbus, NE 68602

CONTRACT FOR:

APPLICATION NO: *One (1)*

PERIOD TO: *August 23, 2024*

PROJECT NOS: *24-016*

CONTRACT DATE: *July 24, 2024*

Distribution to:
- [X] OWNER
- [ ] ARCHITECT
- [ ] CONTRACTOR
- [ ]
- [ ]

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM		$ 640,914.00
2. Net change by Change Orders		$ 0.00
3. CONTRACT SUM TO DATE (Line 1 ± 2)		$ 640,914.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)		$ 51,702.00
5. RETAINAGE:		
a. 10 % of Completed Work (Column D + E on G703)	$ 5,170.20	
b. ____ % of Stored Material (Column F on G703)	$	
Total Retainage (Lines 5a + 5b or Total in Column I of G703)		$ 5,170.20
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)		$ 46,531.80
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)		$ 0.00
8. CURRENT PAYMENT DUE		$ **46,531.80**
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)		$ 594,382.20

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	$0.00	$0.00
Total approved this Month	$0.00	$0.00
TOTALS	$0.00	$0.00
NET CHANGES by Change Order	$0.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By: _____ Date: August 23, 2024

State of: *NEBRASKA* County of: *PLATTE*
Subscribed and sworn to before me this
23rd Day of August, 2024

Notary Public: Laura A. Engquist

GENERAL NOTARY - State of Nebraska
LAURA A. ENGQUIST
My Comm. Exp. April 11, 2026

My Commission expires:

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED . . . . . $ 46,531.80

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:

By: Richard J. Bogus Date: 8-26-2024

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

AIA DOCUMENT G702 · APPLICATION AND CERTIFICATION FOR PAYMENT · 1992 EDITION · AIA® · © 1992 THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N.W., WASHINGTON, DC 20006-5292

Users may obtain validation of this document by requesting a completed AIA Document D401 - Certification of Document's Authenticity from the Licensee.

CONTINUATION SHEET

AIA DOCUMENT G703

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing
Contractor's signed certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: One (1)
APPLICATION DATE: August 23, 2024
PERIOD TO: August 23, 2024
CONTRACTOR'S PROJECT NO: 24-016

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREVIOUS APPLICATION (D + E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE) 10%
1	**Design - Included Previous Invoices**	$0.00							
2	**General Conditions**	$88,850.00					0.00%	$88,850.00	$0.00
3	**Surveying & Staking**	$1,650.00		$1,650.00		$1,650.00	100.00%		$165.00
4	**Misc. Demolition**	$605.00		$605.00		$605.00	100.00%		$60.50
5	**Site Work**	$6,050.00		$2,500.00		$2,500.00	41.32%	$3,550.00	$250.00
6	**Grading**	$2,750.00					0.00%	$2,750.00	$0.00
7	**Construction Fence**	$2,024.00		$1,250.00		$1,250.00	61.76%	$774.00	$125.00
8	**Termite Control Treatment**	$1,012.00					0.00%	$1,012.00	$0.00
9	**Hydroseeding**	$5,500.00					0.00%	$5,500.00	$0.00
10	**Reinforcement - Masonry/CIP Conc.**	$8,869.00		$8,869.00		$8,869.00	100.00%		$886.90
11	**Foundations & Stoops**	$28,578.00		$28,578.00		$28,578.00	100.00%		$2,857.80
12	**Backfilling**	$1,650.00		$1,650.00		$1,650.00	100.00%		$165.00
13	**Slab & Exterior CIP Concrete**	$38,066.00					0.00%	$38,066.00	$0.00
14	**Set Trench Drains**	$1,969.00					0.00%	$1,969.00	$0.00
15	**Concrete Counter Seal**	$4,884.00					0.00%	$4,884.00	$0.00
16	**Yard Cleanout Concrete Pad**	$550.00					0.00%	$550.00	$0.00
17	**Masonry - Material & Labor**	$98,325.00					0.00%	$98,325.00	$0.00
18	**Steel Division - Material & Labor**	$3,124.00		$1,600.00		$1,600.00	51.22%	$1,524.00	$160.00
19	**Rough Carpentry - Material & Labor**	$35,397.00					0.00%	$35,397.00	$0.00
20	**Metal Package:**	$34,237.00					0.00%	$34,237.00	$0.00
21	Roof & Wall Panel, Ridge Vent								
22	Gutters & Downs, Soffit Panel								
23	Flat Stock								
24	Joint Sealers								
	SUB TOTALS of Page 2	$364,090.00	$0.00	$46,702.00	$0.00	$46,702.00	12.83%	$317,388.00	$4,670.20

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CONTINUATION SHEET

AIA DOCUMENT G703

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Contractor's signed certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: One (1)
APPLICATION DATE: August 23, 2024
PERIOD TO: August 23, 2024
CONTRACTOR'S PROJECT NO: 24-016

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED FROM PREVIOUS APPLICATION (D + E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE) 10%
1	**Walk Door & Frame - Mat. & Lab.**	$18,423.00					0.00%	$18,423.00	$0.00
2	**Sectional Overhead Doors - M&L:**	$23,210.00					0.00%	$23,210.00	$0.00
3	Coiling Counter Doors - M&L								
4	**Ceiling Access Door - Mat. & Lab.**	$688.00					0.00%	$688.00	$0.00
5	**Gypsum Board Assemblies**	$9,636.00					0.00%	$9,636.00	$0.00
6	**Painting**	$7,928.00					0.00%	$7,928.00	$0.00
7	**Concrete Floor Hardner / Sealer**	$4,224.00					0.00%	$4,224.00	$0.00
8	**Restroom Signage**	$110.00					0.00%	$110.00	$0.00
9	**Restroom Partitions**	$8,930.00					0.00%	$8,930.00	$0.00
10	**Restroom Accessory Materials**	$4,608.00					0.00%	$4,608.00	$0.00
11	**Restroom Specialty - Labor**	$3,392.00					0.00%	$3,392.00	$0.00
12	**Plumbing & Utility Package:**	$78,562.00					0.00%	$78,562.00	$0.00
13	Plumbing Piping Insulation								
14	Sanitary Sewer Utility								
15	Domestic Water Utility /								
16	Shutoff Manhole								
17	Temporary Water								
18	Trench Drain Material								
19	**HVAC Package:**	$10,230.00					0.00%	$10,230.00	$0.00
20	Exhaust Fans								
21	Duct Insulation								
22	Exhaust Louvers								
23	Brick Vents								
24									
	SUB TOTALS of Page 1 & 2	$534,031.00	$0.00	$46,702.00	$0.00	$46,702.00	8.75%	$487,329.00	$4,670.20

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CONTINUATION SHEET

AIA DOCUMENT G703

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing
Contractor's signed certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: One (1)
APPLICATION DATE: August 23, 2024
PERIOD TO: August 23, 2024
CONTRACTOR'S PROJECT NO: 24-016

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE) 10%
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
1	**Electrical Package:**	$106,883.00		$5,000.00		$5,000.00	4.68%	$101,883.00	$500.00
2	Electrical								
3	Service Feeders & Meter Socket								
4	Hand Dryers								
5	Temporary Power								
6	Vault for Splicing								
7									
8	**Change Orders:**								
9	**CO#1- Water Heater Deduction**								
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									
23									
24									
	GRAND TOTALS	$640,914.00	$0.00	$51,702.00	$0.00	$51,702.00	8.07%	$589,212.00	$5,170.20

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THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVENUE, N.W., WASHINGTON, D.C. 20006-5232

Contractor's Application and Certificate of Payment

100-100-57200-24029 - 8,308.50
500-500-57200-24029 - 8,308.50
520-520-57200-24029 - 8,308.50

	Contractor's Application for Payment No:	5
	Application Period: (From - to)	8/5/24 to 8/20/24
To: City of Columbus (Owner)	From (Contractor): GEHRING CONSTRUCTION & READY MIX CO., INC.	Contractor's Project No.:
Project Name: VITALITY VILLAGE SUBDIVISION AND COMMUNITY BUILDING SOUTH PARKING LOT		Via (Consulting Engineer / Architect): City of Columbus
Fiscal Year Budget Number: SEE PROJECT SECTIONS		

Application For Payment

Field Order and Change Order Summary

Field (FO#) and Change Orders (CO#) Approved:

Number	Additions	Deductions
FO3	$ 3,850.00	
TOTALS	$ 3,850.00	$ -
NET CHANGE	$ 3,850.00	

1. ORIGINAL CONTRACT PRICE	$	2,119,661.00
2. Net change by Field Order and Change Orders	$	3,850.00
3. Current Contract Price (Line 1 ± 2)	$	2,123,511.00
4. TOTAL COMPLETED AND STORED TO DATE (Column H on Progress Estimate)	$	470,947.00
5. RETAINAGE: (Capped at 10% at 50% of Line 3)	$	47,094.70
(When line 4 is over 50% of Line 3 do calculation of Line 3 x .5 x .1 to get Retainage)		
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5)	$	423,852.30
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	$	398,926.80
8. AMOUNT DUE THIS APPLICATION (Line 6 - Line 7)	$	24,925.50
9. BALANCE TO FINISH, PLUS RETAINAGE (Line 3- Line 6)	$	1,699,658.70
(To double check Line 9 Take Column I + Line 5 should = Line 9 calculations)		

Contractor's Certification

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issed and payments received from the Owner, and that current payment shown herein is now due.

Contractor: Gehring Construction & Ready Mix Co., Inc.

By: Stephen Anderson Date: 8-20-24

Printed/Typed Name: Stephen Anderson

Payment of: _____ (Line 8 or other - attach explanation of the other amount)

is recommended by: _____ (Consulting Engineer/Architect) _____ (Date)

Payment of: $ 24,925.50 (Line 8 or other - attach explanation of the other amount)

is approved by: Richard J. Bogus (City Engineer) 8-26-2024 (Date)

Approved by: _____ Funding Agency (if applicable) _____ (Date)

Revision 2 10/23/2020

APPLICATION AND CERTIFICATE FOR PAYMENT

Containing Contractor's signed Certification is attached

Project Name:	VITALITY VILLAGE SUBDIVISION AND COMMUNITY BUILDING SOUTH PARKING LOT				Contractor's Pay Application:				5		
Application Period: (From - To)			8/5/24 to 8/20/24								
A			B	C	D	E	F	G	H		I
Item											
Bid Item No.	Description	Unit of Measure	Bid Quantity	Unit Price	Bid Value (B*C)	Estimated Quantity Installed	Value Installed (G*E)	Material Presently Stored	Total Completed and Stored to Date (F+G)	% (F) B (H/F*100)	Balance to Finish (D - H)
PROJECT A: SECTION 1: VITALITY VILLAGE SUBDIVISION PAVING & STORMSEWER (CIPS 100-100-57200-24029, TRAIL 100-150-57200-23046, 200-200-57300-20071)											
1	Mobilization	JOB	1	$ 40,000.00	$ 40,000.00	0.07	$ 2,800.00		$ 2,800.00	7	$ 37,200.00
2	Traffic and Pedestrian Control	JOB	1	$ 2,500.00	$ 2,500.00		$ -		$ -	0	$ 2,500.00
3	Remove Paving - Including Sawing	SY	675	$ 15.00	$ 10,125.00	17	$ 255.00		$ 255.00	3	$ 9,870.00
4	Remove Inlet	EA	2	$ 800.00	$ 1,600.00		$ -		$ -	0	$ 1,600.00
5	Clearing and Grubbing	JOB	1	$ 25,000.00	$ 25,000.00	1	$ 25,000.00		$ 25,000.00	100	$ -
6	Remove Trees 12" to 24" Diameter	EA	103	$ 275.00	$ 28,325.00	103	$ 28,325.00		$ 28,325.00	100	$ -
7	Remove Trees 24" Diameter and Greater	EA	92	$ 475.00	$ 43,700.00	92	$ 43,700.00		$ 43,700.00	100	$ -
8	Demolition of Structures & Remove Foundations	JOB	1	$ 45,000.00	$ 45,000.00	1	$ 45,000.00		$ 45,000.00	100	$ -
9	9" P.C. Concrete NDOT Type 47B-3500	SY	265	$ 70.00	$ 18,550.00	17	$ 1,190.00		$ 1,190.00	6	$ 17,360.00
10	7" P.C. Concrete NDOT Type 47B-3500	SY	8,840	$ 54.00	$ 477,360.00		$ -		$ -	0	$ 477,360.00
11	6" P.C. Concrete Trail NDOT Type 47B-3500	SY	2,209	$ 54.00	$ 119,286.00		$ -		$ -	0	$ 119,286.00
12	6" P.C. Concrete Stamped and Colored NDOT Type 47B-3500	SY	210	$ 100.00	$ 21,000.00		$ -		$ -	0	$ 21,000.00
13	4" P.C. Concrete Sidewalk NDOT Type 47B-3500	SY	123	$ 65.00	$ 7,995.00		$ -		$ -	0	$ 7,995.00
14	Construct 1.5' Concrete Header	LF	66	$ 15.00	$ 990.00		$ -		$ -	0	$ 990.00
15	ADA Handicap Ramp Retractable Warning Panel	SF	260	$ 40.00	$ 10,400.00		$ -		$ -	0	$ 10,400.00
16	Stop Sign on Telespar Posts	EA	2	$ 275.00	$ 550.00		$ -		$ -	0	$ 550.00
17	Remove & Reset Sign	EA	1	$ 500.00	$ 500.00		$ -		$ -	0	$ 500.00
18	Earthwork, Excavation, and Embankment	JOB	1	$ 75,000.00	$ 75,000.00	0.95	$ 71,250.00		$ 71,250.00	95	$ 3,750.00
19	Final Grading, Backfills, and Shaping	JOB	1	$ 40,000.00	$ 40,000.00		$ -		$ -	0	$ 40,000.00
20	Seeding Drilling	Acres	11	$ 3,300.00	$ 35,640.00		$ -		$ -	0	$ 35,640.00
21	Sodding	SF	500	$ 2.00	$ 1,000.00		$ -		$ -	0	$ 1,000.00
22	Hydroseeding	Acres	0.30	$ 6,850.00	$ 2,055.00		$ -		$ -	0	$ 2,055.00
23	Erosion Control Matting	SF	13,800	$ 1.52	$ 20,976.00		$ -		$ -	0	$ 20,976.00
24	Install, Maintain, Remove Silt Fence	LF	4,630	$ 3.00	$ 13,890.00		$ -		$ -	0	$ 13,890.00
25	Maintain NPDES, SWPPP, and All BMP's	JOB	1	$ 1,500.00	$ 1,500.00		$ -		$ -	0	$ 1,500.00
26	Install, Maintain, Remove, Straw Waddle, Around Area	EA	22	$ 250.00	$ 5,500.00		$ -		$ -	0	$ 5,500.00
27	Install, Maintain, Remove Inlet, Protection Around Open Throat Inlets	EA	12	$ 250.00	$ 3,000.00		$ -		$ -	0	$ 3,000.00
28	Install, Maintain, Remove, Construction Entrance	JOB	1	$ 7,500.00	$ 7,500.00	0.70	$ 5,250.00		$ 5,250.00	70	$ 2,250.00
29	Storm Sewer Junction Box	EA	1	$ 4,725.00	$ 4,725.00		$ -		$ -	0	$ 4,725.00
30	6' Open Throat Inlet	EA	10	$ 4,935.00	$ 49,350.00		$ -		$ -	0	$ 49,350.00
31	Drive Over Grate Inlet	EA	2	$ 4,620.00	$ 9,240.00		$ -		$ -	0	$ 9,240.00

A			B	C	D	E	F	G	H		I
Item											
Bid Item No.	Description	Unit of Measure	Bid Quantity	Unit Price	Bid Value (B*C)	Estimated Quantity Installed	Value Installed (G*E)	Material Presently Stored	Total Completed and Stored to Date (F+G)	% (F) B (H/F*100)	Balance to Finish (D - H)
32	Area Inlet	EA	22	$ 3,833.00	$ 84,326.00		$ -		$ -	0	$ 84,326.00
33	18" Flared End Section	EA	1	$ 788.00	$ 788.00		$ -		$ -	0	$ 788.00
34	15" Flared End Section	EA	2	$ 630.00	$ 1,260.00		$ -		$ -	0	$ 1,260.00
35	18" RCP Class III Storm Sewer Pipe	LF	39	$ 53.00	$ 2,067.00		$ -		$ -	0	$ 2,067.00
36	18" HDPE Storm Sewer Pipe with Sand Bedding	LF	152	$ 45.00	$ 6,840.00		$ -		$ -	0	$ 6,840.00
37	15" RCP Class III Storm Sewer Pipe	LF	740	$ 46.00	$ 34,040.00		$ -		$ -	0	$ 34,040.00
38	15" HDPE Storm Sewer Pipe with Sand Bedding	LF	645	$ 39.00	$ 25,155.00		$ -		$ -	0	$ 25,155.00
39	12" HDPE Storm Sewer Pipe with Sand Bedding	LF	311	$ 36.00	$ 11,196.00		$ -		$ -	0	$ 11,196.00
40	10" PVC Schedule 40 Storm Sewer Pipe	LF	1,832	$ 38.00	$ 69,616.00		$ -		$ -	0	$ 69,616.00
41	Over excavation and Crushed Concrete	TON	500	$ 75.00	$ 37,500.00		$ -		$ -	0	$ 37,500.00
42	French Drain in STF	EA	3	$ 3,045.00	$ 9,135.00		$ -		$ -	0	$ 9,135.00
FO3.3	Remove Fencing, Dispose of wire, etc.	LS	1	$ 3,850.00	$ 3,850.00	1	$ 3,850.00		$ 3,850.00	100	$ -
PROJECT A: SECTION 1: TOTAL (ITEMS 1 - 42)					**$ 1,408,030.00**		**$ 226,620.00**		**$ 226,620.00**		**$ 1,181,410.00**
PROJECT A: SECTION 2: SANITARY SEWER (CIP 500-500-57200-24029)											
1	Sanitary Sewer Manhole	VF	66	$ 510.00	$ 33,660.00		$ -		$ -	0	$ 33,660.00
2	Connect to Existing Manhole	EA	2	$ 945.00	$ 1,890.00		$ -		$ -	0	$ 1,890.00
3	8" PVC SDR 26 Sanitary Sewer Main	LF	1,971	$ 36.00	$ 70,956.00		$ -		$ -	0	$ 70,956.00
4	8" PVC Restrained Joint Sewer Main	LF	90	$ 69.00	$ 6,210.00		$ -		$ -	0	$ 6,210.00
5	6" PVC Schedule 40 Sanitary Sewer Service Line With Plug and Post Marker	LF	265	$ 28.00	$ 7,420.00		$ -		$ -	0	$ 7,420.00
6	4" PVC Schedule 40 Sanitary Sewer Service Line With Plug and Post Marker	LF	813	$ 26.00	$ 21,138.00		$ -		$ -	0	$ 21,138.00
7	8" x 4" Sanitary Sewer Service Wye with Bend	EA	22	$ 263.00	$ 5,786.00		$ -		$ -	0	$ 5,786.00
8	8" x 6" Sanitary Sewer Service Wye with Bend	EA	6	$ 342.00	$ 2,052.00		$ -		$ -	0	$ 2,052.00
9	8" Plug	EA	1	$ 158.00	$ 158.00		$ -		$ -	0	$ 158.00
10	Testing	JOB	1	$ 1,260.00	$ 1,260.00		$ -		$ -	0	$ 1,260.00
11	Directional Bore 8th Street	LF	90	$ 121.00	$ 10,890.00		$ -		$ -	0	$ 10,890.00
PROJECT A: SECTION 2: TOTAL (ITEMS 1 - 11)					**$ 161,420.00**		**$ -**		**$ -**		**$ 161,420.00**
PROJECT A: SECTION 3 WATER (CIP 520-520-57200-24029)											
1	6" PVC DR 18 (C900) Water Main with Locator Wire	LF	2,590	$ 36.00	$ 93,240.00		$ -		$ -	0	$ 93,240.00
2	6" Tapping Tee	EA	3	$ 1,680.00	$ 5,040.00		$ -		$ -	0	$ 5,040.00
3	6" Tee	EA	11	$ 378.00	$ 4,158.00		$ -		$ -	0	$ 4,158.00
4	6" 90° Bend	EA	3.00	$ 305.00	$ 915.00		$ -		$ -	0	$ 915.00
5	6" Gate Valve with Roadway Box	EA	17	$ 1,470.00	$ 24,990.00		$ -		$ -	0	$ 24,990.00
6	6" Fire Hydrant	EA	7	$ 5,040.00	$ 35,280.00		$ -		$ -	0	$ 35,280.00
7	6" Plug	EA	2	$ 105.00	$ 210.00		$ -		$ -	0	$ 210.00
8	1" PE SDR 7 Water Service Line	LF	712.0	$ 17.00	$ 12,104.00		$ -		$ -	0	$ 12,104.00
9	1" Corporation Stop with Service Saddle	EA	22	$ 289.00	$ 6,358.00		$ -		$ -	0	$ 6,358.00
10	1" Curb Stop with Roadway Box	EA	22	$ 363.00	$ 7,986.00		$ -		$ -	0	$ 7,986.00
11	2" PE SDR 7 Water Service Saddle	LF	101	$ 21.00	$ 2,121.00		$ -		$ -	0	$ 2,121.00
12	2" Corporation Stop with Service Saddle	LF	6	$ 578.00	$ 3,468.00		$ -		$ -	0	$ 3,468.00
13	2" Curb Stop with Service Saddle	EA	6	$ 630.00	$ 3,780.00		$ -		$ -	0	$ 3,780.00
14	Adjust Water Valve to Grade	EA	4	$ 210.00	$ 840.00		$ -		$ -	0	$ 840.00
15	Remove and Reset Hydrant North Side of Trail	EA	3	$ 1,155.00	$ 3,465.00		$ -		$ -	0	$ 3,465.00
16	Testing and Disinfection	JOB	1	$ 788.00	$ 788.00		$ -		$ -	0	$ 788.00
PROJECT A: SECTION 3 TOTAL (ITEMS 1-16)					**$ 204,743.00**		**$ -**		**$ -**		**$ 204,743.00**

A			B	C	D	E	F	G	H		I
Item											
Bid Item No.	Description	Unit of Measure	Bid Quantity	Unit Price	Bid Value (B*C)	Estimated Quantity Installed	Value Installed (G*E)	Material Presently Stored	Total Completed and Stored to Date (F+G)	% (F) B (H/F*100)	Balance to Finish (D - H)
PROJECT B: COMMUNITY BUILDING SOUTH PARKING LOT (CIP 24-032)											
1	Mobilization	JOB	1	$ 20,000.00	$ 20,000.00		$ -		$ -	0	$ 20,000.00
2	Traffic and Pedestrian Control	JOB	1	$ 2,500.00	$ 2,500.00	0.50	$ 1,250.00		$ 1,250.00	50	$ 1,250.00
3	Curb or Grate Inlet Filter BMP	EA	7	$ 300.00	$ 2,100.00	4	$ 1,200.00		$ 1,200.00	57	$ 900.00
4	Remove Paving, Including Sawing	SY	2,943	$ 12.00	$ 35,316.00	2,655	$ 31,860.00		$ 31,860.00	90	$ 3,456.00
5	Remove Storm Sewer	LF	88	$ 15.00	$ 1,320.00	88	$ 1,320.00		$ 1,320.00	100	$ -
6	Remove Storm Sewer Junction Box	EA	2	$ 800.00	$ 1,600.00	2	$ 1,600.00		$ 1,600.00	100	$ -
7	Remove Grate Inlet Box	EA	2	$ 800.00	$ 1,600.00	2	$ 1,600.00		$ 1,600.00	100	$ -
8	8" P.C. Concrete Street Paving, NDOT Type 47B-3500	SY	544	$ 65.00	$ 35,360.00	232	$ 15,080.00		$ 15,080.00	43	$ 20,280.00
9	7" P.C. Concrete Parking Lot Paving, NDOT Type 47B-3500	SY	2,166	$ 62.00	$ 134,292.00	2,143	$ 132,866.00		$ 132,866.00	99	$ 1,426.00
10	7" P.C. Concrete Island Paving with thickened edges, NDOT Type 47B-3500	SY	20	$ 100.00	$ 2,000.00	20	$ 2,000.00		$ 2,000.00	100	$ -
11	6" P.C. Concrete Sleeper Pad, NDOT Type 47B-3500	SY	12	$ 75.00	$ 900.00		$ -		$ -	0	$ 900.00
12	5" P.C. Concrete Sidewalk Paving, NDOT Type 47B-3500	SY	82	$ 65.00	$ 5,330.00	222	$ 14,430.00		$ 14,430.00	271	$ (9,100.00)
13	15" RCP Class III Storm Sewer Pipe	LF	33	$ 63.00	$ 2,079.00		$ -		$ -	0	$ 2,079.00
14	12" HDPE Storm Sewer	LF	99	$ 48.00	$ 4,752.00	99	$ 4,752.00		$ 4,752.00	100	$ -
15	12" HDPE Perforated Storm Sewer Wrap and Base	LF	103	$ 53.00	$ 5,459.00	103	$ 5,459.00		$ 5,459.00	100	$ -
16	Storm Sewer Junction Box	EA	4	$ 5,250.00	$ 21,000.00	3	$ 15,750.00		$ 15,750.00	75	$ 5,250.00
17	Combination Inlet	EA	1	$ 5,250.00	$ 5,250.00		$ -		$ -	0	$ 5,250.00
18	Grate Inlet	EA	1	$ 4,410.00	$ 4,410.00	1	$ 4,410.00		$ 4,410.00	100	$ -
19	Beehive Inlet with Vertical Pipe	EA	4	$ 1,575.00	$ 6,300.00	4	$ 6,300.00		$ 6,300.00	100	$ -
20	Adjust Water Valve to Grade	EA	1	$ 250.00	$ 250.00	1	$ 250.00		$ 250.00	100	$ -
21	Pedestrian Crossing Sign with Arrow and Speed Table on Telespar Post	EA	2	$ 400.00	$ 800.00		$ -		$ -	0	$ 800.00
22	Pedestrian Crossing Ahead Sign on Telespar Post	EA	2.00	$ 350.00	$ 700.00		$ -		$ -	0	$ 700.00
23	Handicap Parking Sign on Telespar Post	EA	1	$ 300.00	$ 300.00		$ -		$ -	0	$ 300.00
24	Handicap Parking with Van Accessible Sign on Telespar Post	EA	1	$ 350.00	$ 350.00		$ -		$ -	0	$ 350.00
25	Public Parking Sign on Telespar Post	EA	1	$ 350.00	$ 350.00		$ -		$ -	0	$ 350.00
26	Remove and Reset Sign with Telespar Post	EA	1	$ 300.00	$ 300.00	5	$ 1,500.00		$ 1,500.00	500	$ (1,200.00)
27	Remove and Salvage Sign with Post	EA	1	$ 200.00	$ 200.00	1	$ 200.00		$ 200.00	100	$ -
28	Amended Topsoil in Island	LS	1	$ 2,500.00	$ 2,500.00	1	$ 2,500.00		$ 2,500.00	100	$ -
29	Over excavation and Crushed Concrete	TON	300	$ 75.00	$ 22,500.00		$ -		$ -	0	$ 22,500.00
30	30" Diameter Light Pole Base	EA	2	$ 1,600.00	$ 3,200.00		$ -		$ -	0	$ 3,200.00
31	Double LED Light Pole with Electrical Wiring Complete in Place	EA	3	$ 7,100.00	$ 21,300.00		$ -		$ -	0	$ 21,300.00
32	1" PVC Conduit with Pull String	LF	140	$ 5.00	$ 700.00		$ -		$ -	0	$ 700.00
33	1" PVC Conduit with Electrical Wiring	LF	70	$ 5.00	$ 350.00		$ -		$ -	0	$ 350.00
34	Electrical Pull Box	EA	1	$ 100.00	$ 100.00		$ -		$ -	0	$ 100.00
PROJECT B: TOTAL (ITEMS 1 - 34)					**$ 345,468.00**		**$ 244,327.00**		**$ 244,327.00**		**$ 101,141.00**
GRAND TOTAL PROJECT A (SECTIONS 1-3) AND PROJECT B					**$ 2,119,661.00**		**$ 470,947.00**		**$ 470,947.00**		**$ 1,648,714.00**

Contractor's Application and Certificate of Payment

200-200-57300-20071 - 292,620.00

	Contractor's Application for Payment No:	5
	Application Period: (From - to)	8/5/24 to 8/19/24
To: City of Columbus (Owner)	From (Contractor): Gehring Construction & Ready Mix Co., Inc.	Contractor's Project No.:
Project Name: Storm Drainage and Concrete Improvements 2024		Via (Consulting Engineer / Architect):
Fiscal Year Budget Number: R24-12 - 200-200-57300-20071		

Application For Payment

Field Order and Change Order Summary

Field (FO#) and Change Orders (CO#) Approved:		
Number	Additions	Deductions
TOTALS	$ -	$ -
NET CHANGE	$ -	

1. ORIGINAL CONTRACT PRICE	$	805,385.00
2. Net change by Field Order and Change Orders	$	-
3. Current Contract Price (Line 1 ± 2)	$	805,385.00
4. TOTAL COMPLETED AND STORED TO DATE (Column H on Progress Estimate)	$	895,557.00
5. RETAINAGE: (Capped at 10% at 50% of Line 3)	$	40,269.25
(When line 4 is over 50% of Line 3 do calculation of Line 3 x .5 x .1 to get Retainage)		
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5)	$	855,287.75
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	$	562,667.75
8. AMOUNT DUE THIS APPLICATION (Line 6 - Line 7)	$	292,620.00
9. BALANCE TO FINISH, PLUS RETAINAGE (Line 3- Line 6)	$	-
(To double check Line 9 Take Column I + Line 5 should = Line 9 calculations)		

Contractor's Certification

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issed and payments received from the Owner, and that current payment shown herein is now due.

Contractor: Gehring Construction & Ready Mix Co., Inc.

By: Stephen Anderson Date: 8-20-24

Printed/Typed Name: Stephen Anderson

Payment of: _____
(Line 8 or other - attach explanation of the other amount)

is recommended by: _____ _____
(Consulting Engineer/Architect) (Date)

Payment of: $ 292,620.00
(Line 8 or other - attach explanation of the other amount)

is approved by: Richard J. Bogus 8-26-2024
(City Engineer) (Date)

Approved by: _____ _____
Funding Agency (if applicable) (Date)

Revision 2 10/23/2020

APPLICATION AND CERTIFICATE FOR PAYMENT

Containing Contractor's signed Certification is attached

Project Name:	Storm Drainage and Concrete Improvements 2024	Contractor's Pay Application:	5
Application Period: (From - To)	8/5/24 to 8/19/24		

A			B	C	D	E	F	G	H		I
Item											
Bid Item No.	Description	Unit of Measure	Bid Quantity	Unit Price	Bid Value (D*E)	Estimated Quantity Installed	Value Installed (G*E)	Material Presently Stored	Total Completed and Stored to Date (F+G)	% (F) B (H/F*100)	Balance to Finish (D - H)
Project A: 28th Street from 25th Avenue to CMS Parking Lot Entrance Paving and Storm Sewer Improvements											
1	MOBILIZATION	JOB	1	$ 10,000.00	$ 10,000.00	1	$ 10,000.00		$ 10,000.00	100	$ -
2	TRAFFIC AND PEDESTRIAN CONTROL	JOB	1	$ 5,500.00	$ 5,500.00	1	$ 5,500.00		$ 5,500.00	100	$ -
3	NPDES, SWPPP, AND BMP MAINTENANCE	JOB	1	$ 2,500.00	$ 2,500.00	0.5	$ 1,250.00		$ 1,250.00	50	$ 1,250.00
4	CURB OR GRATE INLET FILTER BMP	EA	4	$ 200.00	$ 800.00		$ -		$ -	0	$ 800.00
5	REMOVE PAVING, INCLUDING SAWING	SY	5,615	$ 12.00	$ 67,380.00	7,023	$ 84,276.00		$ 84,276.00	125	$ (16,896.00)
6	REMOVE AND RESET SIGN WITH TELESPAR POST	EA	10	$ 300.00	$ 3,000.00	5	$ 1,500.00		$ 1,500.00	50	$ 1,500.00
7	REMOVE GRATE INLET	EA	2	$ 750.00	$ 1,500.00	2	$ 1,500.00		$ 1,500.00	100	$ -
8	REMOVE STORM SEWER	LF	35	$ 15.00	$ 525.00	35	$ 525.00		$ 525.00	100	$ -
9	4" AGGREGATE PAVING SUBBASE	SY	5,210	$ 16.00	$ 83,360.00	6,394	$ 102,304.00		$ 102,304.00	123	$ (18,944.00)
10	4" PERFORATED UNDERDRAIN PIPING SYSTEM	LF	2,300	$ 14.00	$ 32,200.00	2,676	$ 37,464.00		$ 37,464.00	116	$ (5,264.00)
11	7" P.C. CONCRETE STREET PAVING, NDOT TYPE 47B-3500	SY	4,190	$ 54.00	$ 226,260.00	5,158	$ 278,532.00		$ 278,532.00	123	$ (52,272.00)
12	6" P.C. CONCRETE DRIVEWAY PAVING, NDOT TYPE 47B-3500	SY	300	$ 54.00	$ 16,200.00	565	$ 30,510.00		$ 30,510.00	188.3333	$ (14,310.00)
13	5" P.C. CONCRETE SIDEWALK PAVING, NDOT TYPE 47B-3500	SY	1,040	$ 60.00	$ 62,400.00	1,225	$ 73,500.00		$ 73,500.00	117.7885	$ (11,100.00)
14	ADA HANDICAP RAMP DETECTABLE WARNING PANEL	SF	128	$ 40.00	$ 5,120.00	128	$ 5,120.00		$ 5,120.00	100	$ -
15	STORM SEWER JUNCTION BOX	EA	2	$ 7,600.00	$ 15,200.00	2	$ 15,200.00		$ 15,200.00	100	$ -
16	6' OPEN THROAT INLET	EA	3	$ 8,200.00	$ 24,600.00	3	$ 24,600.00		$ 24,600.00	100	$ -
17	8' OPEN THROAT INLET	EA	1	$ 8,300.00	$ 8,300.00	1	$ 8,300.00		$ 8,300.00	100	$ -
18	15" RCP CLASS III STORM SEWER	LF	447	$ 60.00	$ 26,820.00	447	$ 26,820.00		$ 26,820.00	100	$ -
19	CONNECT TO EXISTING STORM SEWER	EA	2	$ 1,050.00	$ 2,100.00	2	$ 2,100.00		$ 2,100.00	100	$ -
20	ADJUST MANHOLE TO GRADE	EA	4	$ 500.00	$ 2,000.00	4	$ 2,000.00		$ 2,000.00	100	$ -
21	ADJUST WATER VALVE TO GRADE	EA	6	$ 250.00	$ 1,500.00	6	$ 1,500.00		$ 1,500.00	100	$ -
22	OVEREXCAVATION AND CRUSHED CONCRETE	TON	200	$ 75.00	$ 15,000.00		$ -		$ -	0	$ 15,000.00
23	EARTHWORK, FINAL GRADING, BACKFILL, AND SHAPING	JOB	1	$ 20,000.00	$ 20,000.00	1	$ 20,000.00		$ 20,000.00	100	$ -
24	SOD DISTURBED AREAS	SF	14,000	$ 1.50	$ 21,000.00		$ -		$ -	0	$ 21,000.00
	Total Project A (Items 1-24)				**$ 653,265.00**		**$ 732,501.00**		**$ 732,501.00**		**$ (79,236.00)**

Project Name:	Storm Drainage and Concrete Improvements 2024					Contractor's Pay Application:			5		
Application Period: (From - To)			8/5/24 to 8/19/24								
A			B	C	D	E	F	G	H		I
Item											
Bid Item No.	Description	Unit of Measure	Bid Quantity	Unit Price	Bid Value (D*E)	Estimated Quantity Installed	Value Installed (G*E)	Material Presently Stored	Total Completed and Stored to Date (F+G)	% (F) B (H/F*100)	Balance to Finish (D - H)
Project B: 110-112 Lake Shore Drive Stormwater Improvements											
1	MOBILIZATION	JOB	1	$ 5,000.00	$ 5,000.00	1	$ 5,000.00		$ 5,000.00	100	$ -
2	TRAFFIC CONTROL	JOB	1	$ 3,500.00	$ 3,500.00	1	$ 3,500.00		$ 3,500.00	100	$ -
3	TEMPORARY DRIVE SURFACING (MAINTENANCE & REMOVAL)	JOB	1	$ 4,000.00	$ 4,000.00	1	$ 4,000.00		$ 4,000.00	100	$ -
4	EROSION CONTROL MAT	SF	400	$ 1.60	$ 640.00	400	$ 640.00		$ 640.00	100	$ -
5	REMOVE CONCRETE	SY	75	$ 20.00	$ 1,500.00	104	$ 2,080.00		$ 2,080.00	139	$ (580.00)
6	7" P.C. CONCRETE PAVING, NDOT TYPE 47B-3500	SY	70	$ 54.00	$ 3,780.00	104	$ 5,616.00		$ 5,616.00	149	$ (1,836.00)
7	2.5' P.C. CONCRETE DROP CURB & GUTTER (7" THICK), NDOT TYPE 47B-3500	SY	25	$ 70.00	$ 1,750.00	18	$ 1,260.00		$ 1,260.00	72	$ 490.00
8	GRATE INLET	EA	2	$ 6,850.00	$ 13,700.00	2	$ 13,700.00		$ 13,700.00	100	$ -
9	DRIVE OVER GRATE INLET	EA	1	$ 8,400.00	$ 8,400.00	1	$ 8,400.00		$ 8,400.00	100	$ -
10	CONCRETE HEADWALL WITH 6" P.C. CONCRETE FLUME	EA	1	$ 8,000.00	$ 8,000.00	1	$ 8,000.00		$ 8,000.00	100	$ -
11	12" HDPE STORM SEWER	LF	220	$ 32.00	$ 7,040.00	220	$ 7,040.00		$ 7,040.00	100	$ -
12	CONNECT EXISTING PIPE TO STORM SEWER	EA	3	$ 1,100.00	$ 3,300.00	3	$ 3,300.00		$ 3,300.00	100	$ -
13	EARTHWORK, FINAL GRADING, BACKFILL, AND SHAPING	JOB	1	$ 5,000.00	$ 5,000.00	1	$ 5,000.00		$ 5,000.00	100	$ -
14	SOD DISTURBED AREAS	SF	2850	$ 1.50	$ 4,275.00	2,850	$ 4,275.00		$ 4,275.00	100	$ -
15	GRAVEL DISTURBED AREAS	JOB	1	$ 1,500.00	$ 1,500.00	1	$ 1,500.00		$ 1,500.00	100	$ -
	Total Project B (Items 1-15)				**$ 71,385.00**		**$ 73,311.00**		**$ 73,311.00**		**$ (1,926.00)**
Project C: 1670 EAST CALLE COLOMBO STORMWATER IMPROVEMENTS											
1	MOBILIZATION	JOB	1	$ 5,000.00	$ 5,000.00	1	$ 5,000.00		$ 5,000.00	100	$ -
2	TRAFFIC CONTROL	JOB	1	$ 3,200.00	$ 3,200.00	1	$ 3,200.00		$ 3,200.00	100	$ -
3	CURB AND/OR GRATE INLET FILTER BMP	EA	1	$ 200.00	$ 200.00		$ -		$ -	0	$ 200.00
4	REMOVE PAVING, INCLUDING SAWING	SY	400	$ 15.00	$ 6,000.00	538	$ 8,070.00		$ 8,070.00	135	$ (2,070.00)
5	7" P.C. CONCRETE STREET PAVING, NDOT TYPE 47B-3500	SY	315	$ 54.00	$ 17,010.00	460	$ 24,840.00		$ 24,840.00	146	$ (7,830.00)
6	6" P.C. CONCRETE DRIVEWAY PAVING, NDOT TYPE 47B-3500	SY	50	$ 54.00	$ 2,700.00	48	$ 2,592.00		$ 2,592.00	96	$ 108.00
7	6" P.C. CONCRETE SIDEWALK PAVING, NDOT TYPE 47B-3500	SY	35	$ 60.00	$ 2,100.00	30	$ 1,800.00		$ 1,800.00	86	$ 300.00
8	STORM SEWER JUNCTION BOX	EA	2	$ 7,600.00	$ 15,200.00	2	$ 15,200.00		$ 15,200.00	100	$ -
9	15" RCP CLASS III STORM SEWER	LF	135	$ 60.00	$ 8,100.00	135	$ 8,100.00		$ 8,100.00	100	$ -
10	6' OPEN THROAT INLET	EA	2	$ 8,200.00	$ 16,400.00	2	$ 16,400.00		$ 16,400.00	100	$ -
11	ADJUST INLET TO GRADE	EA	1	$ 1,500.00	$ 1,500.00	1	$ 1,500.00		$ 1,500.00	100	$ -
12	EARTHWORK, FINAL GRADING, BACKFILL, AND SHAPING	JOB	1	$ 2,500.00	$ 2,500.00	1	$ 2,500.00		$ 2,500.00	100	$ -
13	SOD DISTURBED AREAS	SF	550	$ 1.50	$ 825.00	362	$ 543.00		$ 543.00	66	$ 282.00
	Total Project C (Items 1-13)				**$ 80,735.00**		**$ 89,745.00**		**$ 89,745.00**		**$ (9,010.00)**
GRAND TOTAL PROJECTS A THROUGH C					**$ 805,385.00**		**$ 895,557.00**		**$ 895,557.00**		**$ (90,172.00)**

R24-45 Change Order No. 1 - 500-500-57300-20091 - 86,746.93

Contractor's Application for Payment

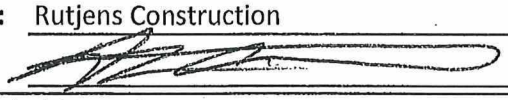
Owner:	City of Columbus	**Owner's Project No.:**	
Engineer:	HDR	**Engineer's Project No.:**	10326642
Contractor:	Rutjens Construction	**Contractor's Project No.:**	832
Project:	Lost Creek Parkway Sewer		
Contract:			
Application No.:	7 Final	**Application Date:**	8/1/2024
Application Period:	**From** 9/1/2023	**to**	8/1/2024

1. Original Contract Price		$ 2,823,032.00
2. Net change by Change Orders		$ 87,322.93
3. Current Contract Price (Line 1 + Line 2)		$ 2,910,354.93
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)		$ 2,910,354.93
5. Retainage		
a. 0% X $ 2,910,354.93 Work Completed =	$ -	
b. 10% X $ - Stored Materials =	$ -	
c. Total Retainage (Line 5.a + Line 5.b)		$ -
6. Amount eligible to date (Line 4 - Line 5.c)		$ 2,910,354.93
7. Less previous payments (Line 6 from prior application)		$ 2,823,608.00
8. Amount due this application		$ 86,746.93
9. Balance to finish, including retainage (Line 3 - Line 4 + Line 5.c)		$ -

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:
(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and
(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor: Rutjens Construction

Signature:  **Date:** 8/1/2024

Recommended by Engineer		**Approved by Owner**	
By:	Chris J Koenig	**By:**	Richard J. Bogus
Title:	Project Manager	**Title:**	City Engineer
Date:	8/9/24	**Date:**	8-26-2024
Approved by Funding Agency			
By:		**By:**	
Title:		**Title:**	
Date:		**Date:**	

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Progress Estimate - Lump Sum Work

Contractor's Application for Payment

Owner:	City of Columbus	**Owner's Project No.:**	
Engineer:	HDR	**Engineer's Project No.:**	10326642
Contractor:	Rutjens Construction	**Contractor's Project No.:**	832
Project:	Lost Creek Parkway Sewer		
Contract:			

Application No.: Final **Application Period:** From 09/01/23 to 08/01/24 **Application Date:** 08/01/24

A	B	C	D	E	F	G	H	I
			Work Completed					
Item No.	Description	Scheduled Value ($)	(D + E) From Previous Application ($)	This Period ($)	Materials Currently Stored (not in D or E) ($)	Work Completed and Materials Stored to Date (D + E + F) ($)	% of Scheduled Value (G / C) (%)	Balance to Finish (C - G) ($)
			Original Contract					
1	MOBILIZATION, PERMITS, BONDS, INSURANCE	$56,000.00	52,000.00	4,000.00		56,000.00	100%	-
2	SWPPP MAINTENANCE ALLOWANCE	$20,000.00	20,000.00	-		20,000.00	100%	-
3	PROVIDE TEMPORARY TRAFFIC CONTROL	$5,500.00	5,000.00	500.00		5,500.00	100%	-
4	CONSTRUCT LIFT STATION #1	$555,147.00	293,786.00	261,361.00		555,147.00	100%	-
5	CONSTRUCT LIFT STATION #3	$410,255.00	375,000.00	35,255.00		410,255.00	100%	-
6	CLEARING AND GRUBBING	$2,500.00	2,500.00	-		2,500.00	100%	-
31	DEWATERING	$80,145.00	70,000.00	10,145.00		80,145.00	100%	-
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						-		-
						-		-
						-		-
	Original Contract Totals	$ 1,129,547.00	$ 818,286.00	$ 311,261.00	$ -	$ 1,129,547.00	100%	$ -

EJCDC C-620 Contractor's Application for Payment
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Progress Estimate - Lump Sum Work

Contractor's Application for Payment

Owner:	City of Columbus	**Owner's Project No.:**	
Engineer:	HDR	**Engineer's Project No.:**	10326642
Contractor:	Rutjens Construction	**Contractor's Project No.:**	832
Project:	Lost Creek Parkway Sewer		
Contract:			

Application No.: Final **Application Period:** From 09/01/23 to 08/01/24 **Application Date:** 08/01/24

A	B	C	D	E	F	G	H	I
			Work Completed					
Item No.	Description	Scheduled Value ($)	(D + E) From Previous Application ($)	This Period ($)	Materials Currently Stored (not in D or E) ($)	Work Completed and Materials Stored to Date (D + E + F) ($)	% of Scheduled Value (G / C) (%)	Balance to Finish (C - G) ($)
	Change Orders							
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						-		-
	Change Order Totals	$ -	$ -	$ -	$ -	$ -		$ -
	Original Contract and Change Orders							
	Project Totals	$ 1,129,547.00	$ 818,286.00	$ 311,261.00	$ -	$ 1,129,547.00	100%	$ -

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Progress Estimate - Unit Price Work

Contractor's Application for Payment

Owner:	City of Columbus	Owner's Project No.:	
Engineer:	HDR	Engineer's Project No.:	10326642
Contractor:	Rutjens Construction	Contractor's Project No.:	832
Project:	Lost Creek Parkway Sewer		
Contract:			

Application No.: Final Application Period: From 09/01/23 to 08/01/24 Application Date: 08/01/24

A	B	C	D	E	F	G	H	I	J	K	L
		Contract Information				Work Completed					
Bid Item No.	Description	Item Quantity	Units	Unit Price ($)	Value of Bid Item (C X E) ($)	Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) ($)	Materials Currently Stored (not in G) ($)	Work Completed and Materials Stored to Date (H + I) ($)	% of Value of Item (J / F) (%)	Balance to Finish (F - J) ($)
	Original Contract										
7	INSTALL MAINTAIN AND REMOVE SILT FENCE	437	LF	$4.00	1,748.00	437.00	1,748.00		1,748.00	100%	-
8	INSTALL, MAINTAIN AND REMOVE STRAW WATTLE	17981	LF	$3.00	53,943.00	17,981.00	53,943.00		53,943.00	100%	-
9	INSTALL EROSION CONTROL FABRIC AND SEEDING	15	ACRE	$7,425.00	111,375.00	15.00	111,375.00		111,375.00	100%	-
10	INSTALL, MAINTAIN AND REMOVE CULVERT SEDIMENT PROTECTION	15	EA	$285.00	4,275.00	15.00	4,275.00		4,275.00	100%	-
11	REMOVE AND REPLACE SIDEWALK	501	SF	$7.00	3,507.00	501.00	3,507.00		3,507.00	100%	-
12	CONSTRUCT PCC COLLAR	1	EA	$1,250.00	1,250.00	1.00	1,250.00		1,250.00	100%	-
13	CONSTRUCT PIPE BEDDING	16858	LF	$10.00	168,580.00	16,858.00	168,580.00		168,580.00	100%	-
14	CONSTRUCT 4" PVC SAN. SEWER PIPE	220	LF	$31.00	6,820.00	220.00	6,820.00		6,820.00	100%	-
15	CONSTRUCT 8" PVC SAN. SEWER PIPE	133	LF	$55.00	7,315.00	133.00	7,315.00		7,315.00	100%	-
16	CONSTRUCT 10" PVC SAN. SEWER PIPE	112	LF	$71.00	7,952.00	112.00	7,952.00		7,952.00	100%	-
17	COMPLETE, INSPECT AND TEST SANITARY SEWER	465	LF	$5.00	2,325.00	465.00	2,325.00		2,325.00	100%	-
18	TAP EXISTING MANHOLE	1	EA	$1,400.00	1,400.00	1.00	1,400.00		1,400.00	100%	-
19	CONSTRUCT 8" PIPE PLUG	1	EA	$500.00	500.00	1.00	500.00		500.00	100%	-
20	CONSTRUCT 10" PIPE PLUG	1	EA	$650.00	650.00	1.00	650.00		650.00	100%	-
21	CONSTRUCT 4" GATE VALVE AND BOX	1	EA	$1,310.00	1,310.00	1.00	1,310.00		1,310.00	100%	-
22	CONSTRUCT 4" FORCEMAIN CONNECTION	1	EA	$841.00	841.00	1.00	841.00		841.00	100%	-
23	CONSTRUCT 4" HDPE FORCE MAIN	100	LF	$26.00	2,600.00	100.00	2,600.00	-	2,600.00	100%	-
24	CONSTRUCT 6" HDPE FORCE MAIN	236	LF	$27.00	6,372.00	236.00	6,372.00	-	6,372.00	100%	-
25	CONSTRUCT 8" HDPE FORCE MAIN	13003	LF	$29.00	377,087.00	13,003.00	377,087.00	-	377,087.00	100%	-
26	CONSTRUCT 10" HDPE FORCE MAIN	4403	LF	$35.00	154,105.00	4,403.00	154,105.00	-	154,105.00	100%	-
27	8" X 8" X 4" WYE	1	EA	$1,025.00	1,025.00	1.00	1,025.00		1,025.00	100%	-
28	8" X 8" X 6" WYE	1	EA	$1,022.00	1,022.00	1.00	1,022.00		1,022.00	100%	-
29	CONSTRUCT MANHOLE	82	VF	$755.00	61,910.00	82.00	61,910.00		61,910.00	100%	-
30	CONSTRUCT AIR RELEASE VAULT	6	EA	$18,110.00	108,660.00	6.00	108,660.00		108,660.00	100%	-
32	14" STEEL CASING	479	LF	$440.00	210,760.00	479.00	210,760.00		210,760.00	100%	-
33	12" STEEL CASING	547	LF	$420.00	229,740.00	547.00	229,740.00		229,740.00	100%	-
34	10" STEEL CASING	148	LF	$400.00	59,200.00	148.00	59,200.00		59,200.00	100%	-
35	8" STEEL CASING	75	LF	$400.00	30,000.00	75.00	30,000.00		30,000.00	100%	-
36	HORIZONTAL DIRECTIONAL DRILLING 8" FORCEMAIN	232	LF	$68.00	15,776.00	232.00	15,776.00		15,776.00	100%	-
37	HORIZONTAL DIRECTIONAL DRILLING 10" FORCEMAIN	197	LF	$77.00	15,169.00	197.00	15,169.00		15,169.00	100%	-
38	INSTALL, MAINTAIN AND REMOVE CONSTRUCTION ENTRANCE	13	EA	$2,100.00	27,300.00	13.00	27,300.00		27,300.00	100%	-
39	INSTALL CRUSHED ROCK SURFACING	424	SY	$10.00	4,240.00	424.00	4,240.00		4,240.00	100%	-
40	INSTALL GEOTEXTILE FABRIC	424	SY	$2.00	848.00	424.00	848.00		848.00	100%	-
41	CONSTRUCT 72" CHAN LINK FENCE	272	LF	$40.00	10,880.00	272.00	10,880.00		10,880.00	100%	-
42	CONSTRUCT 12' CHAIN LINK FENCE SWING GATE	2	EA	$1,500.00	3,000.00	2.00	3,000.00		3,000.00	100%	-
					-		-		-		-
					-		-		-		-
				Original Contract Totals	$ 1,693,485.00		$ 1,693,485.00	$ -	$ 1,693,485.00	100%	$ -

EJCDC C-620 Contractor's Application for Payment
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Progress Estimate - Unit Price Work

Contractor's Application for Payment

Owner:	City of Columbus	Owner's Project No.:	
Engineer:	HDR	Engineer's Project No.:	10326642
Contractor:	Rutjens Construction	Contractor's Project No.:	832
Project:	Lost Creek Parkway Sewer		
Contract:			

Application No.: Final Application Period: From 09/01/23 to 08/01/24 Application Date: 08/01/24

A	B	C	D	E	F	G	H	I	J	K	L
		Contract Information				Work Completed					
Bid Item No.	Description	Item Quantity	Units	Unit Price ($)	Value of Bid Item (C X E) ($)	Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) ($)	Materials Currently Stored (not in G) ($)	Work Completed and Materials Stored to Date (H + I) ($)	% of Value of Item (J / F) (%)	Balance to Finish (F - J) ($)

EJCDC C-620 Contractor's Application for Payment
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Progress Estimate - Unit Price Work

Contractor's Application for Payment

Owner:	City of Columbus	Owner's Project No.:	
Engineer:	HDR	Engineer's Project No.:	10326642
Contractor:	Rutjens Construction	Contractor's Project No.:	832
Project:	Lost Creek Parkway Sewer		
Contract:			

Application No.: Final Application Period: From 09/01/23 to 08/01/24 Application Date: 08/01/24

A	B	C	D	E	F	G	H	I	J	K	L
		Contract Information				Work Completed					
Bid Item No.	Description	Item Quantity	Units	Unit Price ($)	Value of Bid Item (C X E) ($)	Estimated Quantity Incorporated in the Work	Value of Work Completed to Date (E X G) ($)	Materials Currently Stored (not in G) ($)	Work Completed and Materials Stored to Date (H + I) ($)	% of Value of Item (J / F) (%)	Balance to Finish (F - J) ($)
	Change Orders										
	Change Order 1	1.00	LS	87,322.93	87,322.93	1.00	87,322.93		87,322.93	100%	-
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				Change Order Totals	$ 87,322.93		$ 87,322.93	$ -	$ 87,322.93	100%	$ -
	Original Contract and Change Orders										
				Project Totals	$ 1,780,807.93		$ 1,780,807.93	$ -	$ 1,780,807.93	100%	$ -

EJCDC C-620 Contractor's Application for Payment
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Stored Materials Summary

Contractor's Application for Payment

Owner:	City of Columbus	**Owner's Project No.:**	
Engineer:	HDR	**Engineer's Project No.:**	10326642
Contractor:	Rutjens Construction	**Contractor's Project No.:**	832
Project:	Lost Creek Parkway Sewer		
Contract:			

Application No.: Final **Application Period:** From 09/01/23 to 08/01/24 **Application Date:** 08/01/24

A	B	C	D	E	F	G	H	I	J	K	L	M
						Materials Stored			Incorporated in Work			
Item No. (Lump Sum Tab) or Bid Item No. (Unit Price Tab)	Supplier Invoice No.	Submittal No. (with Specification Section No.)	Description of Materials or Equipment Stored	Storage Location	Application No. When Materials Placed in Storage	Previous Amount Stored ($)	Amount Stored this Period ($)	Amount Stored to Date (G+H) ($)	Amount Previously Incorporated in the Work ($)	Amount Incorporated in the Work this Period ($)	Total Amount Incorporated in the Work (J+K) ($)	Materials Remaining in Storage (I-L) ($)
23	085064 02	33 05 33-1	4" HDPE Force Main	On-Site	1	594.00	-	-			-	-
24			6" HDPE Force Main			2,133.60	-	-			-	-
			8" HDPE Force Main			178,256.80	-	-			-	-
			10" HDPE Force Main			91,286.40	-	-			-	-
								-			-	-
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					Totals	$ 272,270.80	$ -	$ -	$ -	$ -	$ -	$ -

EJCDC C-620 Contractor's Application for Payment
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4.E. Payroll and bills on file.

VENDOR ACTIVITY REPORT FOR CITY OF COLUMBUS, NE
Activity From 09/04/2024 To 09/04/2024

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
02359	911 CUSTOM LLC				
09/04/2024	INVOICE	55625	BLACKINTON HAT BADGE	138.00	
09/04/2024	INVOICE	55801	SURVIVAL ARMOR	358.00	
09/04/2024	INVOICE	56559	SURVIVAL ARMOR	326.00	
09/04/2024	INVOICE	57062	SURVIVAL ARMOR	869.00	
			Total:	1,691.00	
			Net of 4 Invoices / 0 Checks	1,691.00	
01310	A TO Z DATABASES				
09/04/2024	INVOICE	122130	SUBSCRIPTION 7/01/2024 TO 6/30/2025	2,684.00	
			Total:	2,684.00	
			Net of 1 Invoices / 0 Checks	2,684.00	
00116	ACE HARDWARE & GARDEN CNT				
09/04/2024	INVOICE	206125/6	NUTS, BOLTS, SCREWS	2.84	
09/04/2024	INVOICE	206107/5	HP GOOD BRUSH FLAT	6.99	
09/04/2024	INVOICE	206099/5	TEE NYLON	2.39	
09/04/2024	INVOICE	206035/5	AJAX CLEANER, DUSTPAN, BROOM	39.95	
09/04/2024	INVOICE	206015/5	CF3 PRO .095 LINE, AUTO CUT	112.96	
09/04/2024	INVOICE	206007/5	OIL 2 CYCLE	22.36	
09/04/2024	INVOICE	206005/5	GRIND WHEEL	3.99	
09/04/2024	INVOICE	205955/5	KEY MASTER	7.18	
09/04/2024	INVOICE	206144/5	GARDEN SPRAYER	19.99	
09/04/2024	INVOICE	206195/5	PLUG SCH40 PVC 2"	3.99	
09/04/2024	INVOICE	206183/5	LIME-A-WAY, BLOW OFF DUSTER, HIGHLIGHTER	29.36	
09/04/2024	INVOICE	206215/5	SLEDGE FBRGL HANDLE, SLEDGE HANDLE WOOD	57.98	
09/04/2024	INVOICE	206223/5	DUCT TAPE	10.99	
09/04/2024	INVOICE	206258/5	APPLIANCE EPOXY, SPRAY PANT	18.98	
09/04/2024	INVOICE	206245/5	FILTER AIR PLEAT	8.99	
09/04/2024	INVOICE	206299/5	CF3 PRO .095 LINE	25.99	
09/04/2024	INVOICE	206304/5	LIGHT BULBS, EYELET/AUTOCUT	11.96	
			Total:	386.89	
			Net of 17 Invoices / 0 Checks	386.89	
00180	ADVANCE AUTO PARTS				
09/04/2024	INVOICE	5606408531551	CORRECTION	23.11	
09/04/2024	INVOICE	5606418534184	FUEL & OIL FILTERS	64.01	
09/04/2024	INVOICE	5606423967821	4 - BATTERIES	399.28	
09/04/2024	INVOICE	5606422867549	FUEL & AIR FILTERS	112.97	
09/04/2024	INVOICE	5606423267659	OIL FILTER	3.52	
			Total:	602.89	
			Net of 5 Invoices / 0 Checks	602.89	
00102	AG SPRAY EQUIPMENT				
09/04/2024	INVOICE	834724	CABLE COMPRESSOR 15 FT	21.22	
09/04/2024	INVOICE	849250	BANJO 3" Y STRAINER CAP GASKET	28.28	
			Total:	49.50	
			Net of 2 Invoices / 0 Checks	49.50	
11185	ALLO COMMUNICATONS				
09/04/2024	INVOICE	2034309	TELEPHONE - SOUTH FIRE STATION 8/24 - 9/23	31.05	

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
			Total:	31.05	
			Net of 1 Invoices / 0 Checks	31.05	
00418	AQUA-CHEM INC				
09/04/2024	INVOICE	00206032	CHEMICALS	1,719.55	
09/04/2024	INVOICE	00205924	STRAINER LID FLAT GASKET	110.28	
09/04/2024	INVOICE	00205767	CHEMICALS	4,640.55	
09/04/2024	INVOICE	00206777	ROTOR-X FLOW SENSOR	955.32	
09/04/2024	INVOICE	00206740	HYPOCHLORITE, HYDROCHLORIC ACID, PH PROBE	5,146.25	
			Total:	12,571.95	
			Net of 5 Invoices / 0 Checks	12,571.95	
11180	ARMOR EQUIPMENT				
09/04/2024	INVOICE	0061338-IN	4-SEG GUTTER BROOM	1,045.36	
			Total:	1,045.36	
			Net of 1 Invoices / 0 Checks	1,045.36	
10561	ARNOLD MOTOR SUPPLY				
09/04/2024	INVOICE	78NV117211	HYDRAULIC FILTER	19.79	
09/04/2024	INVOICE	78NV117630	STACKABLE BATTERY CABLE	16.11	
			Total:	35.90	
			Net of 2 Invoices / 0 Checks	35.90	
10656	AUTO ZONE STORE 6232				
09/04/2024	INVOICE	6232089364	WINDSHIELD FLUID, HALOGEN CAPSULE	12.88	
			Total:	12.88	
			Net of 1 Invoices / 0 Checks	12.88	
10663	AUXIANT				
09/04/2024	INVOICE	8222024 HEALTH	HEALTH FUNDING	38,537.24	
09/04/2024	INVOICE	8222024FLEX	FLEX FUNDING	3,321.65	
09/04/2024	INVOICE	9012024	STOPLOSS PREMIUM, FEES	60,044.34	
			Total:	101,903.23	
			Net of 3 Invoices / 0 Checks	101,903.23	
00969	BIERMAN CONTRACTING INC.				
09/04/2024	INVOICE	246359	DESIGN FOR CENTENNIAL PARK RESTROOM & CONCES	3,600.00	
09/04/2024	INVOICE	1	CENTENNIAL PARK RR & CONCESSIONS	46,531.80	
			Total:	50,131.80	
			Net of 2 Invoices / 0 Checks	50,131.80	
11109	BIRDDOG ELECTRIC LLC				
09/04/2024	INVOICE	59	INSTALLATION OF 13 LANDSCAPE RECEPTACLES	7,370.00	
			Total:	7,370.00	
			Net of 1 Invoices / 0 Checks	7,370.00	
03256	BLACK HILLS ENERGY				
09/04/2024	INVOICE	8429 6210 02 AUG 2	NATURAL GAS	193.58	

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
			Total:	193.58	
			Net of 1 Invoices / 0 Checks	193.58	
02030	BLAZER LLC				
09/04/2024	INVOICE	11708	HURDLE REPLACE BOARDS	100.00	
			Total:	100.00	
			Net of 1 Invoices / 0 Checks	100.00	
00337	BOMGAARS				
09/04/2024	INVOICE	35379695	CABLE TIES, FINISHING PAD, STRIPPING PAD, P	44.85	
09/04/2024	INVOICE	35380277	SCREWDRIVER, TOOL CASE	5.16	
09/04/2024	INVOICE	35383178	PULLEY	18.49	
09/04/2024	INVOICE	35380063	BALL GAS VALVE	47.99	
09/04/2024	INVOICE	35383016	WATER, SHOP TOWELS	20.17	
09/04/2024	INVOICE	35386533	GRINDING WHEEL	4.99	
09/04/2024	INVOICE	35387354	JACK, COUPLER, BUSHING, ROUNDUP SPRAYER	138.74	
09/04/2024	INVOICE	35387432	SHOP TOWELS, PIPE PLUG	12.19	
09/04/2024	INVOICE	35390842	GREASE, BRAKE CLEANER, LUBE, CHAIN LUBRICAN	359.94	
			Total:	652.52	
			Net of 9 Invoices / 0 Checks	652.52	
00240	BOUND TREE MEDICAL LLC				
09/04/2024	INVOICE	85452784	STAT PADZ	529.13	
09/04/2024	INVOICE	85462382	NITRILE GLOVES, CURAPLEX CPAP	684.85	
			Total:	1,213.98	
			Net of 2 Invoices / 0 Checks	1,213.98	
01770	BRUNKHORST ENGINE MACHINE & REBUILD				
09/04/2024	INVOICE	28055	COMPRESSOR	40.00	
			Total:	40.00	
			Net of 1 Invoices / 0 Checks	40.00	
00877	BURESH GOLF & EQUIPMENT				
09/04/2024	INVOICE	25943	RENTALS 8/12/24	500.00	
			Total:	500.00	
			Net of 1 Invoices / 0 Checks	500.00	
10626	CAPITAL ONE - WALMART				
09/04/2024	INVOICE	421500595191	DECO BASKETS, OTTER POPS, WASTE CAN	40.40	
09/04/2024	INVOICE	420700782782	DRINKING WATER, LITTLE HUG 8OZ	33.16	
09/04/2024	INVOICE	420400636874	HAWAIIN PUNCH, SPRITE, SOLO CUPS, CAKE MIX,	88.34	
09/04/2024	INVOICE	421400316294	RIBBON, BEACH TOWELS	16.97	
09/04/2024	INVOICE	422900397432	PAPER PRODUCTS FOR POT LUCK	37.36	
09/04/2024	INVOICE	421800347625	FUN POPS	20.86	
			Total:	237.09	
			Net of 6 Invoices / 0 Checks	237.09	
10604	CASEY'S MAIL SERVICE LLC				
09/04/2024	INVOICE	3956	LIBRARY/MEDIA MAIL	1,062.09	

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
			Total:	1,062.09	
			Net of 1 Invoices / 0 Checks	1,062.09	
02551	CENTER FOR MUNICIPAL SOLUTIONS				
09/04/2024	INVOICE	55245-001	COLUMBUS NE VERIZON - 1868 EAST 29TH AVENUE	2,375.00	
09/04/2024	INVOICE	78005-003	COLUMBUS NE VERIZON - 2990 48TH AVE	1,345.60	
			Total:	3,720.60	
			Net of 2 Invoices / 0 Checks	3,720.60	
10919	CENTRAL PROGRAMS INC				
09/04/2024	INVOICE	PINV143642	BOOKS	2,647.07	
			Total:	2,647.07	
			Net of 1 Invoices / 0 Checks	2,647.07	
00293	CENTRAL VALLEY AG COOPERATIVE				
09/04/2024	INVOICE	2304839	2-4D, CORNERSTONE 5 PLUS	1,123.50	
			Total:	1,123.50	
			Net of 1 Invoices / 0 Checks	1,123.50	
10642	CHROME N' STEEL TRUCK & TRAILER LLC				
09/04/2024	INVOICE	8735	FREIGHTLINER AIR BAG, DD OIL FILTER	195.19	
			Total:	195.19	
			Net of 1 Invoices / 0 Checks	195.19	
03140	COLUMBUS AREA CHAMBER OF				
09/04/2024	INVOICE	GRANT	COLUMBUS AREA FUTURE FUND CHAMBER OF COMMER(	45,000.00	
09/04/2024	INVOICE	HEALTH	COLUMBUS BUCKS-PACE PROGRAM	1,140.00	
			Total:	46,140.00	
			Net of 2 Invoices / 0 Checks	46,140.00	
11098	COLUMBUS ARTS COUNCIL				
09/04/2024	INVOICE	1	TRACKSIDE BROCHURE HOLDER PUBLIC ART	450.00	
			Total:	450.00	
			Net of 1 Invoices / 0 Checks	450.00	
00036	COLUMBUS CUSTOM EMBROIDERY				
09/04/2024	INVOICE	E45578	APPRENTICE POLOS	54.00	
			Total:	54.00	
			Net of 1 Invoices / 0 Checks	54.00	
01555	COLUMBUS SMALL ANIMAL HOSPITAL				
09/04/2024	INVOICE	0	EUTHANASIA	67.70	
			Total:	67.70	
			Net of 1 Invoices / 0 Checks	67.70	
01250	COMMONWEALTH ELECTRIC COMPANY				
09/04/2024	INVOICE	74607	BUFFALO SQ INSTALL UNDERGROUND CONDUIT	3,800.00	

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
09/04/2024	INVOICE	74603	WIFI EXPANSION POWER & DATA	52,877.84	
			Total:	56,677.84	
			Net of 2 Invoices / 0 Checks	56,677.84	
02718	CORE & MAIN LP				
09/04/2024	INVOICE	V473291	54 - 510M S/POINT M2	10,191.46	
			Total:	10,191.46	
			Net of 1 Invoices / 0 Checks	10,191.46	
00061	DALE JOHNSON TRUCKING				
09/04/2024	INVOICE	40606	RIVER ROCK	4,002.65	
			Total:	4,002.65	
			Net of 1 Invoices / 0 Checks	4,002.65	
00270	DANKO EMERGENCY EQUIPMENT				
09/04/2024	INVOICE	94864	FIRE-DEX COATS & PANTS	9,840.00	
09/04/2024	INVOICE	137022	HAIX FIRE HERO XTREME, HAIX AIRPOWER XR1 PR(	7,497.91	
09/04/2024	INVOICE	96178	7 - FIRE-DEX COATS & PANTS	5,775.00	
09/04/2024	INVOICE	137091	PUMP TEST, LADDER TEST	2,250.00	
			Total:	25,362.91	
			Net of 4 Invoices / 0 Checks	25,362.91	
03279	DAS STATE ACCOUNTING				
09/04/2024	INVOICE	1444262	MONTHLY NETWORK CHARGES	1,356.79	
09/04/2024	INVOICE	1444212	MONTHLY NETWORK CHARGES	307.20	
			Total:	1,663.99	
			Net of 2 Invoices / 0 Checks	1,663.99	
03158	EAKES OFFICE SOLUTIONS				
09/04/2024	INVOICE	8993763-0	INKJET PAPER	172.54	
09/04/2024	INVOICE	8993762-0	CLICK ERASER REFILL	5.98	
09/04/2024	INVOICE	8985828-0	WINDOW ENVELOPES	3,473.48	
09/04/2024	INVOICE	8988721-0	CALENDAR, APPT BOOK, POP-UP NOTES, STAPLER,	277.12	
09/04/2024	INVOICE	8988720-0	PENS	6.46	
09/04/2024	INVOICE	INV577939	COPIER CONTRACT	69.46	
09/04/2024	INVOICE	INV577762	COPIER CONTRACT	265.43	
09/04/2024	INVOICE	8988720-1	CARTRIDGE, IJ HP 730	94.99	
09/04/2024	INVOICE	INV577950	COPIER CONTRACT - FIRST MONTHLY PMT & SECUR:	520.86	
09/04/2024	INVOICE	INV576955	COPIER CONTRACT	254.30	
09/04/2024	INVOICE	INV577560	COPIER CONTRACT	224.12	
09/04/2024	INVOICE	INV577559	COPIER CONTRACT	185.87	
			Total:	5,550.61	
			Net of 12 Invoices / 0 Checks	5,550.61	
01597	ELECTRONIC ENGINEERING				
09/04/2024	INVOICE	853005506	PATHFINDER REMOTE, OBD INTERFACE CABLE, EXP:	3,687.54	
			Total:	3,687.54	
			Net of 1 Invoices / 0 Checks	3,687.54	

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
03162	ELLER HEATING AIR CONDITIONING				
09/04/2024	INVOICE	240812.08	NO AC - FOUND LEAKS & REPAIRED	787.13	
			Total:	787.13	
			Net of 1 Invoices / 0 Checks	787.13	
03165	FASTENAL COMPANY				
09/04/2024	INVOICE	NECOL255796	GREEN 4X5, BLUE 4X5	664.36	
			Total:	664.36	
			Net of 1 Invoices / 0 Checks	664.36	
00459	GALE				
09/04/2024	INVOICE	84652624	MATERIALS	112.76	
09/04/2024	INVOICE	84661783	MATERIALS	31.19	
09/04/2024	INVOICE	84667972	MATERIALS	96.77	
09/04/2024	INVOICE	84701330	MATERIALS	64.78	
09/04/2024	INVOICE	84713654	MATERIALS	51.18	
09/04/2024	INVOICE	84720192	MATERIALS	48.78	
09/04/2024	INVOICE	84720973	MATERIALS	53.98	
09/04/2024	INVOICE	84735842	MATERIALS	25.60	
09/04/2024	INVOICE	84740120	MATERIALS	27.20	
09/04/2024	INVOICE	84721934	CREDIT	(31.19)	
			Total:	481.05	
			Net of 10 Invoices / 0 Checks	481.05	
03172	GALLS LLC				
09/04/2024	INVOICE	028658813	STINGER LED, 5-IN-1 JACKET, PANTS	747.28	
09/04/2024	INVOICE	028782992	NAMEPLATE	52.18	
09/04/2024	INVOICE	028701001	5.11 TAC LITE PANTS	223.15	
			Total:	1,022.61	
			Net of 3 Invoices / 0 Checks	1,022.61	
11193	GARY GROSS TRUCK & ACCESSORIES				
09/04/2024	INVOICE	0007363	USED FORD 8FT WHITE PICKUP BOX	1,500.00	
			Total:	1,500.00	
			Net of 1 Invoices / 0 Checks	1,500.00	
01789	GAVER TIRE & AUTO CENTER INC				
09/04/2024	INVOICE	86830	4 - GENERAL GRABBER ATX VIN #7082	947.51	
09/04/2024	INVOICE	86861	4 - GENERAL GRABBER ATX VIN #7597	940.83	
09/04/2024	INVOICE	86966	4 - GENERAL GRABBER ATX VIN #6731	940.83	
09/04/2024	INVOICE	86951	4 - GENERAL GRABBER ATX VIN #0619	940.83	
09/04/2024	INVOICE	86981	4 - GENERAL GRABBER ATX VIN #2409	940.83	
09/04/2024	INVOICE	86995	4 - GENERAL GRABBER ATX VIN #5787	940.83	
			Total:	5,651.66	
			Net of 6 Invoices / 0 Checks	5,651.66	
03174	GEHRING CONSTRUCTION &				
09/04/2024	INVOICE	78965	36TH STREET & 32ND AVE	258.13	
09/04/2024	INVOICE	78884	20TH STREET & 26TH AVE	220.63	
09/04/2024	INVOICE	5	STORM DRAINAGE & CONCRETE IMPROVEMENTS 2024	292,620.00	

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
09/04/2024	INVOICE	5	VITALITY VILLAGE SUBDIVISION & COMMUNITY BL	24,925.50	
09/04/2024	INVOICE	24104	2 PALLETS OF TAR	3,762.00	
09/04/2024	INVOICE	78708	18TH AVE & 6TH STR	905.63	
			Total:	322,691.89	
			Net of 6 Invoices / 0 Checks	322,691.89	
00303	GENE STEFFY FORD				
09/04/2024	INVOICE	PW-708819	NUTS, SCREWS	225.94	
			Total:	225.94	
			Net of 1 Invoices / 0 Checks	225.94	
03178	GERHOLD CONCRETE COMPANY				
09/04/2024	INVOICE	477403	20TH ST AND 26TH AVE	735.73	
			Total:	735.73	
			Net of 1 Invoices / 0 Checks	735.73	
02075	GREAT PLAINS COMMUNICATIONS				
09/04/2024	INVOICE	125755 996-426-002	INTERNET 09/01 - 09/30	209.95	
			Total:	209.95	
			Net of 1 Invoices / 0 Checks	209.95	
03182	HACH COMPANY				
09/04/2024	INVOICE	14136784	DIGITAL PH SENSOR, SENSOR CAP REPLACEMENT	2,389.00	
			Total:	2,389.00	
			Net of 1 Invoices / 0 Checks	2,389.00	
03183	HADLEY-BRAITHWAIT COMPANY				
09/04/2024	INVOICE	231700	CASE JUMBO TOILET PAPER	49.95	
			Total:	49.95	
			Net of 1 Invoices / 0 Checks	49.95	
00272	HAWKINS INC				
09/04/2024	INVOICE	6839817	CHEMICALS	6,443.81	
			Total:	6,443.81	
			Net of 1 Invoices / 0 Checks	6,443.81	
10271	HD SUPPLY				
09/04/2024	INVOICE	820002749	VEHICLE WASH	94.59	
			Total:	94.59	
			Net of 1 Invoices / 0 Checks	94.59	
00150	HOMETOWN LEASING				
09/04/2024	INVOICE	24	COPIER LEASE PAYMENT	175.00	
			Total:	175.00	
			Net of 1 Invoices / 0 Checks	175.00	
03194	INGRAM LIBRARY SERVICES, INC				

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
09/04/2024	INVOICE	82874930	MATERIALS	47.04	
09/04/2024	INVOICE	82775837	MATERIALS	160.10	
09/04/2024	INVOICE	82819330	MATERIALS	24.34	
09/04/2024	INVOICE	82874931	MATERIALS	34.20	
09/04/2024	INVOICE	82938207	MATERIALS	121.45	
09/04/2024	INVOICE	82959988	MATERIALS	68.95	
09/04/2024	INVOICE	82981157	MATERIALS	26.37	
09/04/2024	INVOICE	83006100	MATERIALS	242.69	
09/04/2024	INVOICE	83040121	MATERIALS	105.13	
09/04/2024	INVOICE	83067980	MATERIALS	124.33	
09/04/2024	INVOICE	83187049	MATERIALS	371.20	
09/04/2024	INVOICE	82895624	MATERIALS	1,294.22	
09/04/2024	INVOICE	83079256	MATERIALS	1,140.30	
09/04/2024	INVOICE	83252717	MATERIALS	1,194.48	
			Total:	4,954.80	
			Net of 14 Invoices / 0 Checks	4,954.80	
03199	JACKSON SERVICES INC				
09/04/2024	INVOICE	5368988	UNIFORMS	139.77	
09/04/2024	INVOICE	5367081	UNIFORMS	75.82	
09/04/2024	INVOICE	5367080	UNIFORMS	25.86	
09/04/2024	INVOICE	5367074	MATS	65.39	
09/04/2024	INVOICE	5366425	MATS, MOPS, POLISH TOWEL, WINDSHIELD WIPES,	139.64	
09/04/2024	INVOICE	5369000	UNIFORMS	26.86	
09/04/2024	INVOICE	5368999	MAT, BAR TOWEL, SHOP TOWEL ORANGE	25.43	
09/04/2024	INVOICE	5368998	UNIFORMS	96.20	
09/04/2024	INVOICE	5368997	MATS, ROLLER TOWELS, UNIFORMS	131.22	
09/04/2024	INVOICE	5372086	MAT	25.09	
09/04/2024	INVOICE	5372085	UNIFORMS	75.80	
09/04/2024	INVOICE	5372084	UNIFORMS	25.84	
09/04/2024	INVOICE	5372081	BAR MOPS, MICROFIBER TOWELS, APRONS	54.42	
09/04/2024	INVOICE	5374014	UNIFORMS	26.84	
09/04/2024	INVOICE	5374013	MAT	3.07	
09/04/2024	INVOICE	5374012	UNIFORMS	96.18	
09/04/2024	INVOICE	5374011	ROLLER TOWEL, UNIFORMS	95.11	
09/04/2024	INVOICE	5374004	UNIFORMS	139.75	
09/04/2024	INVOICE	5374003	UNIFORMS	237.38	
09/04/2024	INVOICE	5368987	SHOP TOWELS, UNIFORMS	245.95	
			Total:	1,751.62	
			Net of 20 Invoices / 0 Checks	1,751.62	
03202	KELLY SUPPLY COMPANY				
09/04/2024	INVOICE	S12297852-0	S&D CAP	41.67	
09/04/2024	INVOICE	S12297928-0	300FT CLEAN MASTER, GATES STEM - FOR POWER I	179.54	
09/04/2024	INVOICE	S12297569-0	90 STREET ELL, BLUE MONSTER COMPOUND, ALUMII	53.72	
09/04/2024	INVOICE	S12297374-2	COUP PVC	140.06	
			Total:	414.99	
			Net of 4 Invoices / 0 Checks	414.99	
03205	KIRKHAM MICHAEL & ASSOCIATES				
09/04/2024	INVOICE	96232	2024 BRIDGE INSPECTIONS	1,120.00	
			Total:	1,120.00	

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
			Net of 1 Invoices / 0 Checks	1,120.00	
00012	LAKEVIEW SMALL ENGINE INC				
09/04/2024	INVOICE	054846	FILTER OIL	23.90	
09/04/2024	INVOICE	054837	5 - 11X4-5 SEMI PNE	370.00	
09/04/2024	INVOICE	054838	OIL FILTER, 20W50 OIL	63.80	
			Total:	457.70	
			Net of 3 Invoices / 0 Checks	457.70	
01183	LARM (LEAGUE ASSOCIATION OF				
09/04/2024	INVOICE	4A2403DQDMS-0001	BECHER PLACE PROPERITES - DAMAGE TO DOOR	1,869.66	
			Total:	1,869.66	
			Net of 1 Invoices / 0 Checks	1,869.66	
00103	LINCOLN JOURNAL STAR				
09/04/2024	INVOICE	118-60106294	ADVERTISING	176.64	
			Total:	176.64	
			Net of 1 Invoices / 0 Checks	176.64	
11009	LOPEZ ANDY G				
09/04/2024	INVOICE	8.21.2024	FRANKFORT SQUARE SUMMER CONCERT SERIES-9/21,	3,000.00	
			Total:	3,000.00	
			Net of 1 Invoices / 0 Checks	3,000.00	
03214	LOUP POWER DISTRICT				
09/04/2024	INVOICE	169060 AUG 24	ELECTRICITY	27.85	
			Total:	27.85	
			Net of 1 Invoices / 0 Checks	27.85	
11196	MACKE LISA				
09/04/2024	INVOICE	083124	BOOK FOLDING ART PROGRAM	200.00	
			Total:	200.00	
			Net of 1 Invoices / 0 Checks	200.00	
03212	MATHESON-LINWELD				
09/04/2024	INVOICE	0030195399	RESALE CO2	327.44	
			Total:	327.44	
			Net of 1 Invoices / 0 Checks	327.44	
03078	MCMASTER-CARR				
09/04/2024	INVOICE	31901232	VACUUM BREAKING VALVE, PARTS WASHING FLOW TI	142.94	
			Total:	142.94	
			Net of 1 Invoices / 0 Checks	142.94	
02101	MD SOLUTIONS INC				
09/04/2024	INVOICE	0057162	2 3/8" ROUND POST CAP	745.72	
			Total:	745.72	

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
			Net of 1 Invoices / 0 Checks	745.72	
00083	MECHANICAL SALES INC				
09/04/2024	INVOICE	58898	RELAY	424.44	
09/04/2024	INVOICE	58897	SERVICE SERESCO UNIT	617.85	
			Total:	1,042.29	
			Net of 2 Invoices / 0 Checks	1,042.29	
03220	MENARDS				
09/04/2024	INVOICE	12000	3/4"X10' PVC, CUTTING PLIER, REDUC BUSHING,	51.48	
09/04/2024	INVOICE	11987	HEX WASH, SCREW, RUBBER SWIVEL	35.37	
09/04/2024	INVOICE	12113	BOUNTY, DAWN, CHARMIN	84.30	
09/04/2024	INVOICE	12115	CONTRACTOR BAGS	29.98	
09/04/2024	INVOICE	12101	4" OCT COVER BLANK	2.81	
09/04/2024	INVOICE	12160	GROUT, GROUT SPONGE, RUBBER FLOAT	40.95	
09/04/2024	INVOICE	12146	7000K/11500 KBTU PAC	299.99	
09/04/2024	INVOICE	11681	COVER DUPLEX, WASHERS, HEX BOLT, LOCK NUT, I	221.16	
09/04/2024	INVOICE	11618	BROWN MULCH FOR FLOWER POTS	6.66	
09/04/2024	INVOICE	11674	3-PC CNCTR, GLOVES, LQDT NMTL COND	65.95	
			Total:	838.65	
			Net of 10 Invoices / 0 Checks	838.65	
02403	MICROFILM IMAGING SYSTEMS INC				
09/04/2024	INVOICE	95812	LSAP - 8/26/24-8/25/25	5,527.00	
			Total:	5,527.00	
			Net of 1 Invoices / 0 Checks	5,527.00	
03222	MID-AMERICAN RESEARCH				
09/04/2024	INVOICE	0826322-IN	ANTIBACT HAND CLEANER	119.00	
09/04/2024	INVOICE	0826576-IN	LINERS	237.00	
09/04/2024	INVOICE	0826953-IN	FLOOR CLEANER, BOWL CLEANER, DISINFECTANT	375.60	
			Total:	731.60	
			Net of 3 Invoices / 0 Checks	731.60	
00205	MID-STATE ENGINEERING & TESTING				
09/04/2024	INVOICE	1700-0	28TH STREET REPAIR	1,460.00	
			Total:	1,460.00	
			Net of 1 Invoices / 0 Checks	1,460.00	
03226	MIDWEST SERVICE & SALES CO				
09/04/2024	INVOICE	0035913	SEFB 16 HOLES	175.00	
09/04/2024	INVOICE	0035914	BLADES FOR 8' STRAIGHT PLOW & 7 1/2' STRAIGI	533.30	
			Total:	708.30	
			Net of 2 Invoices / 0 Checks	708.30	
02622	MOTOROLA SOLUTIONS INC.				
09/04/2024	INVOICE	1187129227	CHANGE ORDER #2	8,443.00	
09/04/2024	INVOICE	8281962295	TIER 3: P25 ENHANCED TRUNKING	27,552.07	
			Total:	35,995.07	

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
			Net of 2 Invoices / 0 Checks	35,995.07	
10832	MR GOLF CAR INC				
09/04/2024	INVOICE	42964	RENTAL/TOURNAMENT CARS 8/12/24	2,880.00	
			Total:	2,880.00	
			Net of 1 Invoices / 0 Checks	2,880.00	
02700	NASC				
09/04/2024	INVOICE	ANNUAL	NASC ANNUAL CONFERENCE & DUES	130.00	
			Total:	130.00	
			Net of 1 Invoices / 0 Checks	130.00	
00444	NEBRASKA PUBLIC HEALTH				
09/04/2024	INVOICE	581319	WATER TESTING	1,766.00	
			Total:	1,766.00	
			Net of 1 Invoices / 0 Checks	1,766.00	
00029	NEBRASKA STATE FIRE MARSHAL				
09/04/2024	INVOICE	131140	ANNUAL BOILER CERTIFICATE - PAWNEE PLUNGE	72.00	
			Total:	72.00	
			Net of 1 Invoices / 0 Checks	72.00	
03241	NEWMAN SIGNS INC.				
09/04/2024	INVOICE	TRFINV055878	SIGNS	316.92	
09/04/2024	INVOICE	TRFINV055926	SIGNS	300.34	
			Total:	617.26	
			Net of 2 Invoices / 0 Checks	617.26	
03249	OCCUPATIONAL HEALTH SERV				
09/04/2024	INVOICE	78142	DRUG SCREENS, PHYSICAL CAPACITY PROFILE TES	565.00	
			Total:	565.00	
			Net of 1 Invoices / 0 Checks	565.00	
00176	O'REILLY AUTOMOTIVE INC				
09/04/2024	INVOICE	0681-297476	CLEANER	30.48	
09/04/2024	INVOICE	0681-298114	RETAINER	9.18	
09/04/2024	INVOICE	0681-298045	FAC-PAC, MPACT GLOVES	128.54	
09/04/2024	INVOICE	0681-298271	30YD TAPE	27.98	
09/04/2024	INVOICE	CB-0068180	SHORT PAID 0681-272298	11.73	
09/04/2024	INVOICE	0681-297249	MICRO-V BELT, WTR PUMP, ANTIFREEZE	194.29	
09/04/2024	INVOICE	0681-296143	CAPSULE	18.59	
09/04/2024	INVOICE	0681-297904	VALVE LIFTER	23.78	
09/04/2024	INVOICE	0681-297898	RUST FIX	27.98	
09/04/2024	INVOICE	0681-297916	OIL ADDITIVE	22.99	
			Total:	495.54	
			Net of 10 Invoices / 0 Checks	495.54	
11197	OTOCAST LLC				
09/04/2024	INVOICE	2024.0166	MOBILE AUDIO GUIDE FOR COLUMBUS MURALS	1,800.00	

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
			Total:	1,800.00	
			Net of 1 Invoices / 0 Checks	1,800.00	
03010	PACE ANALYTICAL SERVICES LLC				
09/04/2024	INVOICE	2460212067	WATER TESTING	1,146.40	
			Total:	1,146.40	
			Net of 1 Invoices / 0 Checks	1,146.40	
03258	PETTY CASH				
09/04/2024	INVOICE	8.26.2024	PETTY CASH	114.29	
			Total:	114.29	
			Net of 1 Invoices / 0 Checks	114.29	
11195	PLAYAWAY PRODUCTS LLC				
09/04/2024	INVOICE	471623	WONDERBOOK READ ALONG BOOKS	1,026.81	
			Total:	1,026.81	
			Net of 1 Invoices / 0 Checks	1,026.81	
11012	PREFERRED PIPELINE LLC				
09/04/2024	INVOICE	PPL000080520	SAND	1,603.20	
			Total:	1,603.20	
			Net of 1 Invoices / 0 Checks	1,603.20	
03261	PRESTOX				
09/04/2024	INVOICE	65914520	PEST CONTROL - 424 E 8TH ST	65.78	
09/04/2024	INVOICE	65914521	PEST CONTROL - 4630 HOWARD BLVD	68.46	
			Total:	134.24	
			Net of 2 Invoices / 0 Checks	134.24	
00189	PRODUCTIVITY PLUS ACCOUNT-CNH				
09/04/2024	INVOICE	CF47220	RUETER'S - SHAFT-DRIVE	1,546.60	
			Total:	1,546.60	
			Net of 1 Invoices / 0 Checks	1,546.60	
10967	PROJECT LIFESAVER INTERNATIONAL				
09/04/2024	INVOICE	S240023957	WARRANTY & REPAIR SHIPPING	19.70	
			Total:	19.70	
			Net of 1 Invoices / 0 Checks	19.70	
10361	QUADIENT FINANCE USA, INC.				
09/04/2024	INVOICE	8.23.2024	POSTAGE	1,000.00	
			Total:	1,000.00	
			Net of 1 Invoices / 0 Checks	1,000.00	
10416	QUADIENT LEASING USA, INC.				
09/04/2024	INVOICE	Q1469123	LEASE PAYMENT 9/20/24 TO 12/19/24	642.63	

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
			Total:	642.63	
			Net of 1 Invoices / 0 Checks	642.63	
03263	QUILL CORPORATION				
09/04/2024	INVOICE	39749783	RECEIPT PAPER 12 ROLLS	32.29	
			Total:	32.29	
			Net of 1 Invoices / 0 Checks	32.29	
03264	REARDON LAWN & GARDEN INC				
09/04/2024	INVOICE	12200	BLADE SET	70.99	
09/04/2024	INVOICE	12075	12".043 3/8" PICCO SLIM LOOP	20.00	
09/04/2024	INVOICE	11981	SPARK PLUG	6.99	
09/04/2024	INVOICE	12168	SPRING	4.00	
09/04/2024	INVOICE	12152	KILL SWITCH	64.73	
			Total:	166.71	
			Net of 5 Invoices / 0 Checks	166.71	
03163	RENSENHOUSE				
09/04/2024	INVOICE	1145-1023426	3 - VAPOR TITE FIXTURES	369.00	
09/04/2024	INVOICE	1145-1023621	120 VAC RELAY	14.75	
			Total:	383.75	
			Net of 2 Invoices / 0 Checks	383.75	
10872	RIVERSIDE PORTABLES LLC				
09/04/2024	INVOICE	I5376	PORTABLE RESTROOM - FRANKFORT SQUARE	420.00	
09/04/2024	INVOICE	I5543	PORTABLE RESTROOM - FIRE TRAINING TOWER	105.00	
			Total:	525.00	
			Net of 2 Invoices / 0 Checks	525.00	
01476	RUTJENS CONSTRUCTION				
09/04/2024	INVOICE	7 FINAL	LOST CREEK PARKWAY SEWER	86,746.93	
			Total:	86,746.93	
			Net of 1 Invoices / 0 Checks	86,746.93	
10643	RUTT'S HEATING & A/C INC				
09/04/2024	INVOICE	12864	POOL BOILER NOT STARTING	262.50	
			Total:	262.50	
			Net of 1 Invoices / 0 Checks	262.50	
00171	SETTJE PLUMBING				
09/04/2024	INVOICE	15662	CONVERT OUTSIDE FAUCET & FUTURE DRINKING WA'	548.76	
			Total:	548.76	
			Net of 1 Invoices / 0 Checks	548.76	
03276	SHERWIN-WILLIAMS CO				
09/04/2024	INVOICE	7049-7	SAFETY BLUE	14.68	
09/04/2024	INVOICE	0834-4	SAFETY BLUE	14.68	
			Total:	29.36	

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
			Net of 2 Invoices / 0 Checks	29.36	
01090	SHEVLIN SUPPLY				
09/04/2024	INVOICE	7649	M/F TOWEL WHITE, BATH TISSUE, HAND SOAP	144.64	
			Total:	144.64	
			Net of 1 Invoices / 0 Checks	144.64	
01394	SIRIUS COMPUTER SOLUTIONS INC.				
09/04/2024	INVOICE	INV-001020658	PARKS WIFI PHASE 2 HARDWARE & SERVICES	7,195.00	
09/04/2024	INVOICE	INV-001020687	GENERAL SUPPORT SERVICES	68.75	
09/04/2024	INVOICE	INV-001020557	WIFI IMPL SOW FRANKFURT SQUARE	1,960.00	
09/04/2024	INVOICE	INV-001020556	WIFI IMPL SOW PAWNEE PLUNGE	1,960.00	
09/04/2024	INVOICE	INV-001020577	WIFI SOW ARMORY PARK	1,960.00	
09/04/2024	INVOICE	INV-001020576	WIFI STADIUM	1,960.00	
09/04/2024	INVOICE	INV-001021237	WIFI IMPL SERVICES GERRARD PARK	1,960.00	
			Total:	17,063.75	
			Net of 7 Invoices / 0 Checks	17,063.75	
11194	SLOUP ROSS				
09/04/2024	INVOICE	8.12.2024STREET	CDL LEARNERS PERMIT	15.37	
			Total:	15.37	
			Net of 1 Invoices / 0 Checks	15.37	
00244	STERICYCLE INC				
09/04/2024	INVOICE	8008104856	STERI-SAFE BUDGET SUBSCRIPTION	759.88	
			Total:	759.88	
			Net of 1 Invoices / 0 Checks	759.88	
00105	SUPER SAVER				
09/04/2024	INVOICE	126397	GROCERIES	23.32	
09/04/2024	INVOICE	126382	GROCERIES	11.75	
09/04/2024	INVOICE	126837	GROCERIES	10.41	
			Total:	45.48	
			Net of 3 Invoices / 0 Checks	45.48	
01563	THOMSON REUTERS - WEST				
09/04/2024	INVOICE	850515801	MCQUILLIN LAW OF MUNICIPLE CORPORATIONS	10,659.00	
			Total:	10,659.00	
			Net of 1 Invoices / 0 Checks	10,659.00	
03128	TIRE OUTLET INC				
09/04/2024	INVOICE	227070	REPAIR	35.00	
09/04/2024	INVOICE	227177	4 - TOWMAX TIRES	404.00	
09/04/2024	INVOICE	227048	USED TIRE	125.00	
09/04/2024	INVOICE	227067	5 - USED TIRES	680.00	
09/04/2024	INVOICE	227127	TIRE SWAP, REPAIR	60.00	
			Total:	1,304.00	
			Net of 5 Invoices / 0 Checks	1,304.00	

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
01564	TOOLEY DRUG				
09/04/2024	INVOICE	01205198	CONTOUR NEXT GLUCOSE STRIPS	99.98	
			Total:	99.98	
			Net of 1 Invoices / 0 Checks	99.98	
10412	TRITECH SOFTWARE SYSTEMS				
09/04/2024	INVOICE	418412	ASSET MANAGEMENT ANNUAL MAINTENANCE FEE	19,549.89	
			Total:	19,549.89	
			Net of 1 Invoices / 0 Checks	19,549.89	
00357	TURFWERKS				
09/04/2024	INVOICE	OI57017	BLADES	417.69	
			Total:	417.69	
			Net of 1 Invoices / 0 Checks	417.69	
00289	UNION PACIFIC RAILROAD CO				
09/04/2024	INVOICE	90138442	PRELIMINARY ENGINEERING TO CONSTRUCT SIDEWA	1,694.00	
			Total:	1,694.00	
			Net of 1 Invoices / 0 Checks	1,694.00	
03294	USA BLUE BOOK				
09/04/2024	INVOICE	INV00448383	SJE PUMP MASTER	1,109.70	
			Total:	1,109.70	
			Net of 1 Invoices / 0 Checks	1,109.70	
00157	UTILITIES SECTION				
09/04/2024	INVOICE	9235	BACKFLOW WORKSHOP - GERSTEIN, ABSALON	130.00	
09/04/2024	INVOICE	9250	BACKFLOW WORKSHOP AUG 21	260.00	
			Total:	390.00	
			Net of 2 Invoices / 0 Checks	390.00	
11160	WAGNER CINDY				
09/04/2024	INVOICE	1634-7	6 PATCHES	48.00	
			Total:	48.00	
			Net of 1 Invoices / 0 Checks	48.00	
03302	WEMHOFF REFRIGERATION INC				
09/04/2024	INVOICE	16549	SERVICE CALL - 2 PEPSI COOLERS/2 DR FREEZER	844.84	
			Total:	844.84	
			Net of 1 Invoices / 0 Checks	844.84	
MISC	WOLFE DOROTHY				
09/04/2024	INVOICE	08/22/2024	UB refund for account: 100-12560-00	37.81	
			Total:	37.81	
			Net of 1 Invoices / 0 Checks	37.81	

Vendor Code / Post Date	Vendor Name / Activity	Inv/Check #	Description	Invoice Amt	Check Amt
			invoices and 0 checks for 112 vendors:	907,104.71	

INVOICE REGISTER REPORT FOR CITY OF COLUMBUS, NE
EXP CHECK RUN DATES 09/04/2024 - 09/04/2024
BOTH JOURNALIZED AND UNJOURNALIZED
OPEN

Inv Ref#	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
104521	AQUA-CHEM INC	08/16/2024	09/04/2024	5,146.25	5,146.25	Open	N
104553	DANKO EMERGENCY EQUIPMENT	08/14/2024	09/04/2024	7,497.91	7,497.91	Open	N
104567	DANKO EMERGENCY EQUIPMENT	08/21/2024	09/04/2024	9,840.00	9,840.00	Open	N
104577	DANKO EMERGENCY EQUIPMENT	08/21/2024	09/04/2024	5,775.00	5,775.00	Open	N
104594	SIRIUS COMPUTER SOLUTIONS INC.	08/20/2024	09/04/2024	7,195.00	7,195.00	Open	N
104608	MICROFILM IMAGING SYSTEMS INC	08/15/2024	09/04/2024	5,527.00	5,527.00	Open	N
104635	MOTOROLA SOLUTIONS INC.	08/22/2024	09/04/2024	8,443.00	8,443.00	Open	N
104665	BIRDDOG ELECTRIC LLC	08/19/2024	09/04/2024	7,370.00	7,370.00	Open	N
104670	HAWKINS INC	08/16/2024	09/04/2024	6,443.81	6,443.81	Open	N

# of Invoices:	9	# Due: 9	Totals:	63,237.97	63,237.97
# of Credit Memos:	0	# Due: 0	Totals:	0.00	0.00
Net of Invoices and Credit Memos:				63,237.97	63,237.97

--- TOTALS BY FUND ---

100 - GENERAL FUND	48,351.16	48,351.16
220 - COMMUNICATIONS - E911	8,443.00	8,443.00
520 - WATER	6,443.81	6,443.81

--- TOTALS BY DEPT/ACTIVITY ---

100 - GENERAL ADMINISTRATION	16,407.00	16,407.00
120 - FIRE	23,112.91	23,112.91
130 - LIBRARY	3,685.00	3,685.00
152 - AQUATIC CENTER POOL	5,146.25	5,146.25
220 - E911	8,443.00	8,443.00
520 - WATER	6,443.81	6,443.81

INVOICE GL DISTRIBUTION REPORT FOR CITY OF COLUMBUS, NE
EXP CHECK RUN DATES 09/04/2024 - 09/04/2024
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 100 GENERAL FUND					
Dept 100 GENERAL ADMINISTRATION					
100-100-53200	PROFESSIONAL SERVICES	KIRKHAM MICHAEL & ASSOCIA	2024 BRIDGE INSPECTIONS	1,120.00	
100-100-53200-CREAT	PROFESSIONAL SERVICES	COLUMBUS ARTS COUNCIL	TRACKSIDE BROCHURE HOLDER PUBLIC ART	450.00	
100-100-53200-CREAT	PROFESSIONAL SERVICES	OTOCAST LLC	MOBILE AUDIO GUIDE FOR COLUMBUS MURALS	1,800.00	
100-100-53400	COMPUTER SUPPORT/MAINT	MICROFILM IMAGING SYSTEMS	LSAP - 8/26/24-8/25/25	5,527.00	
100-100-53400	COMPUTER SUPPORT/MAINT	TRITECH SOFTWARE SYSTEMS	ASSET MANAGEMENT ANNUAL MAINTENANCE FEE	2,932.48	
100-100-54310	BUILDING MAINTENANCE	JACKSON SERVICES INC	MATS	65.39	
100-100-56010	SUPPLIES	CAPITAL ONE - WALMART	PAPER PRODUCTS FOR POT LUCK	37.36	
100-100-56010	SUPPLIES	MENARDS	BROWN MULCH FOR FLOWER POTS	6.66	
100-100-56020	OFFICE SUPPLIES	EAKES OFFICE SOLUTIONS	INKJET PAPER	279.97	
100-100-56040	POSTAGE AND FREIGHT	QUADIENT FINANCE USA, INC.	POSTAGE	1,000.00	
100-100-56040	POSTAGE AND FREIGHT	QUADIENT LEASING USA, INC.	LEASE PAYMENT 9/20/24 TO 12/19/24	642.63	
100-100-56410	BOOKS AND PUBLICATIONS	THOMSON REUTERS - WEST	MCQUILLIN LAW OF MUNICIPLE CORPORATIONS	10,659.00	
100-100-57200-21092	CAPITAL-LAND & BUILDINGS	BIRDDOG ELECTRIC LLC	INSTALLATION OF 13 LANDSCAPE RECEPTACLE	3,685.00	
100-100-57200-21092	CAPITAL-LAND & BUILDINGS	SETTJE PLUMBING	CONVERT OUTSIDE FAUCET & FUTURE DRINKIN	548.76	
100-100-57200-24029	CAPITAL-LAND & BUILDINGS	GEHRING CONSTRUCTION &	VITALITY VILLAGE SUBDIVISION & COMMUNIT	8,308.50	
100-100-57510-19009	CAPITAL-EQUIPMENT	COMMONWEALTH ELECTRIC COM	BUFFALO SQ INSTALL UNDERGROUND CONDUIT	56,677.84	
100-100-57510-19009	CAPITAL-EQUIPMENT	MENARDS	3/4"X10' PVC, CUTTING PLIER, REDUC BUSH	272.64	
100-100-57510-19009	CAPITAL-EQUIPMENT	SIRIUS COMPUTER SOLUTIONS	PARKS WIFI PHASE 2 HARDWARE & SERVICES	17,063.75	
		Total For Dept 100 GENERAL ADMINISTRATION		111,076.98	
Dept 102 COLUMBUS AREA TRANSIT					
100-102-56020	OFFICE SUPPLIES	EAKES OFFICE SOLUTIONS	COPIER CONTRACT	265.43	
100-102-56030	CLEANING SUPPLIES/SERVICE	JACKSON SERVICES INC	MAT	25.09	
		Total For Dept 102 COLUMBUS AREA TRANSIT		290.52	
Dept 103 COLUMBUS SENIOR CENTER					
100-103-52700-III-B	TRAINING AND TUITION	NASC	NASC ANNUAL CONFERENCE & DUES	65.00	
100-103-52700-III-C	TRAINING AND TUITION	NASC	NASC ANNUAL CONFERENCE & DUES	62.40	
100-103-52700-III-E	TRAINING AND TUITION	NASC	NASC ANNUAL CONFERENCE & DUES	2.60	
100-103-56010-III-C	SUPPLIES	JACKSON SERVICES INC	BAR MOPS, MICROFIBER TOWELS, APRONS	25.74	
100-103-56010-III-C	SUPPLIES	SUPER SAVER	GROCERIES	8.92	
100-103-56030-III-C	CLEANING SUPPLIES/SERVICE	JACKSON SERVICES INC	BAR MOPS, MICROFIBER TOWELS, APRONS	28.68	
100-103-56300-III-C	FOOD COSTS	SUPER SAVER	GROCERIES	36.56	
		Total For Dept 103 COLUMBUS SENIOR CENTER		229.90	
Dept 110 POLICE					
100-110-52700	TRAINING AND TUITION	PETTY CASH	PETTY CASH	114.29	
100-110-52800	UNIFORMS	911 CUSTOM LLC	BLACKINTON HAT BADGE	138.00	
100-110-52800	UNIFORMS	COLUMBUS CUSTOM EMBROIDERY	APPRENTICE POLOS	54.00	
100-110-52800	UNIFORMS	GALLS LLC	STINGER LED, 5-IN-1 JACKET, PANTS	1,022.61	
100-110-52800	UNIFORMS	WAGNER CINDY	6 PATCHES	48.00	
100-110-52810	UNIFORMS-QUARTERMASTER	911 CUSTOM LLC	SURVIVAL ARMOR	684.00	
100-110-53200	PROFESSIONAL SERVICES	COLUMBUS SMALL ANIMAL HOSP	EUTHANASIA	67.70	
100-110-54320	EQUIPMENT MAINTENANCE	EAKES OFFICE SOLUTIONS	COPIER CONTRACT	478.42	
100-110-54320	EQUIPMENT MAINTENANCE	REARDON LAWN & GARDEN INC	KILL SWITCH	64.73	
100-110-54380	MAINTENANCE AGREEMENTS	DAS STATE ACCOUNTING	MONTHLY NETWORK CHARGES	307.20	
100-110-55210	CLAIMS AND SETTLEMENTS	LARM (LEAGUE ASSOCIATION O	BECHER PLACE PROPERITES - DAMAGE TO DOO	1,869.66	
100-110-56010	SUPPLIES	SHEVLIN SUPPLY	M/F TOWEL WHITE, BATH TISSUE, HAND SOAP	144.64	
100-110-56040	POSTAGE AND FREIGHT	PROJECT LIFESAVER INTERNAT	WARRANTY & REPAIR SHIPPING	19.70	
100-110-56190-20015	PERSONAL PROTECTIVE SUPP	911 CUSTOM LLC	SURVIVAL ARMOR	869.00	
100-110-57510-21001	CAPITAL-EQUIPMENT	MOTOROLA SOLUTIONS INC.	TIER 3: P25 ENHANCED TRUNKING	27,552.07	
100-110-57520-21006	CAPITAL-VEHICLES	ELECTRONIC ENGINEERING	PATHFINDER REMOTE, OBD INTERFACE CABLE,	1,843.77	
100-110-57520-21007	CAPITAL-VEHICLES	ELECTRONIC ENGINEERING	PATHFINDER REMOTE, OBD INTERFACE CABLE,	1,843.77	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 100 GENERAL FUND					
Dept 110 POLICE					
		Total For Dept 110 POLICE		37,121.56	
Dept 120 FIRE					
100-120-53210	EQUIPMENT RECERT PROGRAM	DANKO EMERGENCY EQUIPMENT	PUMP TEST, LADDER TEST	2,250.00	
100-120-54310	BUILDING MAINTENANCE	PRESTOX	PEST CONTROL - 424 E 8TH ST	67.12	
100-120-54330-21094	VEHICLE MAINTENANCE	TIRE OUTLET INC	4 - TOWMAX TIRES	404.00	
100-120-56020	OFFICE SUPPLIES	EAKES OFFICE SOLUTIONS	COPIER CONTRACT	295.16	
100-120-56020	OFFICE SUPPLIES	HOMETOWN LEASING	COPIER LEASE PAYMENT	87.50	
100-120-56030	CLEANING SUPPLIES/SERVICE	HD SUPPLY	VEHICLE WASH	47.30	
100-120-56030	CLEANING SUPPLIES/SERVICE	JACKSON SERVICES INC	MATS, MOPS, POLISH TOWEL, WINDSHIELD WI	69.82	
100-120-56240	TELEPHONE	ALLO COMMUNICATONS	TELEPHONE - SOUTH FIRE STATION 8/24 - 9	15.53	
100-120-57510-20022	CAPITAL-EQUIPMENT	DANKO EMERGENCY EQUIPMENT	FIRE-DEX COATS & PANTS	23,112.91	
		Total For Dept 120 FIRE		26,349.34	
Dept 121 RESCUE					
100-121-54310	BUILDING MAINTENANCE	PRESTOX	PEST CONTROL - 424 E 8TH ST	67.12	
100-121-56010	SUPPLIES	BOUND TREE MEDICAL LLC	STAT PADZ	954.08	
100-121-56010	SUPPLIES	TOOLEY DRUG	CONTOUR NEXT GLUCOSE STRIPS	99.98	
100-121-56020	OFFICE SUPPLIES	EAKES OFFICE SOLUTIONS	COPIER CONTRACT	295.16	
100-121-56020	OFFICE SUPPLIES	HOMETOWN LEASING	COPIER LEASE PAYMENT	87.50	
100-121-56030	CLEANING SUPPLIES/SERVICE	HD SUPPLY	VEHICLE WASH	47.29	
100-121-56030	CLEANING SUPPLIES/SERVICE	JACKSON SERVICES INC	MATS, MOPS, POLISH TOWEL, WINDSHIELD WI	69.82	
100-121-56030	CLEANING SUPPLIES/SERVICE	STERICYCLE INC	STERI-SAFE BUDGET SUBSCRIPTION	759.88	
100-121-56190	PERSONAL PROTECTIVE SUPP	BOUND TREE MEDICAL LLC	NITRILE GLOVES, CURAPLEX CPAP	259.90	
100-121-56240	TELEPHONE	ALLO COMMUNICATONS	TELEPHONE - SOUTH FIRE STATION 8/24 - 9	15.52	
		Total For Dept 121 RESCUE		2,656.25	
Dept 125 VOLUNTEER FIRE DEPARTMENT					
100-125-52700	TRAINING AND TUITION	RIVERSIDE PORTABLES LLC	PORTABLE RESTROOM - FIRE TRAINING TOWEF	105.00	
		Total For Dept 125 VOLUNTEER FIRE DEPARTMENT		105.00	
Dept 130 LIBRARY					
100-130-54320-PATRN	EQUIPMENT MAINTENANCE	EAKES OFFICE SOLUTIONS	COPIER CONTRACT	185.87	
100-130-55400	ADVERTISING AND PROMOTION	LINCOLN JOURNAL STAR	ADVERTISING	176.64	
100-130-56010-PATRN	SUPPLIES	QUILL CORPORATION	RECEIPT PAPER 12 ROLLS	32.29	
100-130-56040-ILILO	POSTAGE AND FREIGHT	CASEY'S MAIL SERVICE LLC	LIBRARY/MEDIA MAIL	1,062.09	
100-130-56240-PATRN	TELEPHONE	GREAT PLAINS COMMUNICATION	INTERNET 09/01 - 09/30	209.95	
100-130-56400-ADULT	PROGRAMS	MACKE LISA	BOOK FOLDING ART PROGRAM	200.00	
100-130-56400-SRPIC	PROGRAMS	CAPITAL ONE - WALMART	DRINKING WATER, LITTLE HUG 8OZ	33.16	
100-130-56400-YASRP	PROGRAMS	CAPITAL ONE - WALMART	HAWAIIN PUNCH, SPRITE, SOLO CUPS, CAKE	88.34	
100-130-56410-ADULT	BOOKS AND PUBLICATIONS	GALE	MATERIALS	481.05	
100-130-56410-ADULT	BOOKS AND PUBLICATIONS	INGRAM LIBRARY SERVICES, I	MATERIALS	2,581.83	
100-130-56410-CHILD	BOOKS AND PUBLICATIONS	CENTRAL PROGRAMS INC	BOOKS	2,647.07	
100-130-56410-CHILD	BOOKS AND PUBLICATIONS	INGRAM LIBRARY SERVICES, I	MATERIALS	2,018.73	
100-130-56410-CHILD	BOOKS AND PUBLICATIONS	PLAYAWAY PRODUCTS LLC	WONDERBOOK READ ALONG BOOKS	1,026.81	
100-130-56410-SUBSC	BOOKS AND PUBLICATIONS	A TO Z DATABASES	SUBSCRIPTION 7/01/2024 TO 6/30/2025	2,684.00	
100-130-56410-YOUNG	BOOKS AND PUBLICATIONS	INGRAM LIBRARY SERVICES, I	MATERIALS	354.24	
100-130-57200-20030	CAPITAL-LAND & BUILDINGS	BIRDDOG ELECTRIC LLC	INSTALLATION OF 13 LANDSCAPE RECEPTACLE	3,685.00	
		Total For Dept 130 LIBRARY		17,467.07	
Dept 140 CEMETERY					
100-140-54320	EQUIPMENT MAINTENANCE	LAKEVIEW SMALL ENGINE INC	OIL FILTER, 20W50 OIL	63.80	
100-140-54320	EQUIPMENT MAINTENANCE	REARDON LAWN & GARDEN INC	BLADE SET	70.99	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 100 GENERAL FUND					
Dept 140 CEMETERY					
100-140-54330	VEHICLE MAINTENANCE	AUTO ZONE STORE 6232	WINDSHIELD FLUID, HALOGEN CAPSULE	12.88	
100-140-54330	VEHICLE MAINTENANCE	O'REILLY AUTOMOTIVE INC	CAPSULE	18.59	
100-140-56010	SUPPLIES	ACE HARDWARE & GARDEN CNT	OIL 2 CYCLE	22.36	
100-140-56010	SUPPLIES	BOMGAARS	WATER, SHOP TOWELS	20.17	
		Total For Dept 140 CEMETERY		208.79	
Dept 145 COMMUNITY DEVELOPMENT					
100-145-53200	PROFESSIONAL SERVICES	CENTER FOR MUNICIPAL SOLU1	COLUMBUS NE VERIZON - 1868 EAST 29TH AV	3,720.60	
100-145-53400	COMPUTER SUPPORT/MAINT	TRITECH SOFTWARE SYSTEMS	ASSET MANAGEMENT ANNUAL MAINTENANCE FEE	1,954.99	
		Total For Dept 145 COMMUNITY DEVELOPMENT		5,675.59	
Dept 150 PARKS					
100-150-52800	UNIFORMS	JACKSON SERVICES INC	UNIFORMS	51.70	
100-150-53400	COMPUTER SUPPORT/MAINT	TRITECH SOFTWARE SYSTEMS	ASSET MANAGEMENT ANNUAL MAINTENANCE FEE	1,955.00	
100-150-54310	BUILDING MAINTENANCE	ACE HARDWARE & GARDEN CNT	KEY MASTER	7.18	
100-150-54310	BUILDING MAINTENANCE	BLAZER LLC	HURDLE REPLACE BOARDS	100.00	
100-150-54310	BUILDING MAINTENANCE	CENTRAL VALLEY AG COOPERA1	2-4D, CORNERSTONE 5 PLUS	1,123.50	
100-150-54310	BUILDING MAINTENANCE	MENARDS	7000K/11500 KBTU PAC	299.99	
100-150-54320	EQUIPMENT MAINTENANCE	REARDON LAWN & GARDEN INC	12".043 3/8" PICCO SLIM LOOP	20.00	
100-150-54320	EQUIPMENT MAINTENANCE	TURFWERKS	BLADES	417.69	
100-150-54330	VEHICLE MAINTENANCE	ARNOLD MOTOR SUPPLY	HYDRAULIC FILTER	19.79	
100-150-54490	IRRIGATION MAINTENANCE	ACE HARDWARE & GARDEN CNT	NUTS, BOLTS, SCREWS	2.84	
100-150-54490	IRRIGATION MAINTENANCE	LAKEVIEW SMALL ENGINE INC	5 - 11X4-5 SEMI PNE	370.00	
100-150-56010	SUPPLIES	ACE HARDWARE & GARDEN CNT	AJAX CLEANER, DUSTPAN, BROOM	39.95	
100-150-56400	PROGRAMS	LOPEZ ANDY G	FRANKFORT SQUARE SUMMER CONCERT SERIES-	3,000.00	
100-150-56400	PROGRAMS	RIVERSIDE PORTABLES LLC	PORTABLE RESTROOM - FRANKFORT SQUARE	420.00	
100-150-57200-24030	CAPITAL-LAND & BUILDINGS	BIERMAN CONTRACTING INC.	DESIGN FOR CENTENNIAL PARK RESTROOM & C	50,131.80	
		Total For Dept 150 PARKS		57,959.44	
Dept 151 PAWNEE PLUNGE WATER PARK					
100-151-52710	EMPLOYEE RECRUITMENT/RETENTION	OCCUPATIONAL HEALTH SERV	DRUG SCREENS, PHYSICAL CAPACITY PROFILE	75.00	
100-151-53200	PROFESSIONAL SERVICES	NEBRASKA STATE FIRE MARSHA	ANNUAL BOILER CERTIFICATE - PAWNEE PLUN	72.00	
100-151-54320	EQUIPMENT MAINTENANCE	REARDON LAWN & GARDEN INC	SPARK PLUG	6.99	
100-151-54320	EQUIPMENT MAINTENANCE	RENSENHOUSE	120 VAC RELAY	14.75	
100-151-54320	EQUIPMENT MAINTENANCE	WEMHOFF REFRIGERATION INC	SERVICE CALL - 2 PEPSI COOLERS/2 DR FRE	844.84	
100-151-56060	CHEMICALS	AQUA-CHEM INC	ROTOR-X FLOW SENSOR	955.32	
100-151-56130	SUPPLIES FOR RESALE	CAPITAL ONE - WALMART	RIBBON, BEACH TOWELS	16.97	
100-151-56300	FOOD COSTS	CAPITAL ONE - WALMART	FUN POPS	20.86	
		Total For Dept 151 PAWNEE PLUNGE WATER PARK		2,006.73	
Dept 152 AQUATIC CENTER POOL					
100-152-54310	BUILDING MAINTENANCE	ACE HARDWARE & GARDEN CNT	HP GOOD BRUSH FLAT	6.99	
100-152-54310	BUILDING MAINTENANCE	AQUA-CHEM INC	STRAINER LID FLAT GASKET	110.28	
100-152-54310	BUILDING MAINTENANCE	MECHANICAL SALES INC	RELAY	1,042.29	
100-152-54310	BUILDING MAINTENANCE	MENARDS	4" OCT COVER BLANK	43.76	
100-152-54310	BUILDING MAINTENANCE	RENSENHOUSE	3 - VAPOR TITE FIXTURES	369.00	
100-152-54310	BUILDING MAINTENANCE	SHERWIN-WILLIAMS CO	SAFETY BLUE	29.36	
100-152-54320	EQUIPMENT MAINTENANCE	RUTT'S HEATING & A/C INC	POOL BOILER NOT STARTING	262.50	
100-152-56030	CLEANING SUPPLIES/SERVICE	MID-AMERICAN RESEARCH	LINERS	237.00	
100-152-56060	CHEMICALS	AQUA-CHEM INC	CHEMICALS	11,506.35	
100-152-56210	NATURAL GAS	BLACK HILLS ENERGY	NATURAL GAS	193.58	
		Total For Dept 152 AQUATIC CENTER POOL		13,801.11	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 100 GENERAL FUND					
Dept 155 VAN BERG GOLF COURSE					
100-155-54320	EQUIPMENT MAINTENANCE	ACE HARDWARE & GARDEN CNT	GRIND WHEEL	3.99	
100-155-54490	IRRIGATION MAINTENANCE	KELLY SUPPLY COMPANY	COUP PVC	140.06	
		Total For Dept 155 VAN BERG GOLF COURSE		144.05	
Dept 156 QUAIL RUN GOLF COURSE					
100-156-54310	BUILDING MAINTENANCE	ELLER HEATING AIR CONDITIC	NO AC - FOUND LEAKS & REPAIRED	787.13	
100-156-54320	EQUIPMENT MAINTENANCE	AG SPRAY EQUIPMENT	CABLE COMPRESSOR 15 FT	49.50	
100-156-54520	EQUIPMENT RENTAL/PURCHASE	BURESH GOLF & EQUIPMENT	RENTALS 8/12/24	500.00	
100-156-54520	EQUIPMENT RENTAL/PURCHASE	MR GOLF CAR INC	RENTAL/TOURNAMENT CARS 8/12/24	2,880.00	
100-156-56010	SUPPLIES	ACE HARDWARE & GARDEN CNT	DUCT TAPE	10.99	
100-156-56010	SUPPLIES	HADLEY-BRAITHWAIT COMPANY	CASE JUMBO TOILET PAPER	49.95	
100-156-56010	SUPPLIES	JACKSON SERVICES INC	UNIFORMS	53.70	
100-156-56010	SUPPLIES	PREFERRED PIPELINE LLC	SAND	1,603.20	
100-156-56110	PRO-SHOP SUPPLIES	MATHESON-LINWELD	RESALE CO2	327.44	
100-156-56110	PRO-SHOP SUPPLIES	MID-AMERICAN RESEARCH	ANTIBACT HAND CLEANER	119.00	
		Total For Dept 156 QUAIL RUN GOLF COURSE		6,380.91	
		Total For Fund 100 GENERAL FUND		281,473.24	
Fund 200 STREETS/ENGINEERING					
Dept 200 STREETS					
200-200-52700	TRAINING AND TUITION	SLOUP ROSS	CDL LEARNERS PERMIT	15.37	
200-200-52800	UNIFORMS	JACKSON SERVICES INC	UNIFORMS	416.32	
200-200-53400	COMPUTER SUPPORT/MAINT	TRITECH SOFTWARE SYSTEMS	ASSET MANAGEMENT ANNUAL MAINTENANCE FEE	4,887.47	
200-200-54310	BUILDING MAINTENANCE	KELLY SUPPLY COMPANY	300FT CLEAN MASTER, GATES STEM - FOR PC	59.85	
200-200-54320	EQUIPMENT MAINTENANCE	ARMOR EQUIPMENT	4-SEG GUTTER BROOM	1,045.36	
200-200-54320	EQUIPMENT MAINTENANCE	BOMGAARS	BALL GAS VALVE	47.99	
200-200-54330	VEHICLE MAINTENANCE	GARY GROSS TRUCK & ACCESSC	USED FORD 8FT WHITE PICKUP BOX	1,500.00	
200-200-54330	VEHICLE MAINTENANCE	GAVER TIRE & AUTO CENTER]	4 - GENERAL GRABBER ATX VIN #7082	1,888.34	
200-200-54450	STREET MAINTENANCE	GEHRING CONSTRUCTION &	20TH STREET & 26TH AVE	1,126.26	
200-200-54450	STREET MAINTENANCE	GERHOLD CONCRETE COMPANY	20TH ST AND 26TH AVE	735.73	
200-200-56010	SUPPLIES	ACE HARDWARE & GARDEN CNT	LIME-A-WAY, BLOW OFF DUSTER, HIGHLIGHTE	38.35	
200-200-56010	SUPPLIES	GEHRING CONSTRUCTION &	2 PALLETS OF TAR	3,762.00	
200-200-56010	SUPPLIES	O'REILLY AUTOMOTIVE INC	30YD TAPE	27.98	
200-200-56020	OFFICE SUPPLIES	EAKES OFFICE SOLUTIONS	CALENDAR, APPT BOOK, POP-UP NOTES, STAI	277.12	
200-200-56090	SMALL TOOLS	ACE HARDWARE & GARDEN CNT	SLEDGE FBRGL HANDLE, SLEDGE HANDLE WOOI	57.98	
200-200-56120	TRAFFIC SIGNS	MD SOLUTIONS INC	2 3/8" ROUND POST CAP	745.72	
200-200-56120	TRAFFIC SIGNS	NEWMAN SIGNS INC.	SIGNS	617.26	
200-200-56220	ELECTRICITY	LOUP POWER DISTRICT	ELECTRICITY	27.85	
200-200-57300-20070	CAPITAL-NEW CONSTRUCTION	UNION PACIFIC RAILROAD CO	PRELIMINARY ENGINEERING TO CONSTRUCT SI	1,694.00	
200-200-57300-20071	CAPITAL-NEW CONSTRUCTION	GEHRING CONSTRUCTION &	STORM DRAINAGE & CONCRETE IMPROVEMENTS	292,620.00	
200-200-57300-20071	CAPITAL-NEW CONSTRUCTION	MID-STATE ENGINEERING & TE	28TH STREET REPAIR	1,460.00	
		Total For Dept 200 STREETS		313,050.95	
Dept 202 MECHANICS SHOP					
200-202-52800	UNIFORMS	JACKSON SERVICES INC	UNIFORMS	67.01	
200-202-56010	SUPPLIES	ACE HARDWARE & GARDEN CNT	TEE NYLON	2.39	
200-202-56010	SUPPLIES	O'REILLY AUTOMOTIVE INC	CLEANER	59.47	
200-202-56130	SUPPLIES FOR RESALE	ADVANCE AUTO PARTS	CORRECTION	203.61	
200-202-56130	SUPPLIES FOR RESALE	BOMGAARS	PULLEY	157.23	
200-202-56130	SUPPLIES FOR RESALE	BRUNKHORST ENGINE MACHINE	COMPRESSOR	40.00	
200-202-56130	SUPPLIES FOR RESALE	CHROME N' STEEL TRUCK & TF	FREIGHTLINER AIR BAG, DD OIL FILTER	195.19	
200-202-56130	SUPPLIES FOR RESALE	GENE STEFFY FORD	NUTS, SCREWS	225.94	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 200 STREETS/ENGINEERING					
Dept 202 MECHANICS SHOP					
200-202-56130	SUPPLIES FOR RESALE	O'REILLY AUTOMOTIVE INC	RETAINER	195.21	
200-202-56130	SUPPLIES FOR RESALE	PRODUCTIVITY PLUS ACCOUNT-	RUETER'S - SHAFT-DRIVE	1,546.60	
		Total For Dept 202 MECHANICS SHOP		2,692.65	
		Total For Fund 200 STREETS/ENGINEERING		315,743.60	
Fund 205 AIRPORT					
Dept 205 AIRPORT					
205-205-54320	EQUIPMENT MAINTENANCE	ADVANCE AUTO PARTS	4 - BATTERIES	399.28	
205-205-54320	EQUIPMENT MAINTENANCE	REARDON LAWN & GARDEN INC	SPRING	4.00	
205-205-56010	SUPPLIES	ACE HARDWARE & GARDEN CNT	CF3 PRO .095 LINE, AUTO CUT	112.96	
205-205-56010	SUPPLIES	BOMGAARS	SHOP TOWELS, PIPE PLUG	372.13	
205-205-56010	SUPPLIES	MIDWEST SERVICE & SALES CC	SEFB 16 HOLES	708.30	
		Total For Dept 205 AIRPORT		1,596.67	
		Total For Fund 205 AIRPORT		1,596.67	
Fund 220 COMMUNICATIONS - E911					
Dept 220 E911					
220-220-56010	SUPPLIES	CAPITAL ONE - WALMART	DECO BASKETS, OTTER POPS, WASTE CAN	40.40	
220-220-56240	TELEPHONE	DAS STATE ACCOUNTING	MONTHLY NETWORK CHARGES	1,356.79	
220-220-57510-24028	CAPITAL-EQUIPMENT	MOTOROLA SOLUTIONS INC.	CHANGE ORDER #2	8,443.00	
		Total For Dept 220 E911		9,840.19	
		Total For Fund 220 COMMUNICATIONS - E911		9,840.19	
Fund 260 PROGRESS AND JOBS GROWTH					
Dept 260 PROGRESS AND JOBS GROWTH					
260-260-55900	MISCELLANEOUS	COLUMBUS AREA CHAMBER OF	COLUMBUS AREA FUTURE FUND CHAMBER OF CC	45,000.00	
		Total For Dept 260 PROGRESS AND JOBS GROWTH		45,000.00	
		Total For Fund 260 PROGRESS AND JOBS GROWTH		45,000.00	
Fund 500 UTILITY SERVICE					
Dept 000					
500-000-20100	SSX-1	WOLFE DOROTHY	UB refund for account: 100-12560-00	17.44	
		Total For Dept 000		17.44	
Dept 500 WASTEWATER COLLECTION					
500-500-52710	EMPLOYEE RECRUITMENT/RETENTION	OCCUPATIONAL HEALTH SERV	DRUG SCREENS, PHYSICAL CAPACITY PROFILE	490.00	
500-500-52800	UNIFORMS	JACKSON SERVICES INC	UNIFORMS	279.52	
500-500-53400	COMPUTER SUPPORT/MAINT	TRITECH SOFTWARE SYSTEMS	ASSET MANAGEMENT ANNUAL MAINTENANCE FEE	2,932.48	
500-500-54310	BUILDING MAINTENANCE	KELLY SUPPLY COMPANY	300FT CLEAN MASTER, GATES STEM - FOR PC	59.85	
500-500-54320	EQUIPMENT MAINTENANCE	ACE HARDWARE & GARDEN CNT	LIGHT BULBS, EYELET/AUTOCUT	11.96	
500-500-54320	EQUIPMENT MAINTENANCE	USA BLUE BOOK	SJE PUMP MASTER	1,109.70	
500-500-54330	VEHICLE MAINTENANCE	GAVER TIRE & AUTO CENTER]	4 - GENERAL GRABBER ATX VIN #0619	2,822.49	
500-500-54390	SYSTEM MAINTENANCE	BOMGAARS	GRINDING WHEEL	4.99	
500-500-54390	SYSTEM MAINTENANCE	FASTENAL COMPANY	GREEN 4X5, BLUE 4X5	334.76	
500-500-54390	SYSTEM MAINTENANCE	KELLY SUPPLY COMPANY	S&D CAP	95.39	
500-500-56020	OFFICE SUPPLIES	EAKES OFFICE SOLUTIONS	WINDOW ENVELOPES	1,736.74	
500-500-56090	SMALL TOOLS	BOMGAARS	SCREWDRIVER, TOOL CASE	5.16	
500-500-57200-24029	CAPITAL-LAND & BUILDINGS	GEHRING CONSTRUCTION &	VITALITY VILLAGE SUBDIVISION & COMMUNIT	8,308.50	
500-500-57300-20091	CAPITAL-NEW CONSTRUCTION	RUTJENS CONSTRUCTION	LOST CREEK PARKWAY SEWER	86,746.93	

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Fund 500 UTILITY SERVICE					
Dept 500 WASTEWATER COLLECTION					
		Total For Dept 500 WASTEWATER COLLECTION		104,938.47	
Dept 501 WASTEWATER TREATMENT FAC					
500-501-52800	UNIFORMS	JACKSON SERVICES INC	UNIFORMS	192.38	
500-501-54320	EQUIPMENT MAINTENANCE	LAKEVIEW SMALL ENGINE INC	FILTER OIL	23.90	
500-501-54320	EQUIPMENT MAINTENANCE	MCMASTER-CARR	VACUUM BREAKING VALVE, PARTS WASHING FI	142.94	
500-501-54320	EQUIPMENT MAINTENANCE	MENARDS	3-PC CNCTR, GLOVES, LQDT NMTL COND	47.96	
500-501-54330	VEHICLE MAINTENANCE	O'REILLY AUTOMOTIVE INC	MICRO-V BELT, WTR PUMP, ANTIFREEZE	194.29	
500-501-54330	VEHICLE MAINTENANCE	TIRE OUTLET INC	REPAIR	35.00	
500-501-55640	COMPLIANCE TESTING	PACE ANALYTICAL SERVICES I	WATER TESTING	1,146.40	
500-501-56010	SUPPLIES	ACE HARDWARE & GARDEN CNT	GARDEN SPRAYER	38.97	
500-501-56010	SUPPLIES	MENARDS	HEX WASH, SCREW, RUBBER SWIVEL	53.36	
500-501-56030	CLEANING SUPPLIES/SERVICE	JACKSON SERVICES INC	MAT, BAR TOWEL, SHOP TOWEL ORANGE	28.50	
500-501-56100	LABORATORY	HACH COMPANY	DIGITAL PH SENSOR, SENSOR CAP REPLACEME	2,389.00	
		Total For Dept 501 WASTEWATER TREATMENT FAC		4,292.70	
		Total For Fund 500 UTILITY SERVICE		109,248.61	
Fund 520 WATER					
Dept 000					
520-000-20100	WAM-41	WOLFE DOROTHY	UB refund for account: 100-12560-00	15.96	
		Total For Dept 000		15.96	
Dept 520 WATER					
520-520-52700	TRAINING AND TUITION	UTILITIES SECTION	BACKFLOW WORKSHOP - GERSTEIN, ABSALON	390.00	
520-520-52800	UNIFORMS	JACKSON SERVICES INC	UNIFORMS	151.62	
520-520-53400	COMPUTER SUPPORT/MAINT	TRITECH SOFTWARE SYSTEMS	ASSET MANAGEMENT ANNUAL MAINTENANCE FEE	2,932.48	
520-520-54310	BUILDING MAINTENANCE	KELLY SUPPLY COMPANY	300FT CLEAN MASTER, GATES STEM - FOR PC	59.84	
520-520-54320	EQUIPMENT MAINTENANCE	ACE HARDWARE & GARDEN CNT	CF3 PRO .095 LINE	25.99	
520-520-54330	VEHICLE MAINTENANCE	GAVER TIRE & AUTO CENTER I	4 - GENERAL GRABBER ATX VIN #6731	940.83	
520-520-54390	SYSTEM MAINTENANCE	ACE HARDWARE & GARDEN CNT	PLUG SCH40 PVC 2"	3.99	
520-520-54390	SYSTEM MAINTENANCE	BOMGAARS	CABLE TIES, FINISHING PAD, STRIPPING PA	44.85	
520-520-54390	SYSTEM MAINTENANCE	FASTENAL COMPANY	GREEN 4X5, BLUE 4X5	329.60	
520-520-54390	SYSTEM MAINTENANCE	GEHRING CONSTRUCTION &	36TH STREET & 32ND AVE	258.13	
520-520-55640	COMPLIANCE TESTING	NEBRASKA PUBLIC HEALTH	WATER TESTING	1,766.00	
520-520-56010	SUPPLIES	MENARDS	BOUNTY, DAWN, CHARMIN	114.28	
520-520-56020	OFFICE SUPPLIES	EAKES OFFICE SOLUTIONS	WINDOW ENVELOPES	1,736.74	
520-520-56030	CLEANING SUPPLIES/SERVICE	MID-AMERICAN RESEARCH	FLOOR CLEANER, BOWL CLEANER, DISINFECTA	375.60	
520-520-56060	CHEMICALS	HAWKINS INC	CHEMICALS	6,443.81	
520-520-56135	AMR RADIO EXPENSE	CORE & MAIN LP	54 - 510M S/POINT M2	10,191.46	
520-520-57200-24029	CAPITAL-LAND & BUILDINGS	GEHRING CONSTRUCTION &	VITALITY VILLAGE SUBDIVISION & COMMUNIT	8,308.50	
		Total For Dept 520 WATER		34,073.72	
		Total For Fund 520 WATER		34,089.68	
Fund 560 STORMWATER UTILITY					
Dept 000					
560-000-20100	SUF-5	WOLFE DOROTHY	UB refund for account: 100-12560-00	2.16	
		Total For Dept 000		2.16	
Dept 560 STORMWATER UTILITY					
560-560-53400	COMPUTER SUPPORT/MAINT	TRITECH SOFTWARE SYSTEMS	ASSET MANAGEMENT ANNUAL MAINTENANCE FEE	1,954.99	
560-560-57300-20107	CAPITAL-NEW CONSTRUCTION	DALE JOHNSON TRUCKING	RIVER ROCK	4,002.65	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 560 STORMWATER UTILITY					
Dept 560 STORMWATER UTILITY					
		Total For Dept 560 STORMWATER UTILITY		5,957.64	
		Total For Fund 560 STORMWATER UTILITY		5,959.80	
Fund 570 SOLID WASTE DIVISION					
Dept 000					
570-000-20100	SWD-1	WOLFE DOROTHY	UB refund for account: 100-12560-00	2.25	
		Total For Dept 000		2.25	
Dept 570 TRANSFER STATION					
570-570-52800	UNIFORMS	JACKSON SERVICES INC	MATS, ROLLER TOWELS, UNIFORMS	226.33	
570-570-54320	EQUIPMENT MAINTENANCE	ARNOLD MOTOR SUPPLY	STACKABLE BATTERY CABLE	16.11	
570-570-54330	VEHICLE MAINTENANCE	TIRE OUTLET INC	USED TIRE	865.00	
		Total For Dept 570 TRANSFER STATION		1,107.44	
		Total For Fund 570 SOLID WASTE DIVISION		1,109.69	
Fund 600 HEALTH INSURANCE					
Dept 000					
600-000-10113	PETTY CASH WELLNESS	COLUMBUS AREA CHAMBER OF	COLUMBUS BUCKS-PACE PROGRAM	1,140.00	
		Total For Dept 000		1,140.00	
Dept 600 HEALTH INSURANCE					
600-600-53600	HEALTH ADMINISTRATION	AUXIANT	STOPLOSS PREMIUM, FEES	60,044.34	
		Total For Dept 600 HEALTH INSURANCE		60,044.34	
		Total For Fund 600 HEALTH INSURANCE		61,184.34	
Fund 999 PAYROLL CLEARING					
Dept 000					
999-000-21510	HEALTH ACCOUNT PAYABLE	AUXIANT	HEALTH FUNDING	38,537.24	
999-000-21530	FLEXIBLE SPEND PAYABLE	AUXIANT	FLEX FUNDING	3,321.65	
		Total For Dept 000		41,858.89	
		Total For Fund 999 PAYROLL CLEARING		41,858.89	

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #

Fund Totals:

Fund 100 GENERAL FUND	281,473.24
Fund 200 STREETS/ENGINEI	315,743.60
Fund 205 AIRPORT	1,596.67
Fund 220 COMMUNICATIONS	9,840.19
Fund 260 PROGRESS AND JC	45,000.00
Fund 500 UTILITY SERVICI	109,248.61
Fund 520 WATER	34,089.68
Fund 560 STORMWATER UTII	5,959.80
Fund 570 SOLID WASTE DIV	1,109.69
Fund 600 HEALTH INSURANC	61,184.34
Fund 999 PAYROLL CLEARIN	41,858.89
Total For All Funds:	907,104.71

5. **APPROVAL OF MINUTES - Included in Consent Agenda**

6. **SPECIAL PRESENTATIONS - None**

7. **PUBLIC HEARINGS**

7.A. Public hearing - One and Six Year Plan.

NOTICE OF HEARING

You are hereby notified that a public hearing before the mayor and council of the City of Columbus, NE, will be held on Monday, September 3, 2024 at 6 p.m. in the Columbus Community Building, Community Room, 2500 14 St, Columbus, NE, for the purpose of hearing testimony in favor of, opposition to, and to answer questions in relation to, the proposed One and Six Year Plan for Highway, Road, and Street Improvements for the City of Columbus, NE. The plan may be examined at City Hall, Engineering Department, 2500 14 Street.

City of Columbus
Shuraya Choat, City Clerk

Publish: 08:23:24
Affidavit of Publication

The City of Columbus

MEMORANDUM

DATE: August 7, 2024

FROM: Richard J. Bogus, P.E., City Engineer

TO: Tara Vasicek, City Administrator

RE: Nebraska Board of Public Roads Classifications and Standards 2024-2025Fiscal Year One and Six Year Road Plan

RECOMMENDATION:

I recommend approval of the 2024-2025 fiscal year One and Six Year Road Plan and related forms.

DISCUSSION:

The 2025 One and Six Year Road plan includes projects corresponding with the 2024-2025 City Budget and CIPs. The forms are as follows:

- Form 7: Project Detail Sheet
- Form 8: One Year Plan
- Form 9: Six Year Plan (must include the One Year Plan)
- Form 11: Report of Previous Year
- Map: One and Six Year Plan

Maintenance defined projects are not included by rule in the One and Six Year Road Plans.

FISCAL IMPACT:

The City has included its portion of the costs in the 2023-2024 and/or 2024-2025 budgets

ALTERNATIVE:

Annual 1&6 Year Road Plan certification is required to obtain Highway-user revenue.

SIGNATURE:

By: Richard J. Bogus

Approved By:

CAD DRAWING
DO NOT REVISE MANUALLY

N

NO SCALE

M211(324)
1.0 Miles

M211(371)
.2 Mile

M211(360)

M211(368)
.2 Mile

M211(289)
.2 Mile

M211(380)

M211(190)
1.4 Mile

M211(366)
.2 Mile

M211(62)
.3 Mile

M211(373)
.3 Mile

M211(356)
.3 Mile

M211(359)

M211(264)
.3 Mile

M211(375)
.2 Mile

M211(376)
.01 Mile

M211(325)
2.7 Miles

M211(352)
.4 Mile

M211(118)
0.4 Miles

M211(374)
.1 Mile

M211(114)
.8 Mile

M211(57)

M211(358)
.2 Miles

M211(346)
.1 Mile

M211(44)
.5 Miles

M211(290)
.9 Mile

M211(118)
.4 Mile

M211(272)
.7 Mile

M211(35)
.3 Mile

M211(288)
.3 Mile

M211(377)
.1 Mile

M211(370)
.5 Miles

M211(111)
.3 Mile

M211(64)
.2 Mile

M211(36)
.3 Mile

M211(369)
.2 Mile

M211(39)
.3 Mile

M211(71)
.1 Mile

M211(302)
.4 Mile

M211(112)
.1 Mile

M211(157)
.3 Mile

M211(367)
.3 Mile

M211(301)
.3 Mile

M211(372)
.3 Mile

M211(362)
.4 Mile

M211(378)
.3 Mile

M211(220)
1.6 Mile

LOUP RIVER

PLATTE RIVER

ONE-YEAR PLAN

SIX-YEAR PLAN

DOWNTOWN UPRR EVALUATION
SEPERATION STUDY M211(355)

SS4A STUDY M211(375)

LOUP RIVER BRIDGE SECTION 105
DESIGN STUDY M211(379)

HWY 81/63RD AVE TRAFFIC SIGNAL
DESIGN STUDY M211(380)

DOWNTOWN RR QUITE ZONE STUDY
M211(381)

8TH ST & 12TH AVE INT. EVALUATION
M211(382)

8-6-2024	UPDATED PROJECT LIST
DATE	REVISIONS

YEAR 2025 PLAN

COVER SHEET
COLUMBUS, NEBRASKA
ONE AND SIX YEAR ROAD PLAN

DRAWN BY	DATE	CHECKED BY	APPROVED BY
BLI	8-6-2024		
SCALE: NO SCALE		DRAWING NO. CITY	

Board of Public Roads Classifications and Standards

Form 8 Summary of One-Year Plan

Year Ending: December 31, 2025

County: PLATTE		**City:** COLUMBUS			**Village:**
PRIORITY NUMBER	PROJECT NUMBER	LENGTH (Nearest Tenth)	UNIT OF MEASURE	ESTIMATED COST (Thousands)	REMARKS
1	M211 (325)	2.7	Miles	35,000	23 St. 32nd Ave. to E 11 Ave. (NDOT)
2	M211 (360)	-	-	930	Lost Creek Parkway & Wilderness Rd. Signal Upgrades
3	M211 (375)	-	-	500	SS4A Study
4	M211 (377)	0.1	Miles	250	CDBG 11th Street Sidewalks
5	M211 (380)	-	-	200	Highway 81/63rd Avenue Traffic Signal Design
6	M211 (381)	-	-	300	Downtown RR Quiet Zone Study
7	M211 (376)	0.1	Miles	100	35th Avenue Widening 25th to 27th Avenues
8	M211 (378)	0.3	Miles	18,000	NDOT Loup River Bridge
9	M211 (379)	-	-	150	Loup River Bridge Section 105 Design
10	M211 (367)	0.3	Miles	450	Reeder Subdivision
11	M211 (368)	0.2	Miles	300	Meadow Ridge 11th Addition
12	M211 (369)	0.2	Miles	440	Cuzzins Corner 4th Addition
13	M211 (370)	0.5	Miles	1,400	Vitality Village Subdivision
14	M211 (371)	0.2	Miles	350	Country Club Shores 6th Addition
15	M211 (372)	0.3	Miles	375	Quail Meadows Addition
16	M211 (373)	0.3	Miles	450	Farm View 2nd and 3rd Additions
17	M211 (374)	0.1	Miles	250	Union Bank & Trust Subdivision
18	M211 (382)	-	-	150	8th Street & 12th Avenue Intersection Evaluation

Signature: Richard J Bogus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

Form 9 Summary of Six-Year Plan

Year Ending: December 31, 2030

County: PLATTE		**City:** COLUMBUS			**Village:**
PRIORITY NUMBER	PROJECT NUMBER	LENGTH (Nearest Tenth)	UNIT OF MEASURE	ESTIMATED COST (Thousands)	REMARKS
1	M211 (325)	2.7	Miles	35,000	23rd St. 32nd Ave. to E 11th Ave. (NDOT)
2	M211 (360)	-	-	300	Lost Creek Parkway & Wilderness Rd. Signal Upgrades
3	M211 (375)	-	-	500	SS4A Study
4	M211 (377)	0.1	Miles	250	CDBG 11th Street Sidewalks
5	M211 (380)	-	-	200	Highway 81/63rd Avenue Traffic Signal Design
6	M211 (381)	-	-	300	Downtown RR Quiet Zone Study
7	M211 (376)	0.1	Miles	100	35th Avenue Widening 25th to 27th Avenues
8	M211 (378)	0.3	Miles	18,000	NDOT Loup River Bridge
9	M211 (379)	-	-	150	Loup River Bridge Section 105 Design
10	M211 (367)	0.3	Miles	450	Reeder Subdivision
11	M211 (368)	0.2	Miles	300	Meadow Ridge 11th Addition
12	M211 (369)	0.2	Miles	440	Cuzzins Corner 4th Addition
13	M211 (370)	0.5	Miles	1,400	Vitality Village Subdivision
14	M211 (371)	0.2	Miles	350	Country Club Shores 6th Addition
15	M211 (372)	0.3	Miles	375	Quail Meadows Addition
16	M211 (373)	0.3	Miles	450	Farm View 2nd and 3rd Additions
17	M211 (374)	0.1	Miles	250	Union Bank & Trust Subdivision
18	M211 (382)	-	-	150	8th Street & 12th Avenue Intersection Evaluation
19	M211 (359)	-	-	250	27th St. & 33rd Ave. Light Signal Upgrade

Signature: Richard J Bogus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

Form 9 Summary of Six-Year Plan

Year Ending: December 31, 2030

County: PLATTE		**City:** COLUMBUS			**Village:**
PRIORITY NUMBER	PROJECT NUMBER	LENGTH (Nearest Tenth)	UNIT OF MEASURE	ESTIMATED COST (Thousands)	REMARKS
20	M211 (352)	0.4	Miles	3,800	23rd /Shady Lake, 54th Ave. to W Corp. Limits
21	M211 (366)	0.2	Miles	300	Park Place 10th Addition
22	M211 (362)	0.4	Miles	450	Centennial Park 8th Addition
23	M211 (346)	0.1	Miles	275	Riverside 3rd Addition
24	M211 (290)	-	-	1,400	Ag Park Drainage
25	M211 (272)	1.0	Miles	4,200	Howard Blvd. 33rd Ave. to 23rd St.
26	M211 (220)	1.6	Miles	3,800	10th Ave. Lovers Lane to 5th St.
27	M211 (289)	0.5	Miles	250	Deerfield Park 2nd Addition
28	M211 (44)	-	-	13,000	Storm Sewer East Park / 11th St.
29	M211 (288)	0.3	Miles	3,000	48th Ave. Park to 11th St. 11th St. 41st – 48th Ave.
30	M211 (39)	0.3	Miles	300	Curb & Gutter 6th St. 24th – 26th Ave.
31	M211 (36)	0.3	Miles	500	14th, 15th, & 20th Ave. between 11th & 12th St.
32	M211 (264)	0.3	Miles	1,100	26th Ave. from 27th – 32nd St.
33	M211 (112)	0.3	Miles	400	Crumley Subdivision
34	M211 (114)	0.8	Miles	1,300	Sand Subdivision
35	M211 (57)	-	-	700	Storm Sewer Improve 30th Ave. 22nd to 23rd St.
36	M211 (190)	1.4	Miles	4,000	Johannes Addition
37	M211 (64)	0.2	Miles	400	Oida Addition
38	M211 (111)	0.3	Miles	450	Gates 1st & 2nd Addition

Signature:	Title:	Date:
Richard J Beyer	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

Form 9 Summary of Six-Year Plan

Year Ending: December 31, 2030

County: PLATTE		**City:** COLUMBUS			**Village:**
PRIORITY NUMBER	PROJECT NUMBER	LENGTH (Nearest Tenth)	UNIT OF MEASURE	ESTIMATED COST (Thousands)	REMARKS
39	M211 (157)	0.3	Miles	600	26th Ave. from 3rd to 5th St. 25th Ave. 3rd to 5th St.
40	M211 (324)	1.0	Miles	900	Power House Trail Phase 2
41	M211 (62)	0.3	Miles	600	Air Vista Drive
42	M211 (35)	0.3	Miles	500	12th St. from 12th to 16th St. & 18thto 19th Ave.
43	M211 (118)	0.4	Miles	850	West Parkway 1st & 2nd Subdivision
44	M211 (71)	0.1	Miles	700	22nd & 25th Ave. between 6th to 7th St.
45	M211 (301)	0.3	Miles	900	21st Ave. from 1st to ½ Blk N on 3rd St.
46	M211 (302)	0.4	Miles	900	2nd to 4th St. from 16th to 17th Ave./ 14th to 15th Ave.

Signature: Richard J Bogus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: PLATTE	**City: COLUMBUS**	**Village:**

LOCATION DESCRIPTION:

12th Street from 12th Avenue to 16th Avenue
12th Street from 18th Avenue to 19th Avenue

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Gravel

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 200, 2044 = 400	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

Paving over existing Gravel Roadway w/Misc. grading

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		500				500

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.3 Miles	M211 (35)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: PLATTE	**City: COLUMBUS**	**Village:**

LOCATION DESCRIPTION:

14th, 15th, and 20th Avenues from 11th Street & 12th Street

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Gravel

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 200, 2044 = 300	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

Paving over existing Gravel Roadway w/Misc. grading

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		500				500

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.3 Miles	M211 (36)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Curb & Gutter (6th Street) 24th Avenue to 26th Avenue, north side of 6th Street, 26th Avenue to 27th Avenue.
The above is what remains of this project.

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

20' – 6" Concrete Paving (no curb and gutter)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 300, 2044 = 500	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6"	Width: 33'

☒Grading	☒Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☐Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

Curb & Gutter 5 ½' extension on present 22' paving on both sides makes a 33' paving.

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		300				300

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.3 Miles	M211 (39)

Signature:	Title:	Date:
Richard J Begus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Storm Sewer East Park Addition / 11th Street

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Asphalt and Concrete Street Crossings

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = NA, 2044 = NA	N/A

Proposed Improvement

Design Standard Number: Municipal		Surfacing:	Thickness:	Width:
☐Grading	☐Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☐Curb & Gutter	☐Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☐Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:	Type:	
New Bridge	Roadway Width:	Length:	Type:	
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter: 48" to 54"	Length:	Type: RCP	
Bridges and Culverts Sized	☐Yes	☒N/A	☐Hydraulic Analysis Pending	

OTHER CONSTRUCTION FEATURES:

Assist drainage East Park by enlarging storm sewer system.

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		13,000				13,000

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.: M211 (44)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Storm Sewer Improvement: 30th Avenue from 22nd to 23rd Streets
20th Street from 30th Avenue to 33rd Avenue

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Concrete

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 400, 2044 = 500	Local

Proposed Improvement

Design Standard Number:		Surfacing:	Thickness:	Width:
☐Grading	☐Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☐Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter: 18”	Length:		Type: RCP
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

Improve storm sewer drainage in this area.

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		700				700

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.: M211 (57)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Air Vista Drive southwest from 30th Street to point 211' north of 27th Street where it joins 33' concrete paving.

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Gravel

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 100, 2044 = 200	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6"	Width: 33'

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

Paving over existing Gravel Roadway w/misc. grading

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		600				600

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.3 Miles	M211 (62)

Signature:	Title:	Date:
Richard J Begus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

12th Street, 37th Avenue to 38 ½ Avenue – 40 ½ Avenue to 41st Avenue
13th Street, 40 ½ Avenue to 41st Avenue, 37th Avenue, 13th Street ½ Block South
38th Avenue, 12th Street to 13th Street, ½ Block North, Oida Addition

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Gravel

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 100, 2044 = 200	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☐Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

33’ Concrete, Curb & Gutter and Storm Sewer

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		400				400

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.2 Miles	M211 (64)

Signature:	Title:	Date:
Richard J Begus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

22nd Avenue between 6th Street to 7th Street
25th Avenue between 6th Street to 7th Street

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Gravel

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 100, 2044 = 200	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

33’ Concrete, Curb & Gutter and Storm Sewer

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		700				700

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.1 Miles	M211 (71)

Signature:	Title:	Date:
Richard J Begus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Gates 1st Subdivision – 2nd Avenue, 8th Street to 10th Street, 10th Street, 3rd Avenue to 2nd Avenue
Gates 2nd Subdivision – 2nd Avenue south and southeasterly and return to 9th Avenue

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Gravel

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 100, 2044 = 200	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

33’ Concrete, Curb & Gutter and Storm Sewer

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		450				450

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.3 Miles	M211 (111)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:
Crumley Subdivision – 6th Street and 3rd Avenue – 5th Street east to City Limits, also 2nd Avenue cul-de-sac

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)
Gravel

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 100, 2044 = 200	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:
33’ Concrete, Curb & Gutter and Storm Sewer

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		400				400

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.3 Miles	M211 (112)

Signature:	Title:	Date:
Richard J Begus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: PLATTE	**City: COLUMBUS**	**Village:**

LOCATION DESCRIPTION:
Sand Subdivision and (Replat Part) of Sand Subdivision, 17th Street, Public Access Road from East 12th Avenue & East 11th Avenue from 17th Street north to Public Access Road, 17th Street from East 11th Avenue west.

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)
Gravel

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 400, 2044 = 600	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 8”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:
33’ Concrete, Curb & Gutter and Storm Sewer

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		1300				1300

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.8 Miles	M211 (114)

Signature:	Title:	Date:
Richard J Begus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:
West Parkway 1st and 2nd Subdivisions; 12th Street – Munroe Avenue to 46th Avenue; 13th Street – 46th Avenue to 48th Avenue; 14th Street – 248' East of Munroe Avenue to 48th Avenue; Munroe Avenue – 11th Street to 14th Street; 46th Avenue – 11th Street to 14th Street

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)
Gravel

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 100, 2044 = 200	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6"	Width: 33'

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☐Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:
Concrete Paving, Curb & Gutter 33' Wide and Storm Sewer

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		850				850

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.4 Miles	M211 (118)

Signature:	Title:	Date:
Richard J Bogus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:
26th Avenue from 3rd to 5th Streets; 25th Avenue from 4th to 5th Streets; 24th Avenue from 4th Street North and South ½ Block; 4th Street from 23rd to 24th Avenue

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)
Gravel

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 200, 2044 = 300	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:
33’ Concrete Paving, Curb & Gutter, Storm Sewer

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		600				600

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.3 Miles	M211 (157)

Signature:	Title:	Date:
Richard J Begus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:
Johannes Subdivision

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)
Gravel

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 150, 2044 = 300	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:
Paving over existing Gravel Roadway w/misc. grading

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		4,000				4,000

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
1.4 Miles	M211 (190)

Signature:	Title:	Date:
Richard J Begus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: PLATTE	**City: COLUMBUS**	**Village:**

LOCATION DESCRIPTION:
10th Avenue Lovers Lane to 5th Street, Lovers Lane 5th Street to 10th Avenue; 7th Avenue from Lovers Lane to South 5th Street East to 3rd Avenue

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)
Asphalt

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 765, 2044 = 950	Collector

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 8”	Width: 41’

☒Grading	☒Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:
41’ Concrete Paving, Curb & Gutter with Storm Sewer

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		3,800				3,800

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
1.6 Miles	M211 (220)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:
26th Avenue from 27th Street to 32nd Avenue

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)
Concrete

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 5450, 2044 = 7500	Collector

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 8”	Width: 33’

☐Grading	☒Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☐Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☐Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:
Federal Funds, Purchase Program

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		1,100				1,100

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.3 Miles	M211 (264)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Howard Blvd – 33rd Avenue to 41st Avenue
14th Street – 33rd Avenue to 23rd Street

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Asphalt over concrete (Approx. 0.7 miles)
Concrete (Approx. 0.3 Miles)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 6300, 2044 = 8500	Principal Arterial

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 9”	Width: 41’

☐Grading	☒Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☐Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

41’ Concrete Paving, Curb & Gutter with Storm Sewer
Federal Funds Purchase Program
Construct ADA compliant ramps

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		4,200				4,200

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
1.0 Miles	M211 (272)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

48th Avenue Bradshaw Park Entrance to 11th Street; 11th Street from 48th Avenue to 41st Avenue

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Asphalt & Concrete rural section

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 1300, 2044 = 2300	Collector

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 9”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

33’ Wide concrete roadway with curb & gutter

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		3000				3000

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.3 Miles	M211 (288)

Signature:	Title:	Date:
Richard J Bogus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Deerfield Park 2nd Addition

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Undeveloped

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 0, 2044 = 200	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
					250	250

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.5 Miles	M211 (289)

Signature:	Title:	Date:
Richard J Begus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: PLATTE	**City: COLUMBUS**	**Village:**

LOCATION DESCRIPTION:

Ag Park Drainage

10th Avenue & 19th Street drainage to Lost Creek rail road bridge SE corner Christopher's Cove

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Open channel drainage

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = N/A, 2044 = N/A	N/A

Proposed Improvement

Design Standard Number: Municipal		Surfacing: Concrete	Thickness: 6"	Width: 33'
☒Grading	☐Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☐Curb & Gutter	☐Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☐Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter: 24" to twin 30"	Length:		Type: RCP
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

Clean out and upgrade drainage system and build retention structure

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		1,400				1,400

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.: M211 (290)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:
21st Avenue from 1st to 3rd Street; 21st Avenue from 3rd Street North ½ Block; 4th Street from 20th to 21st Avenue; 4th Street from 19th to 20th Avenue; 3rd Street from 19th to 20th Avenue

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)
Gravel

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 200, 2044 = 300	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments		
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☐Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:
33’ Concrete Paving and Storm Sewer

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		900				900

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.3 Miles	M211 (301)

Signature:	Title:	Date:
Richard J Begus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

4th Street from 16th to 17th Avenue; 4th Street from 14th to 15th Avenue
3rd Street from 14th to 15th Avenue; 3rd Street from 13th to 14th Avenue
2nd Street from 14th to 15th Avenue; 2nd Street from 13th to 14th Avenue; 15th Avenue 3rd to 4th Street; 13th Avenue from 2nd to 3rd Street

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Gravel

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 200, 2044 = 300	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☐Grading	☐Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☐Curb & Gutter	☐Utility Adjustments		
☐Armor Coat	☐Drainage Structures	☐Fencing		
☐Asphalt	☐Erosion Control	☐Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

33’ Concrete Paving and Storm Sewer

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		900				900

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.4 Miles	M211 (302)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Power House Park Trail Phase 2

North side of Lost Creek Parkway along Lost Creek Flood Control ditch from Wilderness Park Road to 3rd Avenue

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Undeveloped Land

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 0, 2044 = N/A	N/A

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 10’

☒Grading	☒Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☐Curb & Gutter	☐Utility Adjustments	☒Trail	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

Proposed: Nebraska Games & Park Recreational Trail Grant (50%)

Proposed: Lower Loup NRD (15%)

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		650	250			900

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
1.0 Miles	M211 (324)

Signature:	Title:	Date:
Richard J Bogus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

23rd Street from 32nd Avenue to East of East 11th Avenue

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Asphalt over Concrete

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 23,730, 2044 = 40,000	Expressway

Proposed Improvement

Design Standard Number: Highway	Surfacing: Concrete	Thickness: TBD	Width: 60' Plus

☒Grading	☒Concrete	☒Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments	☒Traffic Signals	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

NDOT Project – State and City Funds. Sidewalk replacement, traffic signal replacement.
Partial access elimination property acquisition

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		11,500	23,500			35,000

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
2.7 Miles	M211 (325)

Signature: Richard J Bogus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Riverside 3rd Addition

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Undeveloped Land

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 0, 2044 = 100	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments	☐Traffic Signals	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☐Erosion Control	☐Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

Private development. Roads turned over to city

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
					275	275

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.1 Miles	M211 (346)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

23rd Street / Shady Lake Road from 54th Avenue to West Corporate Limits
SID No. 188

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

24' Rural Asphalt

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 1,360, 2044 = 2,500	Arterial

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 9"	Width: 41'

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments	☐Traffic Signals	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☐Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

Federal Funds Purchase Program
Assessments

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		3,800				3,800

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.6 Miles	M211 (352)

Signature: Richard J Bogus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

27th Street and 33rd Avenue Light Signal Upgrade

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

33rd Avenue – Concrete
27th Street – Asphalt over concrete

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 9,000, 2044 = 11,500	Arterials

Proposed Improvement

Design Standard Number: Municipal		Surfacing:	Thickness:	Width:
☐Grading	☐Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☐Curb & Gutter	☐Utility Adjustments	☒Traffic Signal	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☐Erosion Control	☐Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

Existing Signal Upgrades

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		250				250

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.: M211 (359)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Lost Creek Parkway and Wilderness Road Signal Upgrades

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Concrete

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 7,000, 2044 = 10,200	Major Arterial

Proposed Improvement

Design Standard Number: Municipal		Surfacing:	Thickness:	Width:
☐Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☐Curb & Gutter	☐Utility Adjustments	☒Traffic Signal	
☐Armor Coat	☐Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks/Trail		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

Signal Upgrades
Concrete Trail Extension

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		930				930

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.: M211 (360)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Private Development – Centennial Park 8th Addition
2nd Street from 3rd to 7th Avenues; 5th Avenue from 2nd Street north and south 200' and 6th Avenue from 2nd Street south 200'

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Undeveloped Land

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 200, 2044 = 400	Local

Proposed Improvement

Design Standard Number: Municipal		Surfacing: Concrete	Thickness: 6"	Width: 33'
☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☐Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
					450	450

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.4 Miles	M211 (362)

Signature:	Title:	Date:
Richard J Begus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Park Place 10th Addition, Private Developer Subdivision

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 0, 2044 = 150	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
					300	300

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.2 Miles	M211 (366)

Signature:	Title:	Date:
Richard J Bogus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: PLATTE	**City: COLUMBUS**	**Village:**

LOCATION DESCRIPTION:

Reeder Subdivision

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 0, 2044 = 150	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
					450	450

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.3 Miles	M211 (367)

Signature: Richard J Bogus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Meadow Ridge 11th Addition

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 0, 2044 = 150	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
					300	300

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.2 Miles	M211 (368)

Signature:	Title:	Date:
Richard J Bogus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Cuzzin's Corner 4th Addition

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 0, 2044 = 150	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6"	Width: 33'

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
					440	440

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.2 Miles	M211 (369)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Vitality Village Subdivision

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 0, 2044 = 150	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 7”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

City designed subdivision

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		1,400				1,400

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.5 Miles	M211 (370)

Signature:	Title:	Date:
Richard J Rogers	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: PLATTE	**City: COLUMBUS**	**Village:**

LOCATION DESCRIPTION:

Country Club Shores 6th Addition

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 0, 2044 = 150	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
					350	350

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.2 Miles	M211 (371)

Signature:	Title:	Date:
Richard J Regier	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: PLATTE	**City: COLUMBUS**	**Village:**

LOCATION DESCRIPTION:

Quail Meadows Addition

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 0, 2044 = 150	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
					375	375

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.3 Miles	M211 (372)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: PLATTE	**City: COLUMBUS**	**Village:**

LOCATION DESCRIPTION:

Farm View 2nd and 3rd Additions

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 0, 2044 = 150	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 6”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
					450	450

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.3 Miles	M211 (373)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Union Bank & Trust Subdivision
16th Avenue from 23rd Street South

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 200, 2044 = 400	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 8”	Width: 33’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☒Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
					250	250

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.1 Miles	M211 (374)

Signature:	Title:	Date:
Richard J Begus	City Engineer	August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: PLATTE	**City: COLUMBUS**	**Village:**

LOCATION DESCRIPTION:

Safety Streets For All (SS4A) Study
33rd Avenue from Lost Creek Parkway to 53rd Street
8th Street from 3rd to 33rd Avenue
Howard Boulevard from 23rd Street to 33rd Avenue
Downtown Area

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = NA, 2044 = NA	Arterial and Collectors

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 9”	Width: 41’

☐Grading	☐Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☐Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☐Drainage Structures	☐Fencing		
☐Asphalt	☐Erosion Control	☐Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		100	400			500

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
NA	M211 (375)

Signature: Richard J Bogus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

35th Avenue Widening 25th to 27th Avenues

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 350, 2044 = 550	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 9”	Width: 41’

☒Grading	☒Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

Includes sidewalks

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		100				100

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.1 Miles	M211 (376)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

CDBG 11th Street Sidewalks
South side 1th Street from 23rd to 24th Avenue

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Concrete

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = NA, 2044 = NA	Local

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 9”	Width: 41’

☒Grading	☒Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

Includes parking, curb and gutter replacement, pedestrian nodes at each intersection.

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		50				250

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.1 Miles	M211 (377)

Signature: Richard J Bogus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

NDOT Loup River Bridge

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 14,455, 2044 = 21,000	Expressway

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: Varies	Width: Varies

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☒Drainage Structures	☐Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

NDOT Project
City LPA

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		6,500	11,500			18,000

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.:
0.3 Miles	M211 (378)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Loup River Bridge Section 105 Design
Location in West Pawnee Park

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = NA, 2044 = NA	NA

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: NA	Width: NA

☒Grading	☐Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☐Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☐Drainage Structures	☐Fencing	☒Structure	
☐Asphalt	☐Erosion Control	☒Sidewalks	☒Boards	

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

Bridge model structure
Boards

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		150				150

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.: M211 (379)

Signature: Richard J Bogus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Highway 81/63rd Avenue Traffic Signal Design

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 9,145, 2044 = 11,000	Expressway

Proposed Improvement

Design Standard Number: Highway			Surfacing: Concrete	Thickness: 12”	Width:
☐Grading	☐Concrete	☐Right of Way	☒Lighting		
☐Aggregate	☐Curb & Gutter	☐Utility Adjustments	☒Traffic Signal		
☐Armor Coat	☐Drainage Structures	☐Fencing			
☐Asphalt	☐Erosion Control	☐Sidewalks			

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		200				200

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.: M211 (380)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

Downtown RR Quiet Zone Study
23rd and 26th Avenues

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Asphalt over Concrete

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 2,090, 2044 = 2,090 (23rd Ave.)	Arterial / Collector
2024 = 2,705, 2044 = 3,800 (26th Ave.)	

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 9”	Width: 41’

☒Grading	☒Concrete	☐Right of Way	☒Lighting	
☐Aggregate	☒Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☒Drainage Structures	☒Fencing		
☐Asphalt	☒Erosion Control	☒Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

Includes closed crossing upgrades and beautification between 12th and 30th Avenues

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		300				300

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.: M211 (381)

Signature: Richard J Begus	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

FORM 7 ONE-AND SIX-YEAR PLAN
HIGHWAY OR STREET IMPROVEMENT PROJECT

County: **PLATTE**	City: **COLUMBUS**	Village:

LOCATION DESCRIPTION:

8th Street & 12th Avenue Intersection Evaluation

EXISTING SURFACE TYPE AND STRUCTURES: (Such as Dirt, Gravel, Asphalt, Concrete, Culvert, or Bridge)

Concrete (both)

Average Daily Traffic	Classification Type: (As shown on Functional Classification Map)
2024 = 6715, 2044 = 8,400 (8th Street)	Arterials
2024 = 3,935, 2044 = 5,000 (12th Avenue)	

Proposed Improvement

Design Standard Number: Municipal	Surfacing: Concrete	Thickness: 9”	Width: 41’

☐Grading	☐Concrete	☐Right of Way	☐Lighting	
☐Aggregate	☐Curb & Gutter	☐Utility Adjustments	☐Traffic Signal	
☐Armor Coat	☐Drainage Structures	☐Fencing	☒Study	
☐Asphalt	☐Erosion Control	☐Sidewalks		

Bridge to Remain in Place:	Roadway Width:	Length:		Type:
New Bridge	Roadway Width:	Length:		Type:
Box Culvert:	Span:	Rise:	Length:	Type
Culvert:	Diameter:	Length:		Type:
Bridges and Culverts Sized	☐Yes	☒N/A		☐Hydraulic Analysis Pending

OTHER CONSTRUCTION FEATURES:

ESTIMATED COST (In Thousands) *OPTIONAL	*COUNTY	*CITY	*STATE	*FEDERAL	*OTHER	*TOTAL
		150				150

PROJECT LENGTH (Nearest Tenth, State Unit of Measure)	PROJECT NO.: M211 (382)

Signature: Richard J Regan	Title: City Engineer	Date: August 7, 2024

Board of Public Roads Classifications and Standards

Form 11 Report of Previous Year Highway or Street Improvement

Year Ending: December 31, 2024

County: PLATTE			**City:** COLUMBUS		**Village:**	
PROJECT NUMBER	LENGTH (Nearest Tenth)	UNIT OF MEASURE	PROJECTED COST (Thousands)	CONTRACT PROJECT	OWN FORCES	DATE COMPLETED (Actual or Estimated)
M211 (325)	2.7	Miles	35,000	X		Continues
M211 (346)	0.1	Miles	125	X		Moved to 6 year plan
M211 (352)	0.4	Miles	3,450	X		Moved to 6 year plan
M211 (355)	-	-	275	X		10/2023
M211 (357)	0.5	Miles	2,500	X		7/2024
M211 (358)	0.2	Miles	350	X		5/2024
M211 (359)	-	-	250	X		Moved to 6 year plan
M211 (360)	-	-	930	X		Continues
M211 (362)	0.4	Miles	350	X		Continues
M211 (366)	0.2	Miles	225	X		Continues

Signature: Richard J Beyer	Title: City Engineer	Date: August 7, 2024

7.A.1. Resolution No. R24-96 adopting One and Six Year Plan.

DRAFT

RESOLUTION NO. R24-96

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, ADOPTING A ONE AND SIX YEAR PLAN FOR HIGHWAY, ROAD, AND STREET IMPROVEMENTS FOR THE CITY OF COLUMBUS, NEBRASKA.

WHEREAS, the city street superintendent has prepared and submitted to the mayor and council of the City of Columbus, Nebraska, a One and Six Year Plan for Highway, Road, and Street Improvements (One and Six Year Plan); and

WHEREAS, Notice of Public Hearing on the proposed One and Six Year Plan was published in the Columbus Telegram, a newspaper published and of general circulation in the City of Columbus, on August 23, 2024, proof of publication of which is on file in the office of the city clerk; and

WHEREAS, Notice of Public Hearing on the proposed One and Six Year Plan was posted at the Platte County Courthouse, Columbus Public Library, and Columbus Community Building in the city of Columbus on August 23, 2024, affidavit of posting of which is on file in the office of the city engineer; and

WHEREAS, such public hearing was held on the aforesaid One and Six Year Plan in the Community Room at 6:00 p.m., on September 3, 2024, at which time the mayor and council heard all persons in favor of, opposed to, and explained any questions asked thereon, and at the conclusion thereof, the mayor and council found and determined that the One and Six Year Plan for street improvements for the City of Columbus should be adopted without amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, that the One and Six Year Plan for the City of Columbus, Nebraska, be adopted.

BE IT FURTHER RESOLVED that a copy of this resolution, a copy of the affidavit of publication of notice of public hearing, and a copy of the One and Six Year Plan be submitted to the State of Nebraska, Department of Transportation.

INTRODUCED BY COUNCIL MEMBER _____

PASSED AND ADOPTED THIS ____ DAY OF _____, 2024.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

8. **PETITIONS AND COMMUNICATIONS - None**

9. **REPORTS OF CITY OFFICES**

9.A. Update on Nebraska Department of Transportation 23rd Street Reconstruction Project.

COLUMBUS 23RD STREET MONTHLY PROGRESS REPORT

AUGUST 2024

ON SCHEDULE

February 1, 2023
Project Start

NOVEMBER 2025
Final Completion

2023 | 2024 | 2025

August 17, 2024
Current Status

August 2024 Construction Update

Work That Occurred This Month: In August 2024, the construction activities involved concrete pavement work, completing westbound traffic lanes from west of 14th Ave to 31st Ave. In addition, all intersections, driveways, and sidewalks were completed from west of 14th Ave to Pershing Rd. The new pavement in the north legs of 23rd Ave and 30th Ave were completed and the intersections re-opened. Finally, work has also progressed on underdrains, street lighting conduits and light poles, as well as traffic signal work from 18th Ave to 31st Ave.

Work That Occurred Last Month: In July 2024, the construction activities involved construction of storm sewer work from 26th Ave to 31st Ave, which completes the trunkline pipes, inlets, manholes, and pipe connections in the westbound lanes. In addition, concrete pavement work continued, completing westbound traffic lanes from west of 14th Ave to 26th Ave. The new pavement in the north leg of 18th Ave was completed and the intersection re-opened. Various other driveways and sidewalks have also been completed in this section. Finally, work has also progressed on underdrains and street lighting conduits and light poles from Pershing Road and 14th Ave.

23RD STREET
COLUMBUS

NDOT.INFO/32234 | @23RDSTCOLUMBUS

U.S. Department of Transportation
Federal Highway Administration

NEBRASKA
DEPARTMENT OF TRANSPORTATION

PAULSEN Inc.

COLUMBUS NEBRASKA CITY OF POWER & PROGRESS

PROJECT HIGHLIGHTS

OVERALL PROJECT COMPLETED



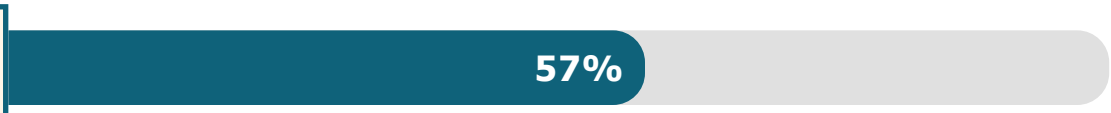
Percentage of the total monetary contract completed to date.

CONCRETE PAVEMENT COMPLETED



Percentage of total concrete pavement placed, including highway pavement, driveways, intersections, and sidewalks. Also included, but not limited to, incidental work such as stabilized subgrade, crushed concrete base course, etc.

UTILITY WORK COMPLETED



Percentage of electrical work completed, including signalization and lighting.

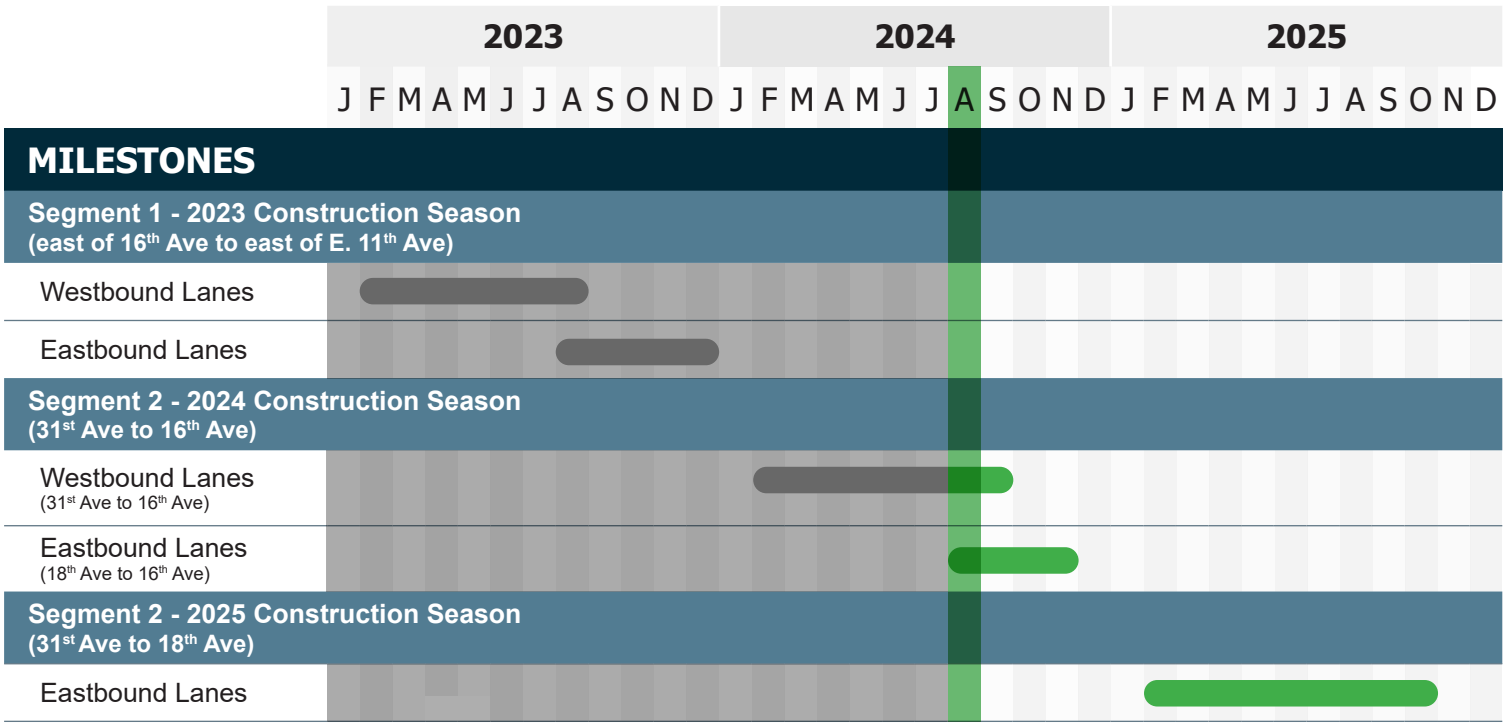
STORM SEWERS COMPLETED



Percentage of storm sewer work completed, including sewer pipe, manholes, curb inlets, and area inlets.

23RD STREET
COLUMBUS

COLUMBUS 23RD STREET CONSTRUCTION SCHEDULE



Phase Legend (horizontal lines):

- On or ahead of schedule
- Less than or equal to 1 month behind schedule
- More than 1 month behind
- Complete

Project Progress Bar Legend (vertical line):

- On or ahead of schedule
- Less than or equal to 1 month behind schedule
- More than 1 month behind schedule

All traffic changes are weather dependent.

Visit ndot.info/32234 or scan the QR code for more information.

23RD STREET COLUMBUS

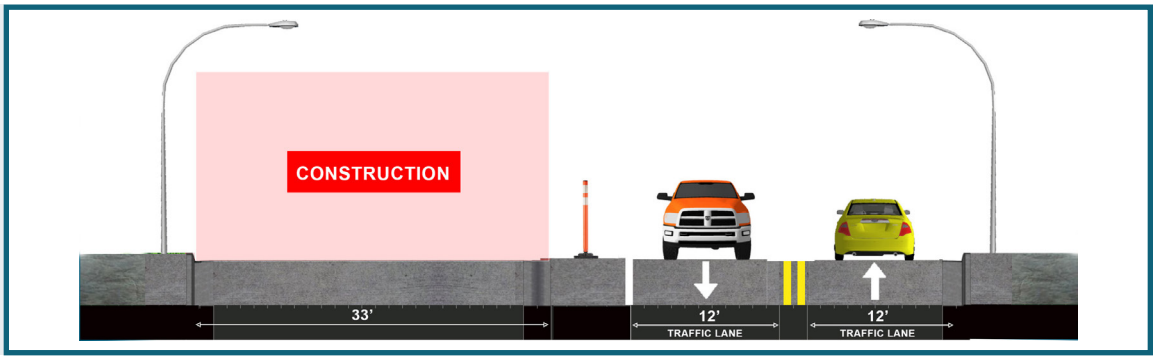
COLUMBUS 23RD STREET MONTHLY PROGRESS REPORT | AUGUST 2024

2024 WESTBOUND:

18th Ave - 16th Ave (Spring - Summer)

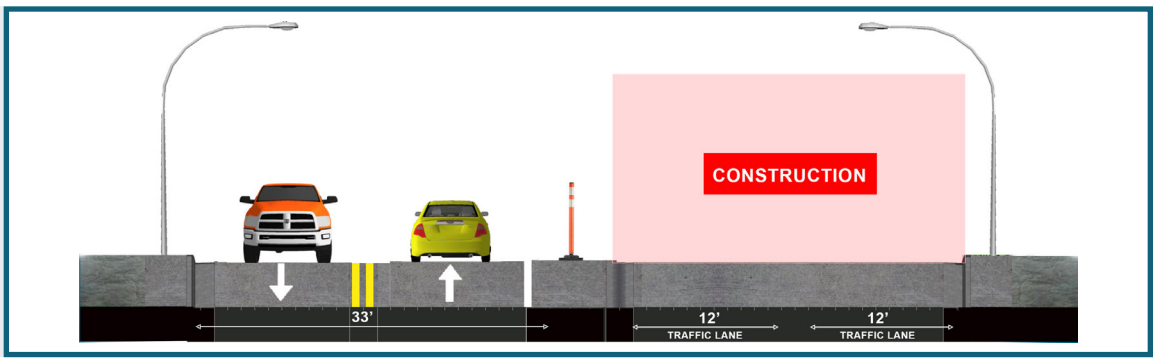
23rd Ave - 18th Ave (Spring - Summer)

31st Ave - 23rd Ave (Spring - Fall)



2024 EASTBOUND:

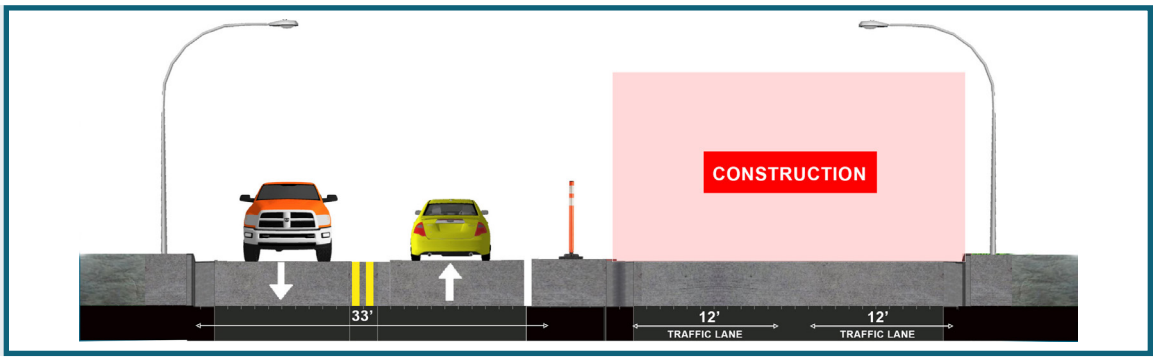
18th Ave - 16th Ave (Fall)

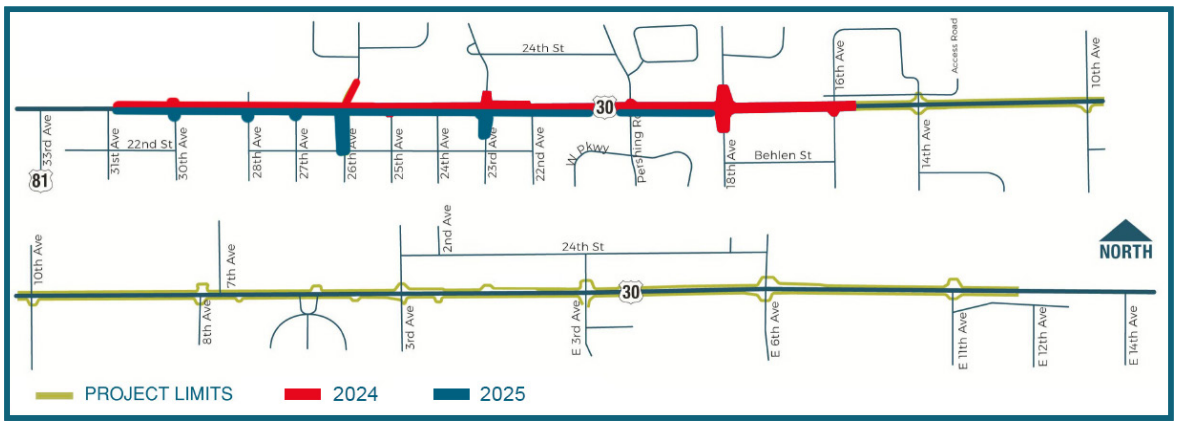


2025 EASTBOUND:

31st Ave - 23rd Ave (Spring - Summer)

23rd Ave - 18th Ave (Spring - Summer)





23RD STREET COLUMBUS

23rd Street, Columbus
Weekly Public Relations Report

Date
August 27, 2024

Work from Last Week
- Paving: Pour 4' temporary surfacing from 26th Ave to 31st Ave. Also pour driveways, intersections, and sidewalks from 16th to Pershing Rd.
- Electrical: Continue with conduit, light bases, light poles, and signals from 18th Ave to 26th Ave.

Work Anticipated This Week
- Traffic Control: Open 30th Ave.
- Paving: Pour driveways, intersections, and sidewalks from 18th to 23rd Ave.
- Underdrain: Build underdrains from 26th Ave to 31st Ave.
- Electrical: Continue with conduit, light bases, light poles, and signals from 18th Ave to 26th Ave.

Work Anticipated Next Week
- Traffic Control: Open newly constructed westbound lanes east of 23rd Ave. Close eastbound lanes from 18th Ave to 16th Ave. Traffic will be head-to-head in the existing eastbound lanes from 31st Ave to Pershing Rd, then shift to the newly constructed westbound lanes from Pershing Rd to 16th Ave.
- Paving: Pour driveways, intersections, and sidewalks from Pershing Rd to 26th Ave.
- Electrical: Continue with conduit, light bases, light poles, and signals from 18th Ave to 26th Ave.
- Removals: Remove existing eastbound pavement east of 18th Ave.

Next Major Milestone(s)
- Open newly constructed westbound lanes east of 23rd Ave. Close eastbound lanes from 18th Ave to 16th Ave. Traffic will be head-to-head in the existing eastbound lanes from 31st Ave to Pershing Rd, then shift to the newly constructed westbound lanes from Pershing Rd to 16th Ave. This change will allow for continuing construction of westbound lanes from 31st Ave to 23rd Ave, while beginning work on eastbound lanes from 18th Ave to 16th Ave. **Scheduled for September 3, 2024.**
- Return traffic to 2-way, 4-lane configuration at season's end, tentatively scheduled for late November 2024.

10. **REPORTS OF COUNCIL COMMITTEES**

11. **REPORTS OF SPECIAL COMMITTEES - None**

12. **REPORTS ON LEGISLATION - None**

13. **NEW BUSINESS**

13.A. Application from Eagles Fraternal Order #1834 for special designated liquor license at 3205 12 Street from 9 a.m. to 1 a.m. September 28, 2024, for a music festival.

SDL – LOCAL RECOMMENDATION

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
EMAIL: lcc.sdl.licensing@nebraska.gov
WEBSITE: www.lcc.nebraska.gov

001237 — License #

Eagles Frat Order #1834 — Licensee Name/Non-Profit Organization

Event location name: West parking lot of the Eagles Club

Event address/location: 3205 12th Street

Event Type: Music Festival

Event date(s): 09/28/2024

Event start time(s): 9AM

Event end time(s): 1AM

Indoor area to be licensed in length & width: _____ X _____

Outdoor area to be licensed in length & width: 100' X 175' (Must submit a diagram)

Estimated number of attendees: 500

Alternate dates/times: NA

Alternate location name/location: NA

Type of alcohol to be served: Beer X Wine X Distilled Spirits X

Event contact name: Jan Zurcher Event contact phone number: 402-753-7285

Event contact Email: newsletter1834@gmail.com

*Signature Authorized Representative: Jan Zurcher

Local Governing Body completes below:

The local governing body for the City of _____ OR
County of _____ approves the issuance of a Special Designated License as requested above.

_____ Local Governing Body Authorized Signature

_____ Date

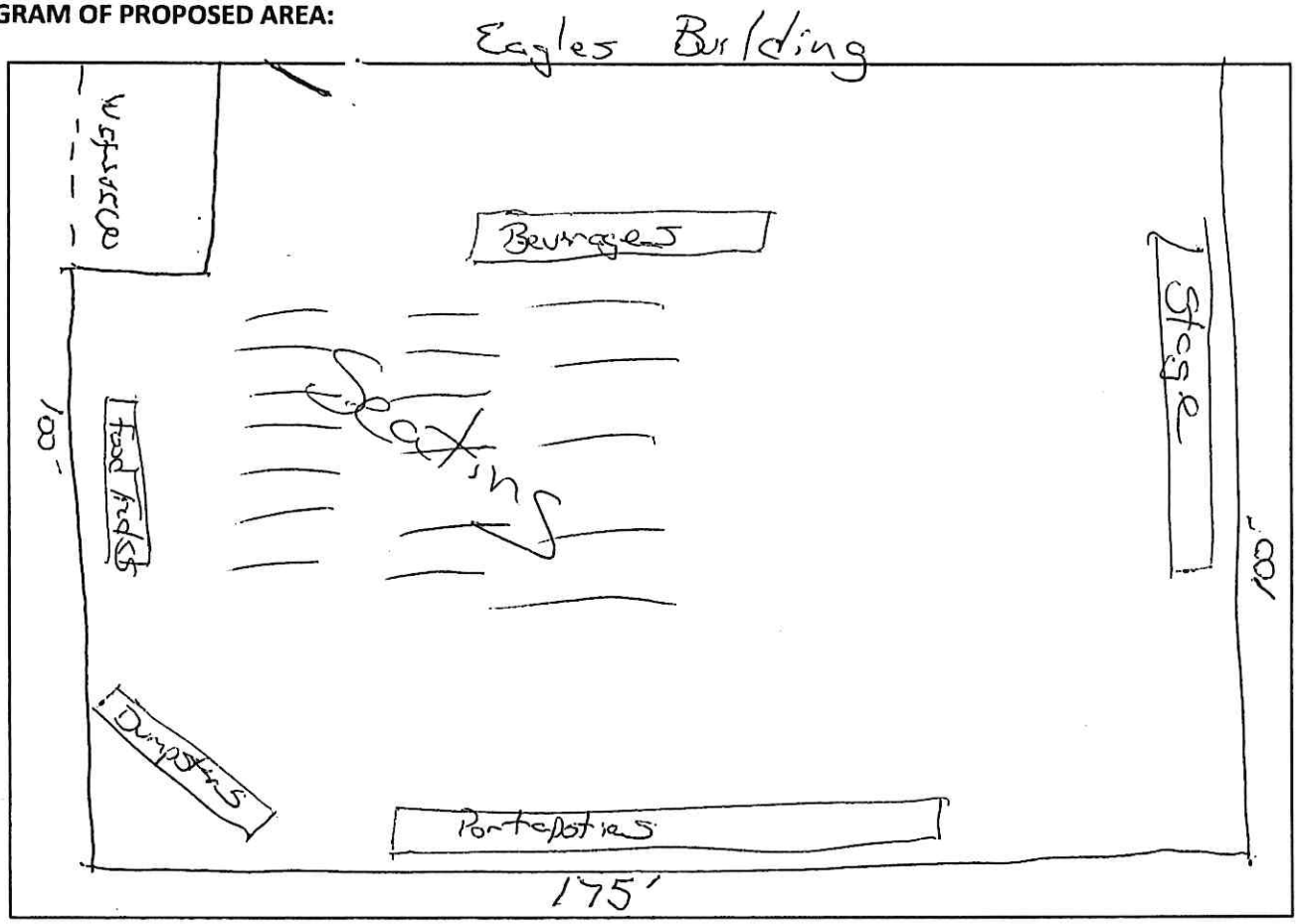
SDL – OUTDOOR AREA DIAGRAM

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
EMAIL: lcc.sdl.licensing@nebraska.gov
WEBSITE: www.lcc.nebraska.gov

- IF APPLICABLE, OUTDOOR AREA MUST BE CONNECTED TO INDOOR AREA IF INDOOR AREA IS LICENSED
- MEASUREMENT OF OUTER WALLS OF AREA TO BE LICENSED MUST INCLUDED LENGTH & WIDTH IN FEET

HOW AREA WILL BE PATROLLED: Private Security

DIAGRAM OF PROPOSED AREA:



COLUMBUS POLICE DEPARTMENT

2330 14th Street • Columbus, Nebraska 68601 • Phone (402) 564-3201 • Fax (402) 562-7325

TO: HONORABLE MAYOR AND CITY COUNCIL
CITY OF COLUMBUS, NEBRASKA

FROM: CHARLES L SHERER, CHIEF OF POLICE

DATE: August 27, 2024

SUBJECT: LIQUOR LICENSE
APPLICATION FOR SPECIAL DESIGNATED LICENSE
EAGLES – FRATERNAL ORDER #1834
3205 12TH STREET – WEST PARKING LOT
COLUMBUS, NEBRASKA
JAN ZURCHER, EVENT SUPERVISOR

This application for special designated license is for the purpose of serving beer, wine and distilled spirits to attendees of an event on September 28th, 2024 from 9:00 A.M until 1:00 A.M on September 29th, 2024. This will be located in the west parking lot of Eagles. This event will be supervised by Jan Zurcher. It will be in a fenced-in area that is 100 foot by 175 foot. They plan to check identifications and have wristbands for those of drinking age. All alcohol will be distributed by subjects 19 years or older. They also plan on having security present.

This report will serve as notice that local law enforcement has been informed in advance of this event.

13.B. Application from The Friedhof Room at Schweser's for special designated liquor license at 1270 27 Avenue from 11 a.m. to 5 p.m. September 29, 2024, for a fundraiser.

SDL – LOCAL RECOMMENDATION

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
EMAIL: lcc.sdl.licensing@nebraska.gov
WEBSITE: www.lcc.nebraska.gov

122436 — License #

Friedhof Room at Schwesers — Licensee Name/Non-Profit Organization

Event location name: Friedhof Building

Event address/location: 1270 27th Ave Columbus NE 68601

Event Type: Benefit / Fundraiser

Event date(s):	9/29/24					
Event start time(s):	11am					
Event end time(s):	5pm					

Indoor area to be licensed in length & width: _____ X _____

Outdoor area to be licensed in length & width: 140' X 60' (Must submit a diagram)

Estimated number of attendees: 200 people

Alternate dates/times: _____

Alternate location name/location: _____

Type of alcohol to be served: Beer X Wine X Distilled Spirits X

Event contact name: Gina Borer Event contact phone number: 402-910-6068

Event contact Email: dwntownrentals@gmail.com

*Signature Authorized Representative: Tracy Kasper

Local Governing Body completes below:

The local governing body for the City of _____ OR
County of _____ approves the issuance of a Special Designated License as requested above.

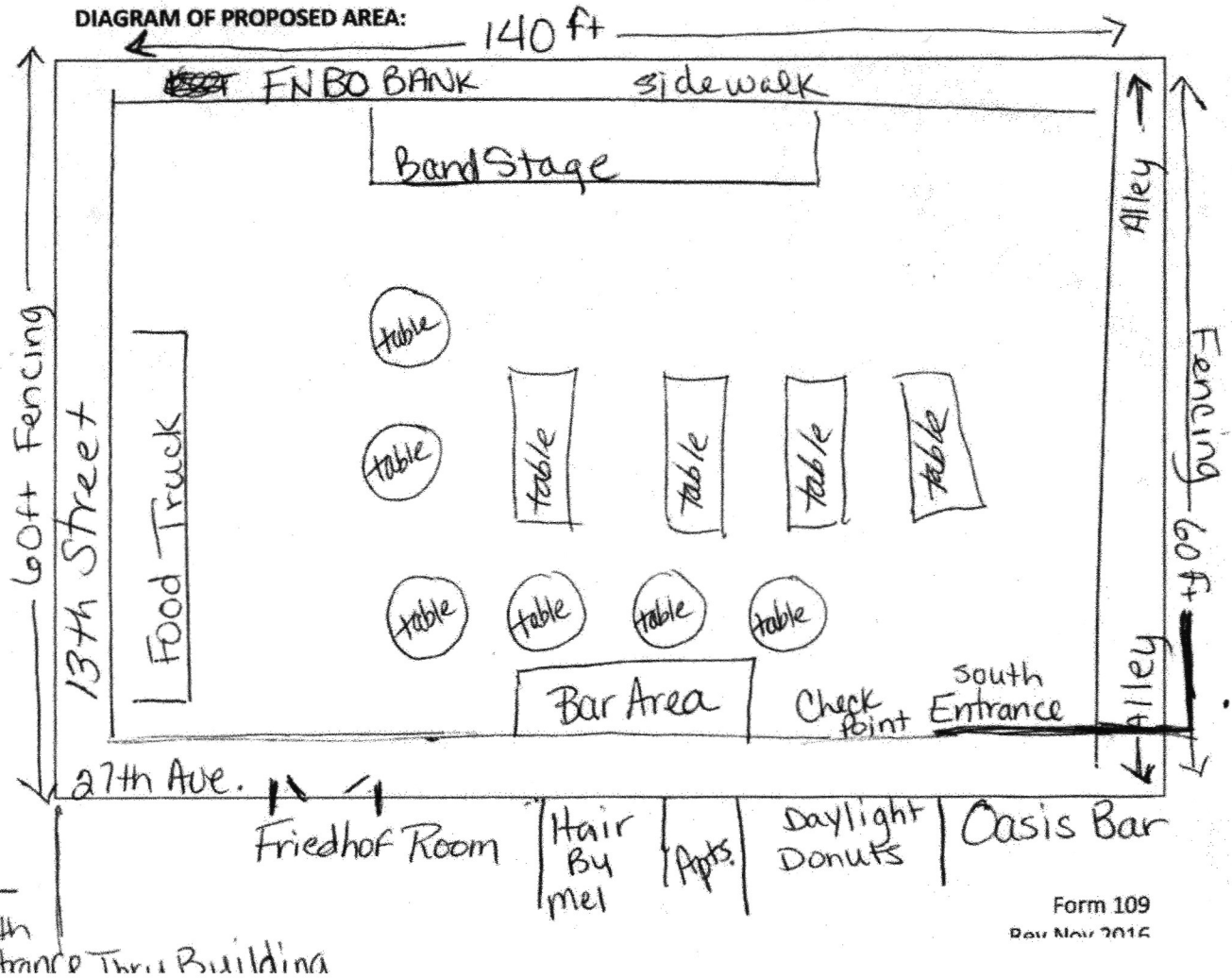
_____ _____
Local Governing Body Authorized Signature — Date

OUTDOOR AREA DIAGRAM

HOW AREA WILL BE PATROLLED Private Security & Group Watch. Wristbands at Entrance.

- **IF APPLICABLE, OUTDOOR AREA MUST BE CONNECTED TO INDOOR AREA IF INDOOR AREA IS TO LICENSED**
- **MEASUREMENT OF OUTER WALLS OF AREA TO BE LICENSED MUST INCLUDED LENGTH & WIDTH IN FEET**
- **DOUBLE FENCING IS REQUIRED FOR ALL NON-PROFIT ORGANIZATIONS UNLESS FORM #140 IS FILED WITH THIS FORM AND IS APPROVED BY THE COMMISSION**
- **RETAILER LIQUOR LICENSE HOLDERS ARE NOT REQUIRED TO DOUBLE FENCE, ALTHOUGH MEASURES NEED TO BE TAKEN TO SECURE THE AREA**

DIAGRAM OF PROPOSED AREA:



COLUMBUS POLICE DEPARTMENT

2330 14th Street • Columbus, Nebraska 68601 • Phone (402) 564-3201 • Fax (402) 562-7325

TO: HONORABLE MAYOR AND CITY COUNCIL
CITY OF COLUMBUS, NEBRASKA

FROM: CHARLES L SHERER, CHIEF OF POLICE

DATE: August 27, 2024

SUBJECT: LIQUOR LICENSE
APPLICATION FOR SPECIAL DESIGNATED LICENSE
FRIEDHOF BUILDING - FUNDRAISER
1270 27TH AVENUE – FROM 13TH STREET SOUTH TO THE ALLEY
COLUMBUS, NEBRASKA
GINA BORER, EVENT SUPERVISOR

This application for special designated license is for the purpose of serving beer, wine and distilled spirits to attendees of an event on September 29th, 2024 from 11:00 A.M until 5:00 P.M. This will be located in the front of the business from 13th Street south to the alley. This event will be supervised by Gina Borer. It will be in a fenced-in area that is 140 foot by 60 foot. They plan to check identifications and have wristbands for those of drinking age. All alcohol will be distributed by subjects 19 years or older. They also plan on having security present.

This report will serve as notice that local law enforcement has been informed in advance of this event.

City of Columbus
Special Event Packet

APPLICATION PROCESS & PLANNING A SUCCESSFUL EVENT

A Special Event Application is required for events or activities using City-owned property, requiring the closure of a City streets/sidewalks/parking lots, or requiring traffic control. Applications must be submitted no less than **60 days prior** to the event. Permits are processed on a first come, first served basis. *For larger events requiring the coordination of numerous spectators, vendors, volunteers, etc., it is highly recommended that the Event Sponsor contact City staff at least four months or up to one year in advance of the event to reserve your dates in the requested space. Written Application along with all supporting documentation must then be submitted no less than 45 days prior to the event, or risk denial of your permit.* Some events may require approval from City Council. For events that would require the use of downtown venues in proximity to one another, it may be necessary for both event organizers to combine each separate event into one special event application for City of Columbus coordination purposes.

Click here to download the Special Event Packet.

Submit your completed application to:
City of Columbus
2500 14th St, Suite 3, P.O. Box 1677
Columbus, NE 68602
Email: eventpermit@columbusne.us
Phone: (402) 562-4232

APPLICATION REQUIREMENTS

Completion of the application packet will help us to identify the scope of your event and the support services you may need. It is the applicant's responsibility to ensure that the details of the organized event have been communicated thoroughly with City staff. Please coordinate with necessary City staff in advance of the event to make sure you are able to execute your tasks during the day and time of your event. The applicant should not expect City of Columbus staff to be present during the duration of the event. Topics for consideration with contact information for appropriate City staff are found on the ***ACKNOWLEDGMENT OF CONTACT*** (Pg 10).

Mandatory documentation is listed below. All applicable documentation must be turned in at the time of application submission along with all appropriate fees. **Please submit as much descriptive information as possible with your application.**

- Special Event Permit Application, signed and filled out in its entirety (Pg 6–7)
- Proof of Liability Insurance coverage (if required)
- **Additional forms and documentation as applicable to your event**

Upon review of the application, the Special Event Committee may approve the event or decide that the event will require formal approval by the Columbus City Council. Applicants may be required to attend a review meeting with the Special Event Committee prior to the event date to finalize the logistics.

DEFINITIONS

EVENT SPONSOR: The person or organization that initiates, plans and carries out a project or activity.

VENDOR: Any person, group, organization, or business selling *or providing* a product or service. Examples include *but are not limited to*: the sale of food or merchandise, inflatables, carnival rides, portable toilets, tents, certain types of live animal entertainment, vehicles on display, or other entity which the Special Event Committee deems to be considered a **vendor**.

VOLUNTEER: A person, group, or organization not selling or providing a product or service, who freely offers to take part in the event, including participants who host and organize activities at the event.

LIABILITY INSURANCE

The **Event Sponsor** must provide a Certificate of Liability Insurance (or a copy of the complete policy) demonstrating minimum coverage specifically covering the event as follows below. ***Verbiage must be included describing the event activities which will take place at the event.***

Further, if the event sponsor, vendor(s) or volunteer(s) make available any operations or activities as described below, a Certificate of Liability Insurance will be required listing that those specific activities are covered by the policy and that the City of Columbus is listed as additional insured on a primary, non-contributory basis. Insurance is required for any event which includes any of the following:

> *Amusement rides, carnivals or circuses, inflatables, skateboarding facilities, any motorized vehicles, dunking booths, firefighter water fights, haunted houses, animal racing, hot air balloons, liquor and alcohol sales and/or consumption, truck or tractor pulls, rodeos, or any other activity the Special Event Committee deems necessary,*

MINIMUM LIABILITY INSURANCE REQUIREMENTS (Sample Certificate included at the end of Packet)

- Limit for each occurrence must be $1,000,000
- Limit for damage to rented premises (each occurrence) $100,000
- Limit for Personal & Adv Injury $1,000,000
- General Aggregate Limit $2,000,000
- Products – Comp/Op Aggregate Limit $2,000,000
- The policy must include a waiver of subrogation in favor of the City of Columbus, NE.

ADDITIONAL $2,000,000 UMBRELLA REQUIRED FOR:

- Any of the activities listed above which require the City of Columbus to be named as additional insured on a primary, non-contributory basis.

EXCEPTION: Typically, Liability Insurance coverage is not required for Neighborhood Block Parties, reservations of a shelter in a City Park, or weddings in a City Park. *Exclusions may apply.*

USAGE OF CITY PARKS AND HIKE/BIKE TRAILS

Columbus is home to over 400 acres of City Parks, and an extensive system of recreational trails for residents and visitors to enjoy. These parks and trails offer an abundance of availability to host races, runs, walks, etc. City staff strongly encourages applicants to consider the use of community trails and parks when planning special events. Community trails and parks offer safety to participants by allowing minimal interference caused by streets or traffic areas. Gatherings/picnics in City Parks do not typically require Liability Insurance unless additional entertainment is provided by the Event Sponsor, such as inflatables or petting zoos.

CITY PARKING LOTS/FACILITIES

The City strongly encourages the use of City-owned parking facilities rather than closing streets for downtown events. However, a request to close a City street and/or public right-of-way may be granted when no other reasonable alternative exists.

STREET CLOSURES

All street closures must be approved by Administration. It is the Event Sponsor's responsibility to communicate with all neighbors and property owners whom the street closure will affect, and obtain their signatures stating that they have no objection to the closure. Use ***STREET CLOSURE REQUEST*** (Pg 13).

It is the responsibility of the applicant to provide their own barricades. If they are to be used after dark, they must be lighted. For large public events requiring street closures, City staff may be able to provide barricade materials, dependent upon the season that the event occurs. Contact the Street Department at 402-562-4253 for availability or questions on barricades and cones.

The use of arterial streets is strongly discouraged. All activity shall be planned and carried out to allow the least possible inconvenience to the traveling public. City staff understands that the crossing of an arterial or collector street may be necessary. However, City staff from Public Works, Police, Parks, Engineering, and Administration will evaluate on a case by case situation should these uses be requested.

Neighborhood Block Parties that have requested street closure do not typically require Liability Insurance unless additional entertainment or services are set up in the street (including but not limited to: inflatables, musical band, commercial food stand).

CLOSURE OF FIVE (5) PARKING STALLS OR LESS

If your event includes only the closing of five parking stalls or less, a City of Columbus Special Event Application is not required. Instead, please contact the office of City Administration at 402-562-4232.

STORMWATER MANAGEMENT

All requirements of the Stormwater Management Plan must be followed including:

- Portable restroom facilities shall be properly staked and secured and not located within 50-feet of a stormsewer inlet or against a street or parking lot curb.
- Trash receptacles brought in on site must have provisions for a tarp or appropriate cover for after event hours to prevent rain or snow from entering.
- No dumping of any chemicals, cleaners, oils, or other grey waters into the stormsewer system or natural drainage ways.

If you have any questions, or if non-approved or accidental discharges occur to the stormsewer system or nature drainage ways, please contact the Engineering Department at 402-562-4309.

ELECTRICAL REQUIREMENTS

Electricity is available in Frankfort Square and several City parks. Fees will apply.

FEES

Possible fees may be incurred for certain services, as applicable. For the full City of Columbus fee schedule, see: https://www.columbusne.us/99/Schedule-of-Fees.

SANITATION and CLEANUP

The City provides a limited number of waste receptacles in the City parks and along the downtown sidewalks. Public use of City amenities is not to be impeded (i.e., covering City waste receptacles is prohibited). Additional waste receptacles or dumpsters are the sole responsibility of the applicant and must be placed on a hard surface such as asphalt or concrete.

The applicant is responsible for properly disposing of all waste and garbage throughout the event, and immediately upon conclusion of the event the area must be returned to a clean condition. As the Event Sponsor, if you set a standard of leaving the venue better than you found it, you will have a beneficial impact on the Columbus community and establish a good reputation for future events. *The Event Sponsor is responsible for all cleanup, and will be charged for any additional cleanup that is left to be done by the City.*

ALCOHOL PERMIT / SPECIAL DESIGNATED LICENSE

If the event involves the sale or use of alcohol, a Special Designated Liquor License, issued by Nebraska Liquor Control Commission pursuant to Neb. Rev. Stat. 53-124.11, is required. If the event involves the sale or use of alcohol in a Public Entertainment District an Entertainment Liquor License, issued by the Nebraska Control Commission is required pursuant to Neb. Rev. Stat. 53-132.17, is required.

Please contact the City Clerk's Office at (402) 562-4224 for the required timeline of submittals, as you will need to allow extra time for the approval process. Additional fees apply, and the license must include local approval by the City Council. *All alcohol vendors are required to check ID's and use bracelets or hand stamps to identify age of legal consumption.*

SAFETY AND SECURITY

The Event Sponsor is required to provide a detailed plan for crowd control and internal safety. It is the sole responsibility of the Event Sponsor to provide security, required by State law if alcohol is involved. The number and type of security personnel required will depend on expected attendance, location of the event, history of the event, nature of the event, street closures, and the amount and type of advertising used to promote the event. Please be aware that there are differences between certified law enforcement officers (authority and ability to arrest, enforce laws, discretion to use force) and private security (limited by law to observe, report and deter crime but not authorized to use force or make arrests). For more questions regarding event safety and security, please contact the Columbus Police Department at (402) 564-3201.

MARKETING/ADVERTISING/PROMOTION

Receipt of approval from all involved parties is strongly encouraged before the event is marketed, advertised, or promoted. Ensure that event materials such as handouts, websites, social media posts, etc., include details, maps, and parking options as described in this application, following approval by the City.

SIGNAGE

City of Columbus regulations prohibit placement of advertising signs on utility poles, traffic controllers, and traffic signs. It is also prohibited to place a sign, poster, or notice of any kind in the street right-of-way or on any other structure located in the right-of-way. Signs that are hung on utility poles, traffic signs, or traffic lights create a safety risk and also may cause damage. They also create a traffic hazard when placed on roadside corners by distracting drivers or blocking the view of motorists. Even small signs stuck into the ground are a potential traffic hazard if located in the right-of-way. A good standard is to keep signs behind the sidewalk or fifteen (15) feet from the roadside. *The use of spray paint or permanent marking paint is prohibited.* Sidewalk chalk is allowed.

According to Section 97.01(C) of the City Code, all signage is prohibited in the City Parks, except by authorization of the Board of Parks Commissioners, or in certain cases by the Public Property Director or the Park Superintendent.

Improper placement of signage will be removed by the City. All signage must be removed from City of Columbus property within four hours of the conclusion of the event.

AMPLIFIED SOUND

Amplified sound must be directed away from residences and may only be allowed during the hours of 7:00 a.m. until 10:00 p.m., with the exception of July 4th and New Year's Eve, or by special approval

CHANGES AND CANCELLATIONS

All cancellations must be made in writing or emailed to eventpermit@columbusne.us. Cancellations should be received no later than seven (7) days prior to the proposed event date. The City understands that minor changes may occur prior to the event. We ask the applicant to submit all changes immediately, no less than 48 hours prior to the event.

The City reserves the right to cancel, delay, or relocate an event prior to or on the day of the event due to poor weather conditions that may cause excessive damage to City property. City staff recommends the applicant have plans in place to notify participants of changes or cancellations. The City is not responsible for any costs associated with the changes or cancellations.

VISIBILITY

City staff recommends that event organizers be easily identifiable during the event by using safety vests or specific colored shirts so that the event sponsor & volunteers can easily be located.

PARADES

All parade routes must be approved by the City of Columbus, and the City reserves the right to allow for alternate parade routes. Throwing, tossing or pitching of candy/food/materials/etc. directly from floats is prohibited. Participants of the parade are asked to walk alongside the float and throw, toss, or pitch candy/food/materials/etc. to the crowd.

City of Columbus
Special Event Permit Application

Answer all questions completely. Inaccurate or incomplete responses may result in the denial of a permit.
For the protection of the City of Columbus and its assets, and for the overall success of the event in question, the City of Columbus Special Event Committee reserves the right to make exceptions to or to impose additional requirements to the policies stated herein, based on individual circumstances.

EVENT SPONSOR/APPLICANT/RESPONSIBLE PARTY INFORMATION		
1. NAME: Rob Gasper		2. TODAY'S DATE: 8-9-24
3. ADDRESS: 1270 27th Ave.		4. EMAIL: por9288s4@gmail.com
5. CITY: Columbus	6. STATE: NE	7. ZIP CODE: 68601
8. DAY PHONE: 402 710 2044		9. CELL PHONE: 402 710 2044
10. COMPANY/ORGANIZATION NAME, IF APPLICABLE: Friedhof Room		
11. COMPANY ADDRESS/CITY/STATE/ZIP: 1270 27th Ave		12. COMPANY PHONE: 402-910-6838
13. NAME OF ALTERNATE CONTACT PERSON: Gina Borer		14. ALTERNATE'S CELL PHONE: 402-910-6068

EVENT INFORMATION	
15. EVENT NAME: Chris Robbins Cancer Benefit	
16. EVENT LOCATION: 1270 27th Ave. Friedhof Building	
17. ESTIMATED # OF PARTICIPANTS:	18. ESTIMATED # OF SPECTATORS: 200
19. ACTUAL EVENT DATE(S): 9/29/24	20. ACTUAL EVENT TIME(S): 11am-5pm
21. EVENT SETUP DATE(S): 9/29/24	22. EVENT SETUP TIME(S): 8am
23. EVENT TEAR-DOWN DATE(S): 9/29/24	24. EVENT TEAR-DOWN TIME(S): 5pm-8pm

25. ADDITIONAL DOCUMENTS ATTACHED – Check as applicable:
- ☐ Checklist (Pg 8 – 9)
- ☐ Acknowledgement of Contact (Pg 10)
- ☐ Site Plan (Pg 11)
- ☐ List of Vendors (Pg 12)
- ☐ Street Closure Request Consent Form (Pg 13)
- ☐ Certificate(s) or Proof of Liability Insurance (see instructions on Pg 2)

26. Please provide a **detailed description** of the event, using a separate sheet of paper if necessary.

The event is a Cancer Benefit for Chris Robbins. There will be a Silent Auction, Band, Beer garden taking place to aid ~~and of~~ Chris in his fight against Cancer. The ~~ave~~ avenue infront of the Friedhof Bldg will be closed off for the Band, stage, and outside seating.

City of Columbus
Special Event Permit Application

APPLICANT ACKNOWLEDGMENT

I, the Event Sponsor, agree to indemnify and defend the City of Columbus, its officials, agents and employees (the "Indemnities") against any losses, costs, damages, liabilities, claims, suits, actions, causes of action and expenses resulting from, arising out of, or relating to any negligence or intentional misconduct by the applicant of the sponsoring organization, its officers, employees, or any person under its control in connection with this permit.

As applicable, I, or the organization acting as the Event Sponsor, have provided within this application, the required insurance which will cover all losses that may occur at the event, and to, by and between the Event Sponsor and the Volunteers. All Vendors have provided their own insurance, unless otherwise stated. (Per Definitions of Event Sponsor, Vendor, and Volunteer on Pg 2)

I affirm that all answers given and statements made on this application are complete and true to the best of my knowledge and beliefs. I have read and understand the terms and conditions outlined in this application. Failure to comply with the conditions of the special event application may result in revocation of current and future applications. I agree to be bound by the above terms as a condition to the issuance of the Special Event Permit.

The undersigned person, as the Applicant, does hereby agree and represent that he or she is legally capable to sign this application, and to lawfully bind the Applicant (and the Applicant's Organization, if applicable) as the Event Sponsor to the terms and conditions herein.

Rob Gaspar
NAME OF APPLICANT

Friedhof Room at Schweser's
NAME OF ORGANIZATION

Rob Gaspar
SIGNATURE OF APPLICANT

8-9-24
DATE

Before submitting your application, please make sure that the following steps have been completed. Have you:

- ☐ Signed and dated your application?
- ☐ Provided *all* documents and information as requested in this application?
- ☐ Submitted required Certificate(s) of Insurance?

Submit the completed application to:

City of Columbus
2500 14th St, Suite 3. PO Box 1677
Columbus, NE 68602
eventpermit@columbusne.us
Phone: (402) 562-4232

****

FOR OFFICIAL USE ONLY

Approved by Administration:

City Administrator *Date*

Approved by Parks & Recreation (if applicable):

Public Property Director *Date*

Approved by Police Department (if applicable):

Chief of Police *Date*

Approved by Public Works (if applicable):

Public Works Director *Date*

City of Columbus
Special Event Packet
CHECKLIST

PLEASE CHECK ALL THAT APPLY TO YOUR EVENT.

See *ACKNOWLEDGEMENT OF CONTACT* (Pg 10) for contact information of applicable City Departments.

NAME OF EVENT Benefit / Fundraiser for Chris Robbins

	YES	NO
Reservation of a City Park for event (if Yes, check which one. Possible fees apply.) ☐ **Frankfort Square** ☐ **Pawnee Park** ☐ **Bradshaw Park** ☐ **Centennial Park** ☐ **Gerrard Park** ☐ **Glur Park** ☐ **Wilderness Park** ☐ **Sunset Park** ☐ **Other small neighborhood park**_____**(name of park)** ☐ **Public Entertainment District** _____ **(name of district)**		

Description of Event:

Fundraiser Event to raise proceeds for Chris Robbins Fight against Cancer. There will be a band Stage, beer garden, out door seating area. A SDL license for drinks during out door event. The silent auction will take place Inside Friedhof Building. Event times 11am – 5pm.

Reservation of a shelter within a City Park – fees apply		
Wedding in a City Park – fee applies		
Electricity – fees apply, payable at the City Clerk's office		
Participants in addition to Event Sponsor: Attach ***LIST OF VENDORS*** (Pg 12). ***All must have the required Liability Insurance. See Pg 2***	✓	
Sale of Merchandise, Food, Beverages: Sales on street or parking lot ***requires Vendor Permit*** from the Police Department; Sales in City Park ***requires Concessionaire permit.***		
Parade: Attach requested route		
Street Usage/Closure: If the event is in the street, street barricades are required. Signatures of affected residents/businesses are required. Use Street Closure Request Consent Form (Pg 13)	✓	
Neighborhood Block Party		
Parking Space(s) blocked on City streets or Lots		
Use of City-Owned Parking Lot		
Tents: Show setup on Site Plan.		

	YES	NO
Alcohol served/sold: complete a Special Designated License Application (SDL). ***Contact City Clerk at (402) 562-4224 to learn about the required timeline of submittals.*** Additional fees apply, and the license must include local approval by the City Council. • Apply at the NE Liquor Control Commission https://lcc.nebraska.gov/special-designated-licenses • Fencing required. NLCC Title 237, Chapter 2, Section 013.03F requires 2 rows of fencing, placed 4' apart, unless waived by the Nebraska Liquor Control Commission. Orange plastic fencing is recommended. • Attach copy of SDL Application to this application. • Must check all ID and use bracelets or hand stamps during the event.	✓	
Alcohol NOT served/sold: (Bring Your Own Beverage – BYOB) • No glass containers allowed. • Personal serving size(s) only. • Event Sponsor responsible for monitoring underage drinking, waste pickup, providing bathroom facilities, etc.		
Fencing: Required for alcohol sales, per plan included on approved SDL.	✓	
Usage of bleachers, picnic tables or trash cans from Parks Department – fees apply		
Usage of Sound System in Frankfort Square		
Public Dance: Will require SDL if alcohol is served or sold.		
Open Fires: Explain in detail		
Occupation of City Park after 12:00 Midnight: Requires City Council approval		
Bands or Amplified Music: Noise Ordinance enforced at 11:00 PM	✓	
Advertising/Promotion of event: Attach detailed plans. *Encouraged not to advertise until event approval is granted.*	✓	
Inflatable Devices: Show setup on Site Plan. Must have required *additional* Liability Insurance.		
Live animal entertainment including: petting zoos, pony rides, and horse-drawn carriage rides Show setup on Site Plan, & provide clean up and disposal plan. Must have required *additional* Liability Insurance.		
Carnival Rides: Show setup on Site Plan.		
Powered Equipment: Attach list.		
Spotlights or Lasers: Attach specifications.		
Race or Competition: Attach detailed map. If street closure will be requested for race route, use Street Closure Request Consent Form (Pg 13)		
Booths/Structures: Show setup on Site Plan. Attach additional specs as applicable.		

	YES	NO
Public Entertainment District Commons Area – fees apply, must currently hold a liquor license within a designated Public Entertainment District. (Those businesses that are not within the boundary of the Public Entertainment District must apply for an SDL to participate in a Commons Area event.) • On the site plan below, label the boundaries of the commons area requested, within a designated public entertainment district. • Provide a copy of current liquor license. • Apply to the NE Liquor Control Commission for a requisite entertainment district liquor license, and provide copy of application. • Follow all requirements set forth in Chapter 53 of the Nebraska Revised Statues as to entertainment districts. • Upon receipt, provide a copy of entertainment district liquor license received from the NE Liquor Control Commission. • Designate the times, day for the sale and consumption of alcohol within the proposed commons area. (As required by State Statute: Food must be sold at all times which alcohol is being sold) • No glass containers allowed. • Comply with any and all conditions requirements, or restrictions that the City Administration or City Council has imposed on the Entertainment District use. • Must check all ID and use bracelets or hand stamps. • Must provide adequate restroom and waste disposal facilities.		

Other special/unique provision or information pertaining to the event which have not been addressed in this application – Please describe in detail:

City of Columbus
Special Event Packet
Acknowledgment of Contact

It is the applicant's responsibility to ensure that the details of their organized event have been communicated thoroughly with City Staff. **Prior to submittal of your special event permit application**, please coordinate with necessary City Staff in advance of the event to make sure you are able to execute your tasks during the day and time of your event. If City services are needed for an event, acknowledge below the date, point of contact and method in which you contacted applicable City department/s. *This form should be included with the Special Event Permit Application.*

For Services or Questions including, **Street Closures; Reservation of Frankfort Square; usage of Parking Lots; Parade Routes; Electricity; Insurance; Parking Stall Closure – Please contact Administration**:

City Administrator, Tara Vasicek (email: tara.vasicek@columbusne.us) ***AND***
Administrative Assistant, Linda Cloeter (phone: 402-562-4232, email: linda.cloeter@columbusne.us)
Date Contacted: 7/23/24
Who was Contacted: Linda Cloeter
Method of Contact: ☐Phone ☑Email ☐Personal Visit ☐Other

For Services or Questions including **Reservation of City Parks (other than Frankfort Square), Concessionaires Permits, Rental of bleachers or picnic tables, usage of extra trash receptacles, usage of sound system in Frankfort Square – Please contact the Park and Recreation Director:**

Park and Recreation Director, Betsy Eckhardt 402-562-4234 betsy.eckhardt@columbusne.us
Date Contacted: _____
Who was Contacted: _____
Method of Contact: ☐Phone ☐Email ☐Personal Visit ☐Other

For Services or Questions including **Special Designated Liquor Licenses or special consideration of City Code by the City Council – Please contact the City Clerk's Office**:

402-562-4224 cclerk@columbusne.us
Date Contacted: _____
Who was Contacted: _____
Method of Contact: ☐Phone ☐Email ☐Personal Visit ☐Other

For Services or Questions including, **Traffic Control Materials (barricades, cones) – Please contact the Street Department:** 402-562-4253

Date Contacted: _____
Who was Contacted: _____
Method of Contact: ☐Phone ☐Email ☐Personal Visit ☐Other

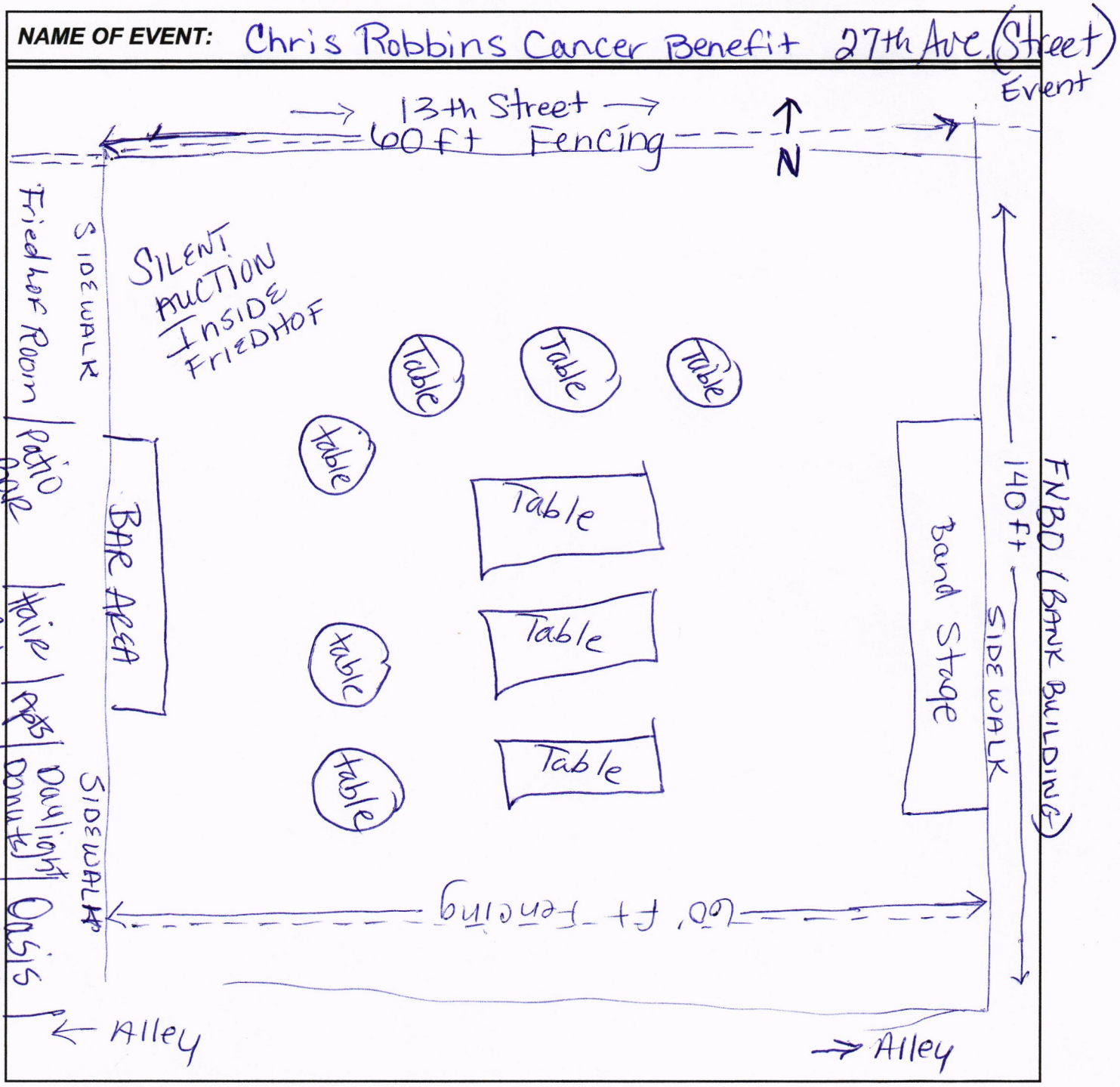
For Services or Questions including **Safety, Security, Traffic Control Assistance, Vendor/Solicitors permits – Please contact the Columbus Police Department:** 402-564-3201

Date Contacted: _____
Who was Contacted: _____
Method of Contact: ☐Phone ☐Email ☐Personal Visit ☐Other

City of Columbus
Special Event Packet

SITE PLAN

Draw a detailed site map, placing all tents, stages, activities, booths, portable toilets, gates, cooking equipment & fences, including the approximate sq. ft. area to be used. Attach additional sheets if necessary.



City of Columbus
Special Event Packet
STREET CLOSURE REQUEST
CONSENT OF RESIDENTS/BUSINESSES AFFECTED BY EVENT

For use as applicable. City-Sponsored Events are exempt from completing the Consent Page

NAME OF EVENT:	Chris Robbins Cancer Benefit
STREETS REQUESTED TO CLOSE:	27th Ave between 13th St and Alley
DATE(S) & TIMES OF CLOSURE REQUEST:	9/29/24 between 8am - 8pm

The residents/businesses herein named have no objection to the street or sidewalk closure in front of their residence/building for the duration of the special event named above.

Resident/Business Name *(PRINT)*	Address	Signature of Resident/Business	Date
OASIS LOUNGE	1264 27th Ave	Sara Witzel	7/24/24
Fried hof Room	1270 27th Ave	Tracy Yeager	7/24/24
Mel. Hair	1268 27th Ave	Melanie Jenson	7/24/24
Daylight Donuts	1260 27 AVE		8/2/24

City of Columbus
Special Event Packet
LIST OF VENDORS

(PER DEFINITION ON PAGE 2, for use as applicable)

*Sales on City street or parking lot ***will require a Vendor Permit*** from the Police Station

*Sales in a City Park ***will require a Concessionaire Permit***. payable at the City Clerk's Office

NAME OF EVENT:				
Vendor Name	**Type or Description of business or organization**	**Selling anything? Yes or No**	**Vendor Permit Purchased? Yes or No**	**Liability Insurance attached? Yes or No**

LEVEONE-01 TBRAZIEL

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 8/21/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME:	
Jones Group PO Box 539 Columbus, NE 68602-0539	PHONE (A/C, No, Ext): (402) 564-3258	FAX (A/C, No):
	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : North Star Companies	14850
INSURED	INSURER B : SFM Mutual Insurance Co	11347
Level One Properties, LLC DBA: The Friedhof Room PO Box 1773 Columbus, NE 68602	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR			CM52656	7/6/2024	7/6/2025	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 300,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	X POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$
	DED RETENTION $							$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) N / A			118628.206	7/9/2024	7/9/2025	E.L. EACH ACCIDENT	$ 100,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 100,000
							E.L. DISEASE - POLICY LIMIT	$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The City of Columbus is listed as Additional Insured.

CERTIFICATE HOLDER

City of Columbus
2500 14th St. Suite 3
Columbus, NE 68601

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Patricia Briggs

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13.C. Quote from Birddog Electric LLC in the amount of $12,783.85 for three electrical pedestals in Frankfort Square. CIP #23-01

The City of Columbus

M E M O R A N D U M

DATE: August 28, 2024

FROM: Richard J. Bogus, P.E., City Engineer

TO: Tara Vasicek, City Administrator

RE: Frankfort Square Electrical Pedestals

RECOMMENDATION:

Approve the quote from Birddog Electric LLC in the amount of $12,783.85 for three direct bury electrical pedestals in Frankfort Square along 26th Avenue

DISCUSSION:

The three electrical pedestals would service food trucks along 26th Avenue, eliminating the need for noisy generators. Each of the pedestals will have a NEMA 3R weather proof enclosure, a 100 amp disconnect, and three GFCI circuit breakers of 50, 30 and 20 amp. The pedestals and work will meet the newly adopted State electrical code requirements.

Upon approval, three sidewalk undercrossings will be located to coordinate with these pedestals for placement of connection cords, as part of a separate project.

The approximate location of these pedestals is attached.

FISCAL IMPACT:

Quote in the amount of $12,783.85 part of 2023-2024 budget CIP 23-01 in the amount of $125,000. Three additional electrical contractors were notified about the project, upon which they did not submit a quote. The quote cost was below the anticipated estimated amount.

ALTERNATIVE:

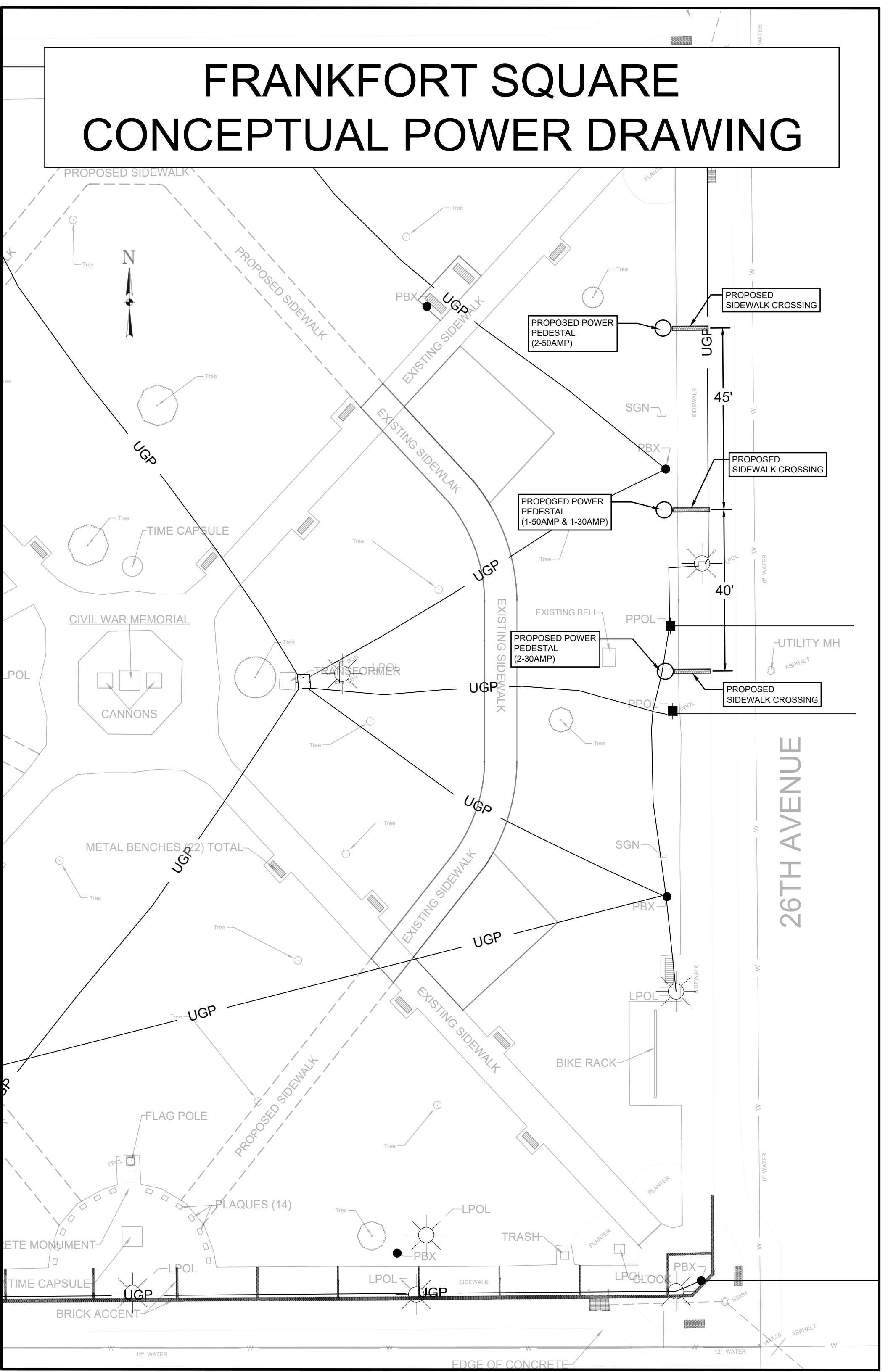
Do not approve.

SIGNATURE:

By: Richard J. Bogus

Approved By:

FRANKFORT SQUARE
CONCEPTUAL POWER DRAWING



Birddog Electric LLC

36247 North 470th Street | Genoa, Nebraska 68640 402-276-2041 |
BirddogelectricNE@gmail.com

RECIPIENT:

Columbus Public Library
2500 14th Street
Columbus, Nebraska 68601

Quote #28

Sent on	Aug 18, 2024
Total	**$12,783.85**

Product/Service	Description
Base Bid	This proposal includes the provision and installation of 3 direct bury non metered RV pedestals for Frankfurt Square. Each pedestal will be as follows. -Non Metered -Factory wired receptacles and breakers -Riveted steel, powder coated for longevity -Weather proof NEMA 3R and CSA enclosure 3R -Breakers: (1) 2-Pole 50 Amp, (1) 1-Pole 30 Amp, (1) 1-Pole 20 Amp and (1) Blank Space. All (3) breakers in each of the (3) pedestals will be replaced with GFCI circuit breakers to meet the newly adopted electrical code requirements. Each RV pedestal will have its own 100Amp fused NEMA 3R disconnect as required by code. Each pedestal will be individually fed by the underground service provided by Loup Public Power. Trenching and inspections are included in this price. This price is contingent on the underground utility locates as well as the repair/replacement of any sprinkler lines or sprinkler heads that could be damaged during trenching.

This quote is valid for the next 30 days, after which values may be subject to change.

Total **$12,783.85**

13.D.Quote from Stryker in the amount of $34,730.42 for cardiac monitor and accessories for fire department. CIP #24-08

Columbus Fire Department
Memorandum
For Record

DATE: 3 September 2024

TO: Tara Vasicek, City Administrator

FROM: Ryan Gray, Fire Chief

RE: Lifepak 35 Cardiac Monitors (Stryker) CIP #24-08

RECOMMENDATIONS:

Approve the sole-source purchase of a Lifepak 35 Cardiac Monitor and accessories from Stryker for $34,730.42.

DISCUSSION:

At the June 3, 2024 City Council meeting, the purchase of a Phillips cardiac monitor was approved. Before the fire department brought this request forward, our team evaluated the current options available at the market, and at that time felt the Phillips monitor was the best option. On June 4, 2024, Stryker released the Lifepak 35. Stryker had reached out to me in early August requesting the opportunity to show our crews their new product. Having the responsibility of ensuring our department is equipped with the best equipment possible, the decision was made by Captain Dunn, who led the cardiac monitor project to evaluate the new monitor. After carefully considering the product and the existing factors of having already ordered a different monitor, the committee decided to move forward with the Stryker product.

The following statement was received by Captain JoJo Dunn:

"After further review of the cardiac monitors, the firefighters have asked to cancel the order of the Phillips Tempus cardiac monitor. Having separate defibrillators is a key problem that the firefighters just can't reconcile and are afraid of increasing the probability of errors or difficulty in the field. We have also started to hear more from other departments about glitches and malfunctions of the Phillips Tempus Pro monitor. The firefighters evaluated the Lifepak 35 and would prefer that monitor. It is more durable, the screen is larger, and it seems to be more user-friendly and intuitive. It has key features with things like 12 lead calipers and interactive interpretations as well as drug timers that will make patient care more efficient and effective. It is an all-in-one package and will work together with our LUCAS CPR device. The Lifepak 35 monitor was not available at the decision time of the Phillips Tempus, and they did not have an exact date as to when it would be. We also have other Stryker/Physio products that will make integrating a PM service plan much easier. Please consider our request to cancel the current Phillips order and order the new LifePak 35. Thank you."

The fire department intends to purchase 5 more of these monitors in FY 24/25 to outfit the remainder of the fleet to ensure consistency in equipment across the department. This request will come to the council after the beginning of the new fiscal year.

It should be noted that the previously approved amount for the Phillips monitors was $34,800.08 with trade in. So Stryker has beat that amount by $69.66.

There has not been any invoice or payment for the previous order. We have received email confirmation that the previously approved order with Phillips has been canceled and that we will not be invoiced. We have been told it takes a while to process the official cancellation, but they would provide paperwork as soon as they have it.

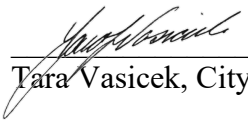
ALTERNATIVES:

The fire department is not recommending any other alternatives at this time.

SIGNATURES:



Ryan Gray, Fire Chief



Tara Vasicek, City Administrator

August 2024

Stryker is the sole-source provider in the Hospital (hospitals and hospital-owned facilities), Emergency Response Services and Emergency Response Training (paramedics, professional and volunteer fire) markets in the U.S. for the following products:

- New LIFEPAK® 35 monitor/defibrillators
- New LIFEPAK® 15 monitor/defibrillators
- New LIFEPAK 20e defibrillator/monitors
- New LIFEPAK CR2 automated external defibrillators
- New LIFEPAK CR2 cellular automated external defibrillators
- New LIFEPAK 1000 automated external defibrillators
- New LUCAS® chest compression system
- CODE-STAT™ data review software and service

Stryker is the sole-source provider in all markets for the following products and services:

- RELI™ (Refurbished Equipment from the Lifesaving Innovators) devices
- LIFENET® system and related software
- ACLS (non-clinical) LIFEPAK defibrillator/monitors
- LIFELINKcentral™ Government Campus Solution
- MultiTech 4G and Titan III gateways
- Factory-authorized inspection and repair services which include repair parts, upgrades, inspections and repairs.

Stryker does not authorize any third parties to sell these products or services in the markets listed above. We will not fulfill orders placed by non-authorized businesses seeking to resell our products or services. If you have questions, please feel free to contact your local Stryker customer service representative at 800.442.1142.

Sincerely,



Matt Van Der Wende, Vice President, Americas Sales

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EC-GSNPS-COMM-1157704_REV-1_en_us

Stryker or its affiliated entities own, use, or have applied for the following trademarks or services marks: LIFELINKcentral, LIFEPAK, LUCAS, CODE-STAT, RELI, LIFENET, Stryker. All other trademarks are trademarks of their respective owners or holders. The absence of a product, feature, or service name, or logo from this list does not constitute a waiver of Stryker's trademark or other intellectual property rights concerning that name or logo.

Emergency Care
11811 Willows Road NE, Redmond, WA 98052 USA | P +1 425 867 4000 | Toll-free +1 800 442 1142 | stryker.com

stryker

Quick Quote 8/20/2024 12:32 PM

Quote Number: 10973866

Version: 1

Prepared For: COLUMBUS FIRE DEPT

Attn:

Remit to: Stryker Sales, LLC
21343 NETWORK PLACE
CHICAGO IL 60673-1213
USA

Rep: Scott Pufahl

Email: scott.pufahl@stryker.com

Phone Number: (913) 530-0195

Quote Date: 08/20/2024

Expiration Date: 11/18/2024

Delivery Address		Sold To - Shipping		Bill To Account	
Name:	COLUMBUS FIRE DEPT	Name:	COLUMBUS FIRE DEPT	Name:	COLUMBUS FIRE DEPT
Account #:	20003929	Account #:	20003929	Account #:	20159336
Address:	4630 HOWARD BLVD	Address:	4630 HOWARD BLVD	Address:	
	COLUMBUS		COLUMBUS		
	Nebraska 68602-2158		Nebraska 68602-2158		

Equipment Products:

#	Product	Description	U/M	Qty	Sell Price	Total
1.0	70335-000042	LP35,EN-US,MAS-SP/CO,MED-CO2,SUN-NIBP,12L,WIFI/CELL/LN/CPRIN,STD,BT	PCE	1	$40,143.40	$40,143.40
2.0	41335-000001	SHIP KIT, POWER SUPPLY, LP35	PCE	1	$1,375.00	$1,375.00
3.0	11140-000131	POWER CORD,C13 ST,10FT,HOSPITAL GRADE	PCE	1	$59.40	$59.40
4.0	11996-000519	LNCS-II rainbow DCI 8? SpCO, Adult Reusable Sensor	PCE	1	$472.45	$472.45
5.0	11335-000005	KIT, PRINTER, LP35	PCE	1	$1,650.00	$1,650.00
6.0	11260-000073	KIT, SHOULDER STRAP, LP35	PCE	1	$41.25	$41.25
7.0	11335-000008	KIT, STORAGE BAGS, LP35	PCE	1	$330.00	$330.00
				Equipment Total:		$44,071.50

Trade In Credit:

Product	Description	Qty	Credit Ea.	Total Credit
TR-ZX-LP35	TRADE IN ZOLL X-SERIES FOR LP35	1	-$10,000.00	-$10,000.00

Stryker Medical - Accounts Receivable - accountsreceivable@stryker.com - PO BOX 93308 - Chicago, IL 60673-3308

stryker

Quick Quote 8/20/2024 12:32 PM

Quote Number:	10973866	Remit to:	Stryker Sales, LLC 21343 NETWORK PLACE CHICAGO IL 60673-1213 USA
Version:	1		
Prepared For:	COLUMBUS FIRE DEPT	Rep:	Scott Pufahl
	Attn:	Email:	scott.pufahl@stryker.com
		Phone Number:	(913) 530-0195
Quote Date:	08/20/2024		
Expiration Date:	11/18/2024		

Price Totals:

Estimated Sales Tax (0.000%):	$0.00
Freight/Shipping:	$658.92
Grand Total:	$34,730.42

Prices: In effect for 30 days

Terms: Net 30 Days

Terms and Conditions:
Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule. Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency. A copy of Stryker Medical's terms and conditions can be found at https://techweb.stryker.com/Terms_Conditions/index.html.

Purchase Order Form

Account Manager : Scott Pufahl

Cell Phone : (913) 530-0195

Purchase Order Date : 08-20-2024 16:55:00 -0400

Expected Delivery Date :

Stryker Quote Number : 10973866

Customer PO Number :

Bill To	Customer # : 20159336
Company Name :	COLUMBUS FIRE DEPT
Contact or Department :	
Street Address :	POBox 1677
Addt'l Address Line :	
City, ST, ZIP :	COLUMBUS, Nebraska, 68602-1677
Phone :	

Authorized Customer Initials _____

Sold To / End User	Customer # : 20003929
Company Name :	COLUMBUS FIRE DEPT
Contact or Department :	
Street Address :	4630 HOWARD BLVD
Addt'l Address Line :	
City, ST, ZIP :	COLUMBUS, Nebraska, 68602-2158
Phone :	

Authorized Customer Initials _____

Deliver To	Customer # : 20003929
Company Name :	COLUMBUS FIRE DEPT
Contact or Department :	
Street Address :	4630 HOWARD BLVD
Addt'l Address Line :	
City, ST, ZIP :	COLUMBUS, Nebraska , 68602-2158
Phone :	

Authorized Customer Initials _____

Description	Total
	$34,730.42

Total : $34,730.42

Attachment: Stryker Quote Number : 10973866

Stryker Terms and Conditions
www.strykeremergencycare.com/terms

Purchase Order Form

Accounts Payable Contact Information

Name :

Email :

Phone :

Authorized Customer Signature

Name :

Title :

Signature : _____

Date : _____

Attachment: Stryker Quote Number : 10973866

Stryker Terms and Conditions
www.strykeremergencycare.com/terms

13.E. Comments from mayor and city council members.

14. **RESOLUTIONS**

15. **ORDINANCES ON FIRST READING**

15.A. Ordinance No. 24-21 adopting the 2024 City of Columbus Personnel Policy Manual.

DRAFT

ORDINANCE NO. 24-21

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO APPROVE AND ADOPT THE 2024 CITY OF COLUMBUS PERSONNEL POLICY MANUAL; TO REPEAL ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA to approve and adopt the 2024 City of Columbus Personnel Policy Manual.

This ordinance shall repeal all ordinances or portions thereof in conflict herewith.

This ordinance shall be in full force and effect from and after passage, adoption, and publication as provided by law. Publication shall be in pamphlet form as authorized by Neb. Rev. Stat. §16-405 with distribution to be made by making copies available to the public upon request at the city office.

INTRODUCED BY COUNCIL MEMBER_____

PASSED AND ADOPTED THIS ____ DAY OF _____,2024.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

City of Columbus
Human Resources / Risk Management
2500 14th St. Suite 3
Columbus, NE 68601
402-562-4243
www.columbusne.us

DATE: July 30, 2024

TO: Tara Vasicek, City Administrator

FROM: Tammy Orender, Human Resource Director T.O

RE: Employee Personnel Manual Changes

RECOMMENDATION:

Updating all of the tracked changes to our current personnel manual.

DISCUSSION:

As part of our ongoing efforts to ensure that our personnel policies remain fair, relevant, and aligned with current practices, we have undertaken a comprehensive review of the existing Personnel Manual. The Fire and Police Unions have both approved the proposed updates, and these changes have been circulated to all city employees for review and feedback.

We believe these updates will enhance our working environment, promote fairness, and support the professional growth and well-being of all city employees and maintain a positive workplace culture.

ACKNOWLEDGMENT FORM

I acknowledge receiving a copy of the 2024 City of Columbus Personnel Manual. I understand that I must read it or have it read to me carefully. I understand this Manual supersedes all prior versions. I recognize that I must understand all of its rules, policies, terms, and conditions, and agree to abide by them, realizing that failure to do so may result in disciplinary action and/or termination. I understand that upon termination of my employment for any reason, I must return all City materials, property and equipment issued to me and pay the City any money that I may owe, and agree that upon my failure to promptly do either of these the City can withhold corresponding amounts from my final paycheck and take whatever legal action is necessary to recover such. **I understand and agree that unless I am covered by the Civil Service System (which has its own set of statutes and regulations), my employment is terminable-at-will, so that both the City and I remain free to choose to end our work relationship at any time. Similarly, no City official has the authority to enter into an oral employment contract, and only the Governing Body can enter into a written employment contract on behalf of the City.**

I understand nothing in this Manual in any way creates an express or implied contract of employment between the City and me, but rather is intended to foster a better working atmosphere while the employee/employer's relationship exists.

_____

Employee's Signature

_____

Date

_____

Employee's Name (Printed)

THIS IS NOT A CONTRACT FOR EMPLOYMENT. NOTHING CONTAINED HEREIN SHALL BE CONSTRUED AS A PROMISE OF ANY TERM OR CONDITION OF EMPLOYMENT, INCLUDING, BUT NOT LIMITED TO, CONTINUING EMPLOYMENT. THE CITY OF COLUMBUS RESERVES THE RIGHT TO MODIFY OR REPEAL ANY PROVISION OF THIS HANDBOOK AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT PRIOR NOTICE.

CHAPTER ONE

PERSONNEL MANAGEMENT SYSTEM

Sec. 1.10 Purpose.

The personnel management system of the City of Columbus, of which this manual is a part, is designed to instill a high degree of understanding, cooperation, efficiency, and unity through systematic, uniform application of modern personnel practices. The purpose of this manual is:

1. To inform employees of their rights and obligations in relation to their employer; but not to provide any legal or contractual rights not otherwise provided for, and shall not be construed as a contract of employment.

2. To inform department heads and other supervisors of their obligations toward and their rights to assign and instruct subordinate employees.

3. To ensure compliance with all applicable laws.

4. To promote and increase efficiency and responsiveness to the public, and to promote economy in the City service.

5. To provide fair and equal opportunity for a qualified person to enter and progress in the City service based on merit and fitness as ascertained through fair and practical personnel management methods.

6. To enhance the attractiveness of City careers and encourage employees to give their best efforts to the City and the public.

7. In the event of conflict between this manual and state or federal laws, such state and federal laws shall prevail.

Sec. 1.20 Coverage of the Rules.

These rules shall apply to all departments, divisions and employees of the City except in cases of conflict with applicable state or federal laws or regulations or with the rules of the City of Columbus Civil Service Commission as statutorily applicable. An employee is defined as any person who has been appointed/hired to a position of employment on the City payroll, excepting any person serving on a retainer contract basis. Benefits conferred to employees in this manual may be different if the employee is covered by a City-recognized Collective Bargaining Agreement. These changes will be described in the approved Collective Bargaining Agreement.

Sec. 1.30 Adoption of the Manual.

This manual shall become effective when adopted by the Mayor and City Council, whereupon all conflicting rules, regulations, policies, or procedures previously adopted by the Mayor and City Council or by administrative directive shall be superseded, to the extent of the conflict.

Sec. 1.35 Amendment of the Manual.

Written suggestions for amending this manual are welcome at any time from City employees and should be submitted, through supervisory channels, to the City Administrator or the Human Resources Director. Amendments shall become effective upon approval by the Mayor and City Council.

Sec. 1.40 Availability of the Manual.

Each regular employee shall receive and maintain a copy of this manual.

Sec. 1.50 Supplemental Personnel Regulations.

Department heads may establish such supplemental personnel regulations as are necessary for efficient and orderly administration and for ensuring the proper conduct and discipline of their employees.

Supplemental personnel regulations shall be subject to approval by the City Administrator and shall be consistent with these rules, other requirements of the Mayor and City Council, and administrative directives. Copies of supplemental personnel regulation shall be made available to employees in their departments.

Sec. 1.55 Employment at Will.

An employee has freely chosen the opportunity of employment with the City. It is understood the employee has a continuing right to leave or stay as they choose. The City reserves those same rights to maintain or terminate the employment and compensation of employees as needs require. The City also reserves the right, except as to those employees who are protected under the Civil Service System, to terminate the employment and compensation of employees as needs require, and to do so with or without cause.

The City of Columbus, by decision of the Mayor and City Council, agrees to follow the process for dismissals and disciplinary actions as outlined in the Personnel Rules and Civil Service Rules that are applicable to those regular employees who have successfully completed their introductory period. However, these policies in no way shall be construed to create a contractual employment relationship between the City of Columbus and its employees. Furthermore, the City of Columbus shall have no tenured employment agreements with any employee or organized employee group.

This manual is not a contract of employment, nor shall it be construed as creating any contractual rights or property interest in favor of City employees. Nothing contained in this manual or in any other statement of City philosophy, including oral statements, should be considered a promise of continuing employment.

Sec. 1.60 Definitions.

The following definitions shall apply in these regulations, unless the context clearly indicates otherwise:

Absence Without Leave. An absence from duty which was not authorized or approved.

Appeals. Procedures as described by these regulations for appealing disciplinary actions, employee-evaluations and other individual grievances.

Applicant. An individual who has applied in writing on a City application form for employment with the City of Columbus.

Appointment. The offer to and acceptance by a person of a position either on a regular or temporary basis.

Appointing Authority. The person or persons who are authorized to offer employment in the City's classified service. For the City Administrator, City Clerk, City Engineer, Finance Director, full-time paid firefighters, Fire Captains, Fire Chief, Assistant Fire Chief, Fire Training and Safety Officer and sworn members of the police force, it shall be the Mayor and City Council. For all department heads, other than the City Clerk, City Engineer, and Finance and Library Director, it shall be the City Administrator, Mayor, and City Council. For the Library Director, it shall be the Library Board. For all other employees it shall be the City Administrator.

Chain of Command. The chain of command is the formal line of authority, communication, and responsibility within an organization. The chain of command is usually depicted on an organizational chart, which identifies the superior and subordinate relationships in the organizational structure. According to classical organization theory the organizational chart allows one to visualize the lines of authority and communication within an organizational structure and ensures clear assignment of duties and responsibilities. By utilizing the chain of command, and its visible authority relationships, the principle of unity of command is maintained. Unity of command means that each subordinate should report to one and only one superior. Unity of command is crucial to productive work schedules, the maintenance of a prioritized work schedule, and productive communications. It would therefore be expected that communications and requests for service flow both ways through chain of command.

Civil Service Employee. Civil Service employees employed by the City of Columbus shall be designated by the definition in Revised Statutes of Nebraska, Sec. 19-1829.

Compensatory Leave. Time off from work in-lieu of monetary payment of overtime worked.

Demotion. Assignment of an employee from one title to another which is a lower rate of pay and/or rank.

Department Head. A person trained to manage a specific area of City government such as Police, Library, etc. Department heads are responsible for the general operation of the department and ensuring adequate performance levels from employees. Department heads

shall have full responsibility to recommend any personnel actions in accordance with the authority delegated to them by the Appointing Authority. All actions by department heads within their department are accountable to the City Administrator.

Disciplinary Action. Action taken by a supervisor, department head, or the City Administrator whenever an employee's performance, attitude, work habits or personal conduct fall below a desirable level.

Dismissal. A type of disciplinary action which separates an employee from the City payroll.

Employee. An individual who is legally employed by the City in one of the categories listed below and is compensated through the City payroll. An employee may be defined as follows:

a) Regular, full-time. This person is expected to work an average of 30 hours per week for the 6 months during their introductory period before obtaining the regular status in their assigned classification, except in the case of firefighters and fire Captains whose work period shall be an average of 106 hours in a 14 consecutive day period.

b) Regular, part-time. This person may be employed on a regular schedule of less than 30 hours per week and will normally work at least 1,000 hours throughout a year.

c) Temporary and Seasonal**.** This person may be employed for any number of hours per week in positions declared to be seasonal or temporary in nature and will not normally work more than 1,500 hours per year. This person may be assigned to a classification temporarily vacated by a regular employee while on military duty or other authorized absence.

d) The Temporary employee shall not include:

Elected officials and persons appointed to fill vacancies in elective offices, members of appointive boards, commissions or committees, the City attorney, consultants, advisors, and counsel rendering temporary professional service, independent contractors, emergency employees who are hired to meet the immediate requirements of an emergency condition and volunteer personnel, and also all other personnel appointed to serve without compensation.

Employee Counseling. The act of assisting employees to become more effective on the job. Relates to employee evaluation and employee improvement.

Employee Development. The interaction of employee counseling, employee evaluation and employee improvement.

Employee Evaluation. The system of evaluating employees' performance. Relates to employee improvement and employee counseling.

Employee Improvement. All types of training and educational programs that improve the

quality of service of the employee and improve his/her chances for advancement. Relates to employee evaluation and employee counseling.

Examination. The process of testing, evaluating or investigating the fitness and qualifications of applicants and employees.

Grievance. An employee's feeling of differences, disagreements or disputes arising between an employee and their supervisor relative to some aspect of their employment, application, or interpretation of regulations and policies or some management decision affecting the employee.

Hire Date. The date upon which employment started with the City of Columbus for a specific employee. This date will be adjusted to exclude leave of absence without pay. This is the date upon which vacation accruals are based.

Immediate Family. Spouse, children, brothers and their spouse, sisters and their spouse, parents, grandparents or grandchildren. Spouse's children and parents.

Introductory Period. See policy 2.95 for definition.

Job Description. A written description of a job consisting of a title, a general statement of the level of work and of the distinguishing features of work, examples of duties and qualifications for the Job Title.

Job Title. A group of positions which are sufficiently alike in general duties and responsibilities to warrant the use of the same title, class specifications and pay range.

Lay-off. The involuntary non-disciplinary separation of an employee from a position because of shortage of work, materials, or funds.

Leave. An approved type of absence from work as provided for in this manual.

Merit/Periodic Pay Increases. A merit increase is compensation within the confines of the pay scale established in the Pay Plan. It may be granted to an employee for meritorious service and completion of minimum prescribed periods of employment in the class.

Merit Proficiency Date. This date is generally when the employee completes their first 12 months of employment. It is the date used to mark annual performance evaluations. Each year the employee should have their evaluation during the two-week pay period which contains this date, when possible. The merit proficiency date will change with any change in pay grade or unpaid leave of absence.

Military Leave, Reserve. A leave of absence for military service performed during their employment as required by applicable state or federal law. An eligible employee’s rights to reemployment after military leave will also be governed by applicable law.

Overtime. Authorized time worked by an employee for overtime work performed in accordance with Federal and State Regulations and this manual.

Promotion. Assignment of an employee from one Job Title to another which has a higher rate of pay and rank.

Reclassification. The action of changing a position by classifying it upward, downward or to a different classification on the basis of sufficient changes in the kind, development or responsibilities of work assigned to the position.

Reprimand. A form of guidance which may be oral or written, and which should be used not only to warn an employee, but also to guide, direct and instruct the employee in how to correct and avoid repeating a mistake, infraction, deficiency or problem.

Seniority. Length of continuous service with the City as a regular employee.

Sick Leave. An absence approved by the department head or supervisor due to illness or injury.

Supervisor. An individual who has the authority to undertake or recommend tangible employment decisions affecting a particular employee; or an individual who has the authority to direct a particular employee's daily work activities.

Suspension. An enforced leave of absence for disciplinary purposes or pending investigation of charges made against an employee; may be with or without pay.

Transfer. Assignment of an employee from one position to another position of a different Job Title or Work Location.

Work Day or Work Period. Scheduled number of hours an employee is required to work per day or per scheduled number of days as department policy.

Sec. 1.70 Role of Mayor and City Council.

The Mayor and City Council shall be the ultimate policy-making authority for all matters pertaining to personnel management in the City government and shall determine the numbers and kinds of positions of employment.

Sec. 1.80 Role of the City Administrator.

The City Administrator shall be responsible for the proper administration of the personnel management system by:

1. Ensuring appointments are based on merit and fitness.
2. Recommending a sound Pay Plan and position plan.
3. Equitably administering the Pay Plan.
4. Ensuring the City is an Equal Opportunity Employer.
5. Maintaining employee discipline.

6. Ensuring high employee productivity.

7. Maximizing employee development opportunities.

8. Ensuring fair and effective appeal and grievance procedures.

9. Fostering good employee relations.

10. Issuing such administrative directives as are necessary to implement these rules.

Sec. 1.90 Functions of the Human Resources Department.

The Human Resources Department performs the following functions:

1. Recruits candidates for employment.

2. Receives and initially processes employment applications.

3. Refers applicants to department in accordance with established procedures.

4. Processes appointments, separations, and other actions.

5. Develops general personnel forms.

6. Advises and assists the City Administrator and the department heads as to general personnel policies, and in individual cases ensures all laws and administrative regulations are complied with and that good personnel practices are observed.

7. Represents the City Administrator, as directed, in relationships involving personnel matters with private and governmental agencies.

8. Revises and keeps this manual up-to-date.

9. Maintains the Pay Plan and Job Descriptions.

10. Keeps the central personnel records, including records of accidents and injuries.

11. Performs other related functions as directed by the City Administrator.

Sec. 1.92 Human Resources Director.

The normal procedures for discussing concerns, or problems, will be resolved using the chain of command as provided in the Personnel Rules.

However, in instances where the concern is confidential in nature or the employees' interest might be compromised if a rigid chain of command is followed, the employee shall have the right to bring the concern directly to the Human Resources Director.

When questions or problems arise regarding issues in the workplace, employees are encouraged to

first discuss the matter with their supervisor. If they are not satisfied at this point or are uncomfortable visiting with their supervisor regarding the matter, the employee should contact their department head. If this does not resolve the matter or would prove uncomfortable, employees may always contact the Human Resources Director directly.

Sec. 1.93 Responsibility for Job References.

The Human Resources Director shall be responsible for providing job references for all past and present employees. All employees shall refer all job-related inquiries regarding references for former and current employees to the Human Resources Director.

Sec. 1.94 Role of Department Heads.

Department heads shall have full responsibility for managing their assigned personnel and for taking or recommending any personnel actions in accordance with the authority delegated to them by the City Administrator and the applicable provisions of these rules.

Sec. 1.95 Personnel Records.

The Human Resources Director shall maintain a file for each person currently employed by the City. An employee may contact the Human Resources Director to review their own personnel file. The documents in the file shall be reviewed in the Human Resources Director's office. The file or documents in the file shall not be permitted to leave that designated office. Employees do not have the right to add or delete material from their personnel files. Copies of particular documents shall be made at the request of the employee.

Sec. 1.96 Code of Employer-Employee Relations.

It is the policy of the City of Columbus to implement fair and effective personnel policies and to require all employees to serve the organization's best interests as listed below:

1. The City retains the sole right to exercise all managerial functions including, but not limited to, the right of the City to manage and supervise all operations and establish work rules, regulations, and other terms and conditions of employment; direction, assignment of work to, and arrangement of working forces, including the right to hire, promote or not promote, suspend, terminate for cause, make interdepartmental transfers, relieve employees from duty because of lack of work or other legitimate reasons; the determination of services to be provided; the determination of employee's work abilities; the location of the work sites including the establishment of new work sites and the relocation and closing of old work sites; the determination of financial policies including accounting procedures and budget control; the determination of the management organization of the department and the selection of employees for promotion, transfer, or reorganization; maintenance of discipline and control and use of City property; the subcontracting of unit work; the establishment of quality standards and judgment of workmanship required; the scheduling of operations and the time to be worked; and the right to enforce rules and regulations now in effect and which it may issue from time to time. The above detailed listing of management rights shall in no way be deemed to exclude other management prerogatives which may not have been specifically listed.

2. The City's objectives for employees include the following:

   a) To provide equal employment opportunity and treatment regardless of race, color, religion, sex, age, national origin, disability, marital status, AIDS/HIV status, genetic information or any other class protected by applicable law.

   b) To provide compensation and benefits commensurate with the work performed.

   c) To establish reasonable hours of work based on the City's service obligations.

   d) To monitor and comply with applicable federal, state, and local laws and regulations concerning employee safety.

   e) To offer employees training opportunities whereby the employee and City would mutually benefit.

   f) To be receptive to constructive suggestions which relate to the job, working conditions, or personnel policies.

   g) To establish appropriate means for employees to discuss matters of interest or concern with their immediate supervisor, department head, Human Resource Director or City Administrator.

3. The City expects all employees:

   a) To deal with citizens, suppliers, and contracting organizations in a professional manner.

   b) To perform assigned tasks in an efficient manner.

   c) To be punctual.

   d) To demonstrate a considerate, friendly, and constructive attitude toward the public and fellow employees.

   e) To adhere to the policies adopted by the City.

4. Nothing in this manual should be considered as altering the employment-at-will relationship or as creating an express or implied contract or promise concerning the policies or practices that the City has implemented or will implement in the future. (See Employment-At-Will, Sec. 1.55.) Accordingly, the City retains the rights to establish, change, and abolish its policies, practices, rules, and regulations at will, and as it sees fit at any time, with or without notice.

Sec. 1.97 Employee Educational Refund Plan.

The City of Columbus recognizes the mutual advantages to be gained when employees enroll in continuing education courses. In order to encourage this program, the City has implemented an Employee Education Refund Plan whereby the City will reimburse the employee 80% of the tuition,

books and fees, subject to the following conditions:

1. Availability of budgeted department funds.

2. Only regular fulltime employees are eligible and must have completed one continuous calendar year of employment.

3. The courses or degree work selected by the employee must be technical or professional, and related to work available in City service. Enrollment must be made with a recognized and established college, university, technical school, correspondence school, or equivalent.

4. Prior to enrolling in a class, the request must be approved by the immediate supervisor, department head, and the City Administrator.

5. Continuing education courses are voluntary and must occur while off-duty and without compensation since such training does not constitute "hours worked".

6. The course must be satisfactorily completed and receipts for tuition, books, and entrance fees and transcript must be submitted as a basis on which to compute the refund.

7. Where the employee is already receiving tuition or scholarship assistance such as VA benefits, etc., the City will make the reimbursement for education costs to the extent that the total payments received by the employee from all sources does not exceed 100% of the total course cost.

8. An employee benefit of $500 as incurred each calendar year and a $2,000 maximum benefit is allowed under this policy.

In order for training and education to be eligible for this Employee Education Refund Plan, it must meet all 4 of these factors:

1. Attendance is outside of the employee's regular work hours;

2. Attendance is voluntary;

3. The course, lecture or meeting is directly related to the employee's job; and

4. The employee does not perform any productive work for the employer during such attendance.

CHAPTER TWO

METHOD OF FILLING VACANCIES

Sec. 2.05 Vacancy Identification.

Department heads shall notify the Human Resources Director as soon as they become aware of actual or impending vacancies in their organizations. No vacancy may be filled without the authorization of the City Administrator, who may specify the selection process or processes to be used.

Sec. 2.10 Promotion Policy.

A promotion is the assignment of an employee from a position in one Job Title to a position in another Job Title having a higher maximum salary. The City shall provide promotional opportunities whenever feasible. City employees may also apply and be considered for any position in the same manner as members of the general public.

Sec. 2.12 Competitive Selection.

When a competitive selection process is to be used, the City Administrator, according to the best interest of the City, may designate the selection process for applicants from any of three processes. First, the selection process may be limited to persons in the City service or a segment thereof. Secondly, the selection process may be opened to the general public without special preferences or consideration for any City employees who apply. And finally, the selection process may include both City employees and members of the general public, with City employees given preference in application and/or consideration.

Sec. 2.15 Noncompetitive Selection.

When in the best interest of the City, a noncompetitive selection process may be specified by the City Administrator. Vacancies may be noncompetitively filled with qualified persons by the following means:

1. Reinstatement of a former City employee, as described elsewhere in these rules.
2. Demotion for cause, as described elsewhere in these rules.
3. Voluntary demotion.
4. Repromotion of an employee previously demoted in lieu of layoff.
5. Lateral transfer.
6. Special employment program.

Sec. 2.17 Voluntary Demotion.

Demotion is the assignment of an employee from a position in one class to a position in another class having a lower maximum salary. Employees may be demoted at their own request if in the best

interest of the City.

Sec. 2.20 Demotion in Lieu of Layoff.

An employee may be demoted as an alternative to layoff. Such demotion may be fully or partially rescinded at any time through noncompetitive re-promotion.

Sec. 2.25 Lateral Transfer.

Lateral transfer is any assignment from one position to another not involving a promotion or demotion. A lateral transfer may be effected at an employee's request or for reasons of administrative necessity. It is highly desirable when a vacancy occurs in a department for which an employee of another department is qualified, that the employee be given an opportunity to apply for the vacancy. In appropriate circumstances, the Human Resources Director shall ensure that notices are posted in City departments and divisions soliciting applications for lateral transfer.

Sec. 2.27 Special Employment Programs.

From time to time, the City Administrator, in furtherance of legitimate public policy objectives may specify vacancies be filled with persons eligible for inclusion in particular special employment programs without regard to the provisions of this chapter concerning selection processes. Special employment programs include, but are not limited to internships, youth employment programs, work-study programs, intergovernmental mobility assignments, vocational rehabilitation programs and seasonal employees.

Sec. 2.30 Temporary Positions.

The City Administrator may authorize any fair and practical means of filling temporary or seasonal positions without regard to other provisions of this chapter concerning selection processes.

Sec. 2.35 Vacancy Announcements.

The Human Resources Director shall announce all vacancies for which a competitive selection process has been specified.

Sec. 2.37 Purpose and Design of Application Forms.

The Human Resources Director shall develop one or more general application forms for use in applying for City employment. The Human Resources Director or department heads may also develop specialized or supplemental application forms for use in appropriate circumstances. Any forms developed by department heads shall be reviewed by the Human Resource Director for technical adequacy, utility, and equal employment opportunity compliance. Application forms shall be used in making fair determinations of qualifications for employment. Information concerning non-merit factors shall only be requested as necessary to satisfy equal employment opportunity and other legal requirements. Information required only at the time of selection or appointment shall not be solicited at the time of initial application.

Sec. 2.40 Filing of Application.

Applications shall be filed with the Human Resources Director as specified in the applicable vacancy announcements. The City Administrator may authorize the acceptance of late applications, if in the best interest of the City. The Human Resources Director shall provide all reasonable assistance to persons requesting help in completing their applications. All information submitted shall be subject to verification. The City may cease accepting or processing applications at any time in accordance with operational requirements.

Sec. 2.45 Initial Processing of Application.

The Human Resources Director shall be responsible for the initial processing of employment applications as directed by the City Administrator. Should information be collected solely for equal employment opportunity purposes it shall be detached from the main body of each application upon receipt. The information shall be separately and securely filed by the Human Resources Director and shall not be used in the selection process.

Sec. 2.47 Evaluation of Qualifications.

It is the policy of the City to select, develop and promote employees based upon their individual qualifications, abilities and performance. Applicants for employment with the City will be requested to supply personal and employment references. In addition, the City reserves the right to obtain background information on applicants either before or after actual employment. Such information may include, but is not limited to, an individual's character, general reputation, mode of living, and criminal and other public record. To protect against the use of inaccurate information, the City will comply with applicable federal law in obtaining such information.

Sec. 2.50 Disqualification.

An applicant may be disqualified from further consideration at any stage of the selection process for, among other things:

1. Applicant cannot provide adequate documentation demonstrating their eligibility to work in the United States as required by federal law.

2. Applicant will not have attained their 16th birthday at the time of employment, except that a lower or higher minimum age may be established for certain temporary positions as required or permitted by state and federal law.

3. Applicant is not qualified to perform the essential functions of the position, with or without reasonable accommodation, or if such accommodation would impose an undue hardship on the City.

4. Applicant is currently engaging in the use of illegal drugs.

5. Applicant is not of good moral character to the extent that his or her job performance would be impaired or that discredit or risk would be brought upon the City by offering employment.

6. Applicant has made a false statement of material fact or has committed or attempted to commit a fraudulent, illegal, or unethical act.

Sec. 2.55 Interviews.

Selection officials shall interview applicants in competitive selection processes who on the record appear to be the best qualified for the position involved. For designated positions, a written summary of interview questions and answers shall be prepared and forwarded to the Human Resources Director for retention. Interviews shall be conducted in a consistent job-related and nondiscriminatory manner.

Sec. 2.57 Documentation and Notification.

The Human Resources Director shall devise necessary forms and procedures pertaining to the selection process. Disqualification and selection decisions shall be thoroughly documented by the responsible officials. The Human Resources Director shall be responsible for conducting reference checks of successful applicants. The Human Resources Director shall also respond to any written requests from applicants concerning the reasons for their disqualification or non-selection.

Sec. 2.60 Employment of Relatives.

Two or more members of the same immediate family shall not be allowed to supervise each other or to do work under the same immediate supervisor except in emergencies. They may be employed in different units of the same department or in different departments. Should two present employees become immediate family through marriage, both employees may retain employment, however, City Administration retains the right and responsibility to transfer either one of the related employees for the purpose of maintaining the best interest of the City of Columbus. Summer only employees may be exempt from this policy if the department head specifically approves the hiring. The hiring of an immediate family member of a supervisor or department head must be approved by the City Administrator.

Sec. 2.65 Types of Appointment.

Appointments of employees to positions under these rules shall be of the following types:

1. Training appointments.

2. Regular appointments. Upon the satisfactory completion of the introductory period, employees are granted regular appointments.

3. Temporary appointments to replace regular employees. Employees may be given temporary appointments, which are limited to no more than one (1) year. Employees who are hired to temporarily fill a position vacated by a regular employee who is on authorized leave, shall, after 90 calendar days of employment, be entitled to sick and holiday leave on the same basis as a regular employee. In addition, should such employee receive an offer of employment to a regular position with the City, while still serving as a temporary employee, they will receive vacation and sick leave credit from the date of their appointment as a temporary employee.

Positions may be full or part-time, and may be occupied by employees under any of the three types of appointments.

Sec. 2.66 Nondiscrimination Against and Accommodation of Individuals with Disabilities.

The City complies with applicable federal, state and local laws providing for nondiscrimination in employment against qualified individuals with disabilities. The City also provides reasonable accommodation for such individuals in accordance with these laws.

It is the City's policy to:

1. Ensure that qualified individuals with disabilities are treated in a nondiscriminatory manner in the pre-employment process and that employees with disabilities are treated in a nondiscriminatory manner in all terms, conditions, and privileges of employment.

2. Administer medical examinations: (a) to applicants only after conditional offers of employment have been extended; and (b) to employees for business necessity.

3. Keep all medical-related information as confidential as possible and retain such information in separate confidential files.

4. Provide applicants and employees with disabilities with reasonable accommodation, except where such an accommodation would impose an undue hardship on the City.

Qualified individuals with disabilities should make requests for reasonable accommodation to the City's Human Resources Director. On receipt of an accommodation request, the Human Resources Director will meet with the requesting individual to discuss and identify the precise limitations resulting from the disability and the potential accommodation that the City might make to help overcome those limitations. The Human Resources Director and City Administrator, in conjunction with those City officials and employees having a need to know, will determine the feasibility of the requested accommodation.

Sec. 2.67 Equal Employment Opportunity.

It is the policy of the City to provide equal employment opportunity to all employees and applicants for employment. No person is to be discriminated against in employment because of race, color, religion, sex, age, national origin, disability, marital status, AIDS/HIV status, genetic information or any other class protected by applicable law.

1. This policy is applicable to all terms, conditions, and privileges of employment including, but not limited to hiring, introductory period, training, placement and employee development, promotion, transfer, compensation, benefits, educational assistance, layoff and recall, social and recreational programs, employee facilities, termination, and retirement.

2. The Human Resources Director, who reports directly to the City Administrator on matters relating to this policy, is responsible for formulating, implementing, coordinating, and monitoring all efforts in the area of equal employment opportunity. The Human Resources

Director duties may include, but are not necessarily limited to:

a) Assisting management in collecting and analyzing employment data.

b) Developing policy statements, and recruitment techniques designed to comply with the equal employment policies of the City.

c) Complying with various statutory record keeping and notice requirements in order to ensure full compliance with all employment-related statutes and regulations.

d) Assisting supervisory personnel in arriving at solutions to specific personnel problems.

e) Serving as liaison between the City and government agencies, minority organizations, and other community groups.

f) Keeping City management informed of the latest developments in the entire equal employment opportunity area.

3. Any communication from an applicant for employment, an employee, a government agency, or an attorney concerning any equal employment opportunity matter is to be immediately referred to the Human Resources Director.

4. Employees who feel they are being discriminated against should bring the matter to the attention of their supervisor. If this proves unsatisfactory or the employee is uncomfortable visiting with their supervisor regarding the matter, the employee should contact their department head. If this does not resolve the matter or this would prove uncomfortable, the employee may always contact the Human Resources Director directly or City Administrator.

Sec. 2.80 Minimum Age.

No applicant for employment shall be considered who is less than 15-years of age, and 15,16 and 17 year-olds shall not be considered eligible for any Job Title that requires the operation of a motor vehicle on public roadways.

Sec. 2.90 Processing and Orientation.

New and reinstated employees shall report to the Human Resources Director as directed for completion of personnel and payroll forms and for a general orientation to the City government, the Personnel Management System, and the City policy of Equal Employment Opportunity. Department heads or their designee shall provide further orientation on such matters as the introductory period, employee rights and responsibilities, assigned duties, level of performance expected, organizational structure and interrelationships, hours of work, safety, and availability of these rules and any applicable supplemental personnel regulations. Each regular employee will be issued a City personnel manual. Those departments who hire temporary and seasonal employees shall have a spare personnel manual available to these workers and shall make time for a review of the manual as a part of department orientation for their temporary and seasonal employees. After this review the employee

shall sign an acknowledgement form to be filed in their employee file. Employees should be made to feel welcome and should be especially encouraged to ask questions during their first days of employment.

Sec. 2.95 Introductory Period.

Every employee, except Police Officers & Fire Fighters, including part-time, seasonal, and temporary employees, shall have an introductory period of the first 6 months of work. Police Officers' and Fire Fighters shall have an introductory period of one year. Police Officers one year introductory period begins after the employee has received certification by the Nebraska Law Enforcement Training Center.

The purpose of the introductory period is to permit the supervisors and department heads to closely observe and evaluate the capabilities and willingness of the new employee. During this time, supervisors shall encourage and assist the new employee in making a successful adjustment to the job. Only those employees who meet an acceptable standard of work during the introductory period will be retained. An employee may be dismissed at any time during the introductory period if, in the judgment of the immediate supervisor and department head, the quality of work or the employee's manner or approach to the work do not warrant continuation of employment. The successful completion of the introductory period should not be considered a guarantee of employment of any specific duration.

The department head may extend the introductory period for a period of three months except in the case of Police Officers and Fire Fighters.

Employees promoted within the City service shall be in introductory training for their first six months. During that time the department head may cancel the promotion and assign the employee to the former or a similar position. As with all regular employees who successfully complete their introductory period, promoted employees shall not automatically receive a pay increase because of the satisfactory completion of their introductory period.

CHAPTER THREE

SALARY ADMINISTRATION

Sec. 3.10 Pay Plan.

It is the policy of the City to have a formal Pay Plan that is reviewed at least annually. Each job in the City, whether occupied, vacant, temporary, full-time or part-time shall have a job description outlining duties, responsibilities, and minimum job qualifications.

Sec. 3.20 Pay Grades.

Each position or job is evaluated and assigned a pay grade based on internal equity and competitive pay rates, keeping in mind the City's overall financial position.

Sec. 3.30 Salary Survey.

It shall be the policy of the City insofar as economically possible to remain continually competitive in compensation compared to similar sized cities in the state.

To that end, it shall be the responsibility of the City Administrator to annually review the Pay Plan, taking into account changes in economic conditions, as well as salary trends in similar sized communities and in the local wage market. On the basis of such review, the Administrator shall make recommendations as appropriate to the City Council for changes in the Pay Plan. The City Administrator is authorized to grant pay changes to avoid inequities.

Sec. 3.40 Starting Pay.

New employees shall normally start work at the minimum of the pay grades to which their positions are allocated if they possess the minimum qualifications for that position.

A candidate for employment having exceptionally good qualifications for the position may be employed initially at a rate higher than the minimum rate; provided the department head and City Administrator approve.

Sec. 3.50 Promotion.

When an employee is promoted from a position in a lower pay grade to a position in a higher pay grade, the pay of the employee shall be increased as follows:

1. To the first step of the higher grade.

2. If their present pay exceeds the first step of the new grade, to a step of the new grade which is higher than their present salary.

The applicable alternative shall be that which gives the employee an increase in pay.

If the employee is promoted to a higher grade, the employee shall be eligible for a periodic merit pay increase annually on the anniversary date of the promotion.

Sec. 3.60 Reclassification to Lower Pay Grade.

If an employee is demoted, either voluntarily or involuntarily, the employee's rate of pay shall be determined as follows:

1. If the rate of pay in the higher grade position is more than the maximum rate of pay for the position to which demoted, the rate of pay shall be reduced to the maximum rate of pay of the lower position.

2. If the rate of pay in the higher grade position falls within the range of the pay grade for the position to which demoted, the rate of pay shall be placed on the next closest step down in the lower pay grade.

3. The City Administrator may vary the strict application of (1.) and (2.) in any case when such strict application would result in practical difficulties or unnecessary hardship.

Sec. 3.70 Periodic Pay Increases.

Employees shall become eligible for pay increases in the Pay Plan on the annual anniversary dates of their employment or annually on the date of most recent promotion. The supervisor is to evaluate the employee's performance and rate the employee and make a recommendation. No pay increases (including pay step increases and adjustments to the pay steps themselves) will be implemented unless there is a current satisfactory appraisal on file.

If the employee is not at the top of their pay grade, the supervisor may initiate a periodic pay increase at the anniversary date on which the employee becomes eligible or it may be recommended later. The recommendation shall be transmitted through the department head to the Human Resources Director. The department head and/or City Administrator may reject or modify the supervisor’s recommendation.

It is the duty of the department heads and supervisors to identify outstanding workers and to recommend to the City Administrator that they be granted special pay increases. Such increases may be used to reward an employee for acquiring a special job certification.

Department heads shall avoid circumstances whereby a special pay increase is recommended to prevent a valuable employee from seeking employment elsewhere. Merit and ability should be recognized voluntarily by the supervisor, not under threat of resignation.

Sec. 3.80 Benefits.

The cash pay of employees by no means constitutes their total pay since employees receive a number of benefits in-kind which have substantial value. Depending on an employee’s status, these benefits could include the following items described here in summary:

Benefit Title	Description	Who Qualifies	Who Pays for It
Call-Back Pay	A minimum payment of 2 hours of overtime pay when called back to work during an emergency.	All regular employees	City
Coffee Breaks	Employee working an eight-hour shift normally receives two 15 minute coffee breaks. As a full-time employee, break periods in a week add up to the equivalent of 2 ½ hours of paid break time.	All employees	City
Compassionate Leave	Up to 24 working hours of paid leave for a death or serious injury of an immediate family member or similar personal problem upon approval of department head.	All regular employees	City
Compensatory Leave	Employee may bank time off at a rate of 1 ½ times the number of hours worked in lieu of overtime pay.	All regular employees	City
Deferred Compensation	Employees can deduct pretax dollars from their gross pay into an approved deferred compensation program.	All regular employees	Employee
Dental Coverage	Pays usual & customary charges.	All regular employees working 30 hours or more a week	City and/or Employee
Vision Coverage	Employee Pays flat rates for different coverages (exam, glasses, contacts, etc.)	All regular employees working 30 hours or more a week	Employee
Flexible Spending	Employees may use pretax dollars to fund expenses such as childcare, and unreimbursed medical expenses.	All regular employees working 30 hours or more a week	
Health Coverage	A comprehensive major medical program.	All regular employees working 30 hours or more a week	City and Employee
Holiday Pay	The City recognizes 10 holidays. Most eligible employees receive holidays off with pay. Regular employees working on a holiday receive regular pay plus overtime pay for all hours worked during the holiday.	All regular employees	City
Job Posting	Opportunity to be considered for posted positions.	All employees	City
Life Insurance	City pays for group term life insurance for regular 30 hour employees. Optional supplemental life is also available through payroll deduction.	All regular employees working 30 hours or more a week	City
Long Term Disability Coverage	An income protections plan that pays covered employees 60% of their gross pay	All regular employees working	City

	after having been disabled 180 days for a qualifying condition.	30 hours or more a week	
Military Leave	Pay for approved time away up to the allowed hours per USERRA (Uniformed Services Employment and Reemployment Rights Act)	All employees	City
Pension	Matching contribution program to provide an employee with pension benefits at retirement Current match City 6% and employee 6%. Police officers and firefighters contribute to their pension plans as mandated by Nebraska law.	Regular employees meeting hours and age requirements	City and Employee
Sick Leave	Employees accumulate one sick day per month that can be used when ill, up to a maximum of six month's worth of work hours.	All regular employees working 20 hours or more a week	City
Vacation	Full-time regular employee receives 10 days after 1 year; 15 days after 5 years; and 20 days after 15 years. Part-time regular employees' vacation time is prorated based on hours worked.	All regular employees working 20 hours or more a week	City
YMCA	Discounted membership rate available with payroll deduction.	All regular employees working 20 hours or more a week	Employee

Sec. 3.85 Pay Periods.

The pay period shall be a period of two weeks, beginning with the 12:01 a.m. Sunday shift and ending with the last p.m. shift on Saturday.

Pay will be issued biweekly on Friday following the end of a pay period. If a bank holiday falls on a Friday payday, an attempt will be made to issue pay one day early. If a City holiday and not a bank holiday, falls on a Friday payday, pay will be issued Friday.

Terminating employees will receive their final pay on the next regular payday when the pay would normally be due. Terminating employees should make arrangements with their supervisor concerning their final pay.

Sec. 3.90 Bi-Weekly Payroll Processing.

Employee status changes and salary adjustments are to be forwarded to the Human Resources Director for review and City Administrator's approval on the Wednesday before pay week.

Employees should have their signed timesheets completed and forwarded to their supervisor on or before their last day of work in each time period. Timesheets should be delivered to the Finance Department by 9 a.m. each Monday of each pay week.

The City may make payments for wages and reimbursable expenses by electronic funds transfer or similar means of direct deposit.

Sec. 3.96 Employee Recognition.

Department heads and supervisors have a duty to identify and recognize outstanding performance by employees. The Municipal Recognition Program is the procedure for the granting of awards. A copy of the Municipal Recognition Program is available from the Human Resources Department.

Sec. 3.97 Payroll Deductions and Reductions.

Generally, a difference exists between "gross earnings" and your "take-home pay" otherwise known as your "net earnings". Two reasons account for that difference: deductions required by federal and state government, and voluntary deductions authorized by the employee. All such deductions are shown on your pay stub.

1. Automatic Deductions

    a) Federal and State withholding tax:
    Amounts withheld for taxes are based on your earnings, marital status and the number of exemptions claimed. Nebraska employees will complete a W-4 form known as the Employee's Withholding Exemption Certificate for both federal and state taxes. Federal and State tax deductions are done in accordance with law and the money deducted from your pay is remitted to the government as required.

    b) Social Security & Medicare (FICA – Federal Insurance Contribution Act):
    Each employee of the City, as required by law is to participate in this program. It is designed to provide retirement, disability, medical, and death benefits. Deductions are made at a rate established by law.

2. Other Required Deductions

    a) In some cases, additional required deductions may include court ordered wage garnishments, wage assignments, third party levies, and income-withholding orders (child or spousal support) levied against an employee's pay. Under the federal Child Support Enforcement Act of 1984, income-withholding orders for child support take priority over all other wage withholding orders.

    b) While it is not the intent of the City to become involved in the personal affairs of its employees, we are required to follow court ordered deductions from pay. The employee will be notified by the Finance Department upon receipt of the court order. The Finance Department is responsible for computing the dollar amount legally allowed to be withheld from the employee's check. Employees may need to complete a form indicating dependents.

3. "Dock in Pay" Deductions

a) A dock in pay will occur when a request for leave time exceeds the leave balances available. Currently, when sick pay is requested, and no sick leave balance exists, the City will reduce vacation or compensatory time, if available. If vacation or compensatory pay is requested, and no leave is available, then a dock in pay may occur. As well, if sick pay is requested, and no other leave is available, a dock in pay may also occur.

b) Non-Exempt Employees: Non-exempt employees are defined by the hours they work. Therefore, when all leave balances are exhausted the system will automatically create a dock in pay for the pay period in which the request exceeds the leave balance.

c) Exempt Employees: Since exempt employees are not paid based on hours worked, there are certain rules pertaining to an institution's ability to dock pay for use of leave above and beyond the balance available. For example, the City may make deductions when an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability. Also, the City may make deductions from pay for absences of one or more full days occasioned by sickness or disability if the exempt employee has exhausted his or her leave allowance under other City leave plans, such as vacation and sick leave.

d) The City prohibits improper pay deductions for exempt status employees leaves. To insure that exempt employees are not put in exempt status jeopardy because of an improper deduction for leave, an employee should notify the Human Resources Department if they believe an improper deduction for absence has been made. If the deduction is found to be improper, the City will reimburse the employee's paycheck for the amount deducted.

4. Voluntary Deductions or Reductions

These deductions must be authorized by the employee, by completing and signing the appropriate form and bringing it into the Finance Department. These deductions remain in effect until the employee notifies the Human Resources Department or the Finance Department in writing of the change, or the Human Resources Department notifies the employee that a new enrollment is necessary.

Deductions may include a variety of approved contributions or payments.

Reductions include pension and deferred compensation contributions, flexible spending contributions, and health and dental premiums.

5. Deductions from Final Paycheck

Upon termination of employment for any reason all employees are required to return City materials, property and equipment issued to the employee and to pay the City any money the employee may owe the City. Otherwise, the City may withhold corresponding amounts from the employee's final paycheck as authorized in the Acknowledgement Form to this handbook.

CHAPTER FOUR

HOURS OF WORK AND OVERTIME

Sec. 4.10 Hours of Work.

Department heads shall establish working schedules to meet their special need, provided that no schedule with eight-hour shifts shall under normal circumstances call for more than 40 hours a week.

Sec. 4.15 Travel Time.

The following guidelines shall be used in determining if travel time is to be considered as work time:

1. Home-to-work travel is not counted as hours worked.

2. Travel to and from work in emergency situations is counted as hours worked.

3. Time spent traveling to and from other cities on required assignment is counted as hours worked. Travel and work that extends over a 24 hour period, such as a multi-day educational seminar held outside of Columbus, requires a Travel Request form to be given to the department head for written approval.

4. Travel that is all-in-a-day's work is counted as work time.

Sec. 4.20 Overtime.

If requested to work overtime, an employee will be expected to do so unless the employee is excused for good cause.

Except for "exempt" employees, who do not qualify for overtime, overtime hours are based on hours worked in excess of 40 hours in a normal work week. For the purpose of determining overtime, only the following hours are counted towards hours worked: vacation, holiday, procedural and administrative leave except for Firefighters and Fire Captains. All other hours are not considered hours works for the purpose of calculating overtime. For Firefighters and Captains the overtime rate is applied to all hours worked over 106 hours in a 14-day work cycle. For Police Officers and Sergeants working 12-hour shifts, overtime is computed on a 14 day work cycle.

Overtime pay at the rate of one and one-half times the regular hourly rate of pay shall be paid as follows regardless of whether 40 worked hours accrued in the pay period:

1. For all time worked as a result of being called back to work on a regular work day or a scheduled day off, during an emergency such as snow removal, fire or official court appearance. In such cases the employee will receive a minimum of two hours overtime pay or one and one-half times the regular rate of pay for the actual hours worked, whichever is greater. However, an employee asked to return for an emergency callback cannot claim a second period of two (2) hours of emergency callback pay while they are still being paid for the first two (2) hour period.

2. To an employee who is required to work during the time period a holiday is observed for the time worked during the 24-hour holiday period (not applicable to Firefighters and Captains).

When budgetary restraints are compelling, department heads may order employees off the job before the end of the work week to avoid payment of overtime compensation.

Overtime hours must have the approval of the department head and should be approved in advance whenever possible. This applies only to overtime of non-exempt employees. Approval shall be indicated by the department head initialing the employee's time sheet. In-lieu of pay for overtime under (1) and (2), an employee may be granted compensatory time upon approval of the department head (see 4.30).

Sec. 4.25 Carrying a Pager or Other Electronic Device.

Carrying an electronic device while off duty does not constitute hours worked. These devices allow employees to effectively use the time for their own purposes and, consequently, such time is not compensable. However, the City expects that employees will refrain from consuming alcoholic beverages and a response time of 30 minutes while being required to carry these devices. When carrying an electronic device results in frequent "call ins", a pager benefit payment in addition to hours worked compensation will be studied. In unusual or emergency circumstances the City Administrator may authorize a temporary benefit in lieu of normal study. In the Streets Department during the winter season and in the Sanitary Sewer, Wastewater Treatment, and Water Departments, a 'Call Pay Fee' of one and one half (1½) hours has been implemented for each 24 hour period of being on call. Salaried employees can become eligible for pager compensation. For example, Police Captains receive $200 a month. When a substantial amount of the minutes of an employee's personal cell phone is being spent answering City related calls, a $10 monthly cell phone stipend may be implemented. As telecommuting situations occur, employees may be reimbursed for documented hours worked.

Sec. 4.30 Compensatory Time.

At the option of the department head, employees may be granted compensatory time off with pay in-lieu of pay for hours worked. If hours worked are eligible for overtime pay, 1.5 hours will accrue for each overtime hour worked. If the hours over 40 hours in a week are not eligible for overtime, one hour will be banked for each hour worked. Should the employees accrue over 240 hours of compensatory time, the overage will be automatically paid out with the next pay check. Any employee having accrued compensatory time may, upon termination of employment, be paid for such hours of unused compensatory time, not to exceed 240 hours, at a rate of compensation not less than the average regular rate received by the employee during the last three years of employment or the final regular rate whichever is greater. Compensatory pay will be paid out in a lump sum at separation.

Sec. 4.31 Shift Differential.

A 50 cent an hour differential credit will be paid to covered employees who are required to work between 6 p.m. and 6 a.m. The Fire Department is exempted from this benefit due to their unique work schedule.

Sec. 4.40 Exempt Employees.

Department heads, certain supervisors, and other employees designated by the City Administrator shall not be paid overtime for hours worked in excess of 40 hours per week. Exempt employees are expected to work whatever hours are necessary to complete their work and average at least 40 hours per week. Requests for extended time off will be reviewed by the City Administrator. The exempt positions are as follows:

City Administrator
City Clerk
City Engineer
Communications Director
Chief Building and Code Official
Finance Director/City Treasurer
Fire Chief
Park & Recreation Director
Golf Course Superintendent
Human Resource Director
Library Director
Police Captain
Police Chief
Public Property Director
Public Works Director

Deductions from pay of exempt employees may be made for disciplinary suspensions of one or more full days imposed for violation of major safety rules or workplace conduct rules.

Sec. 4.45 Volunteer Time.

Volunteer time is any time spent working on a project or task which may be City-related but is entirely voluntary and not required by the department head nor directly related to their position with the City. Such time is not compensable, and any injuries or illnesses occurring during such volunteer time shall not be considered work-related for workers' compensation purposes. Work performed by an employee on a volunteer basis is not compensable.

Sec. 4.50 Break Periods

While there are no federal or state laws requiring a paid break period in addition to a lunch break, it is the policy of the City to provide employees with a paid rest period from their normal duties.

1. One 15-minute break period may be permitted during each four hours of work or as approved by the department head to accommodate department work schedules.

2. Break periods should be scheduled by department heads or supervisors so services rendered by the department <u>are not interrupted.</u>

3. Break periods should not be scheduled shortly after an employee reports for work or shortly before an employee's shift ends. However, a break period twice a day is not an employee right. Work flow problems may make it impossible on occasions to provide a break in a given four-hour period of work.

Sec. 4.70 Disaster Policy.

If Columbus should be struck by a tornado, flood, earthquake, severe wind storm, a major hazardous material incident, or other disaster, all regularly scheduled off duty employees are required to report

to their work place, for regularly scheduled work shifts, in person if possible, otherwise by telephone, unless otherwise notified by a supervisor. If the employee is not needed, s/he will be released to go home. Persons suffering personal injury to themselves or members of their household or loss of property during the disaster are not normally expected to report to their work but should report to their supervisor or department head daily or as directed by management.

CHAPTER FIVE

LEAVE BENEFITS

Sec. 5.00 Vacation.

The vacation benefit is to provide all regular employees with a paid leave for personal use as recognition for past services.

Regular full-time and regular part-time employees who are scheduled at least 20 hours a week are eligible to start using vacation hours after the first payroll has been processed and leave hours have been accrued.

Regular full-time employees shall be granted vacations based at the following accrual rate:

1. 80 hours paid vacation after one (1) full year of continuous employment.

2. 120 hours paid vacation after five (5) full years of continuous employment.

3. 160 hours paid vacation after fifteen (15) full years of continuous employment.

The vacation accrual rate for regular part-time employees who are designated as being on a 20-hour or more classification will have the same vacation accrual rate per hour worked as a regular full-time 40hour employee with the same years of experience. For example:

> A full-time 40-hour employee accrues 80 vacation hours at the end of the first year of employment based on working 2080 hours in a year. This is an accrual rate of .0385 of an hour of vacation accrual for every hour worked. If a regular part-time 20 hour a week employee works a total of 1040 hours the first year, the employee will accrue 40 hours of vacation. If the employee works 1200 hours, the employee will accrue 46.2 hours of vacation in a year.

Arrangements for vacation time and approval by the department head or their designee should be made at least four weeks in advance whenever possible. A department head may ask that a written vacation request be turned in so they can be pre-approved. Whenever a conflict arises in scheduling employees for vacation, seniority will be an important consideration in resolving the issue.

Employees may carry up to two years of accrual based on their current employment status. However, any accrual of more than two years will be removed from the records. Vacation accrual shall continue until separation of employment; however, no accrual shall occur on the last paycheck. Having several weeks of vacation accrual does not guarantee an employee the right to use it in a single period of time. Vacation time is to be worked into the department schedule and the maintenance of City service is the first priority. Fire Captains shall accrue vacation leave at the rate stated in the Firefighter contract. Since Firefighters and Captains receive a designated holiday benefit regardless of hours scheduled on a holiday, paid vacation may be used to replace scheduled work hours on an observed holiday.

Pay in lieu of vacation for full-time 40-hour employees is not permissible. The only exception to this policy would be at the City's request and only upon the approval of the City Administrator. Vacation

leave will not accrue while an employee is on a leave of absence without pay. If a holiday occurs during the time an employee is on vacation leave, the employee will not be charged a vacation day for the holiday.

At the time of separation, the employee will be paid for all unused accrued vacation leave up to the maximum amount which can be accrued. This accrued vacation pay will be paid out in a lump sum at separation, or can be paid out biweekly until the end of the month of separation in order to maintain health and dental coverage. All insurance coverages end at the last day of the month in which the employee's last day of work occurs.

Vacation pay will not be paid in advance but will be included in the payroll period which includes the vacation period.

Because we recognize the importance of providing our employees with time off for rest, recreation, to recuperate from an illness, to attend family and other personal activities or for whatever purpose our employees deem appropriate, the City grants annual vacation to eligible exempt and non-exempt regular, full-time employees. Regular full-time employees become eligible for vacation as soon as the hours are accrued. The amount of vacation to which you are entitled depends upon your length of service with the City. Once a regular full-time employee becomes eligible, vacation becomes available based on your length of service with the City according to the schedule below and subject to certain employment conditions.

Employees shall accrue vacation each year as follows:

Years of Service With City	***Annual vacation Accrual***	***Vacation Accrual Per Pay Period***	***Maximum Vacation Allowed In Employee's Vacation Bank***
Day 1-5 years	80 hrs.	3.08 hours per pay period	160 hrs.
After 5 years-15 years	120 hrs.	4.61 hours per pay period	240 hrs.
After 15 years+	160 hrs.	6.15 hours per pay period	320 hrs.

Once an employee has reached the maximum vacation accrual, the employee will not accrue additional vacation until the employee uses some vacation time so as to fall below the maximum accrual limit.

Whenever possible, we ask that all requests to use vacation and changes to those requests be made as far in advance as is possible. Shorter notice may be allowed in cases of emergency, with notification to your supervisor as soon as practicable. The earliest requests and/or changes in advance of the specific day requested will be given priority in determining which requests can be granted based on work requirements and citizen demands. In the event that multiple requests are turned in at the same

time and production needs can't accommodate them all, the City Administrator reserves the right to determine which requests will be granted so as to accommodate the needs of the City.

Time taken as vacation does count towards hours worked for overtime purposes.

The purpose of vacation is to give you a chance to rest, relax and spend time on activities other than work. Therefore, you may not take your paid time off benefit as extra pay in lieu of time off. Upon separation, you will be paid accrued but unused vacation. Accrued vacation may not be used after a notice of termination has been given.

Sec. 5.20 Sick Leave.

The sick leave benefit was instituted to provide continued earnings to eligible employees during short spells of illness or injury. Regular employees who are scheduled for 20 hours a week or more are eligible for sick leave benefits based on hours worked. The maximum accrual is prorated based on the employee status.

Full-time 40-hour employees accumulate sick leave benefits at the rate of eight hours per month up to a maximum 1,040 hours which is approximately six months of paid work time. Once an employee has accumulated 1,040 hours of sick leave it will not accumulate further. So, for example, if an employee has accumulated 1,040 hours of sick leave and is sick or injured for five 8-hour days, the accumulated sick leave would be lowered 40 hours until such a time as the employee builds up their accumulation again. Fire Captains shall accrue sick leave at the rate and maintain the same accrual as stated in the Firefighter contract.

Sick leave is basically an "insuring" benefit. However, employees will be paid 25% of the accumulated sick leave benefit at retirement if they have at least 15 years of service and are age 55 or older. Employees will be paid 50% of the accumulated sick leave benefit at retirement if they have at least 20 years of service and are age 55 or older. If an employee dies with hours remaining in the sick leave account, 100% of this accumulation will be paid to the same beneficiary as is named in the City life insurance policy records for that employee.

Regular full-time and regular part-time employees who are scheduled at least 20 hours a week are eligible to start using sick hours after the first payroll has been processed and the leave hours have been accrued.

Absence due to illness or injury must be reported to the department head or immediate supervisor as soon as possible. Failure to report the absence before the hour of duty may result in loss of sick leave pay. Absence due to illness or injury must be reported each day, unless the employee and department head have personally agreed to more extended periods of time. If an employee is absent without permission and is not in fact ill, the supervisor may cause a deduction in pay to be made from the employee's next paycheck for the number of hours absent from work.

Administration or department heads may request a physician's certification of illness from an employee for any sick leave, regardless of duration.

Abuse of sick leave benefits will result in disciplinary action and may be grounds for termination.

An employee may take sick leave: for illness of a member of the employee's immediate family, including dependents, that require the employee's personal care and attention in the judgment of the department head; enforced quarantine of the employee in accordance with community health regulations; a visit to a medical professional such as a doctor, dentist, or optometrist. Such appointments shall be scheduled in cooperation with the supervisor.

Sick leave benefits will not generally be paid for illnesses which occur during a scheduled vacation or scheduled days off. If an employee has an emergency inpatient hospitalization during a scheduled vacation the department head may grant the use of sick leave. If a holiday occurs during a period of illness the employee will receive holiday pay for that day in lieu of sick leave. Because of the unique holiday payment for Fire Captains and Firefighters, it may be possible to receive payment of sick leave during scheduled holiday work hours with the approval of the Fire Chief.

Sick Leave Bank

The purpose of the City of Columbus Sick Leave Bank is to provide additional paid leave for regular employees or the employee's spouse or resident minor children who have exhausted their accrued sick, vacation and compensatory leave benefits as the result of a catastrophic illness or injury. The Bank serves as a depository into which participating employees may voluntarily contribute leave for allocation to other participating employees. The purpose of the bank is not to provide unlimited paid sick leave for any medical reason but to alleviate the hardship caused when employees lose compensation as the result of a catastrophic illness or injury.

In the event a regular employee is diagnosed, or the employee's spouse or resident minor children are diagnosed with a severe illness that results in prolonged absences, use of the Sick Leave Bank may be requested. A request to utilize the Bank will be made to the department head and with the approval of the City Administrator.

Establishment of the Sick Leave Bank

The bank will be established through the voluntary contribution of one leave day by active full-time employees during an initial enrollment period. Contributing a leave day establishes membership in the Bank and eligibility to apply for withdrawal from the Bank.

Once the Bank has been established, an open enrollment period will be held annually during the month of September. During the enrollment period, any eligible employee may join the Bank for the following fiscal year by contributing one leave day. In order to remain a member in good standing, current Bank members must voluntarily make an annual contribution of one leave day each September at the time of initial enrollment. Should the Bank reach a balance of forty-five (45) or fewer available days, a special contribution period may be opened. If any days remain in the Bank at the end of the fiscal year, they will be carried over to the next fiscal year.

The program will be operated under the following additional guidelines:

1. Eligibility is discontinued upon termination of employment, retirement, death, or failure to donate a leave day the following fiscal year(s). No payment of benefits will be made to survivors.

2. Membership continues from year-to-year with annual reduction in one leave day until/unless the member submits a revocation form to discontinue membership to Human Resources. The Human Resources Director will notify all employees at least one month prior to the new term.

3. Employees must waive all claims to leave voluntarily donated sick leave in the Bank, including any monetary or retirement-related value the days may hold.

4. The Bank is available to those employees who have completely exhausted all sick, vacation and compensatory leave and who are not receiving disability or Worker's Compensation.

5. Employees joining the Bank must have eighty (80) leave hours remaining after making a donation.

6. Employees who wish to voluntarily participate in the Sick Leave Bank must sign a statement accepting these terms of the Bank.

7. Employees may not designate a particular individual to receive or to not receive their donated leave.

8. A request to utilize the Bank may be denied if the member fails to provide any requested documentation.

9. The Bank will be administered in accordance with the Americans with Disabilities Act and Family and Medical Leave Act requirements.

10. The maximum amount of donated sick leave any employee can receive shall be 960 hours.

Sec. 5.21 Accrual of Vacation and Sick Time While Not Working

Employees that are eligible to accrue vacation and sick hours; in order to accrue vacation and sick time, you must have working hours, sick, vacation or comp time hours equal to normal weekly hours for each week during the pay period. If hours work, vacation, sick and comp time hours do not equal the same number of regular hours worked, no paid time off (sick and vacation) will be accrued (excludes Fire and Police).

Sec. 5.30 Administrative Leave.

Department heads may make requests for employees paid administrative leave to the City Administrator, if approved, such leave will not be chargeable to vacation leave under the following circumstances:

1. With department head approval, employees who are members of Civil Defense, Volunteer Fire Department or are assisting with preparation, response, cleanup from a disaster, or are put on procedural administrative leave may qualify for administrative leave during scheduled work hours without loss of pay.

2. In the event of the death of a current or former City official or employee, employees may receive approved administrative leave time to attend the funeral provided adequate staffing can be maintained for the functioning of all City departments.

Sec. 5.31 Jury Duty/Witness Leave.

In the event an employee is summoned to jury duty, the employee must notify his or her supervisor immediately after receiving such notification. If the employee is required to serve jury duty and this interferes with their regularly scheduled work day, the employee will not suffer loss of earnings. However, the employee must promptly turn over all jury pay to the City. Mileage payment for travel during jury duty is not considered a part of jury duty pay.

An employee must report for work on any day they are not assigned to jury duty and must report for work immediately upon the conclusion of their jury service. If approved by the supervisor, an employee may start their shift earlier than normal or finish their shift later in order to facilitate workflow.

An employee called to be a witness in a court or administrative proceeding is entitled to receive their regular rate of pay for time spent as a witness for those matters arising out of and related to the performance of their official duties for the City. However, the employee must promptly turn over all witness fees to the City. Paid witness leave is not available for time spent as an expert witness, for matters relating to any disciplinary or other action against the employee, or for matters that did not arise out of or are not related to the performance of the employee's official duties for the City. All decisions regarding witness leave shall be resolved at the sole discretion of the City Administrator.

Sec. 5.32 Voting Time.

Any employee whose work schedule conflicts with the opening and closing hours of the polls will be given time off to vote. The employee must request the leave of absence for voting prior to or on election day and the supervisor may specify the period of absence.

Sec. 5.35 Election Work.

If service as an election official is required by state statute as it is for jury duty, working as an election official is considered to be a public duty. The check you receive for serving as an election official must be signed and provided to City's Finance Department.

Sec. 5.40 Workers' Compensation.

As required by law, the City shall carry Workers' Compensation Insurance. This insurance shall cover work related accidental injuries, illnesses, or death while at work with the City.

All accidents must be reported immediately to an employee's immediate supervisor. The employee should complete an incident report, and give it to his/her supervisor who will promptly forward it to the department head for their analysis and signature. The department will promptly forward the incident report to the Human Resources Director office or will require the employee to personally bring the report to the Human Resources Director office for processing.

Repeated laxity in reporting injuries can result in disciplinary action.

If medical treatment costs are incurred, bills should be promptly sent to the Human Resources Director. This information will be submitted to the insurance company to determine if the injury is compensable.

Compensation payments are determined by state and federal regulations. A seven day waiting period is normally involved before compensation begins.

However, if an employee is injured in the line of duty and is unable to work, the employee shall receive full pay from the City less the amount of any Workers' Compensation payments for up to six months after the date of such covered injury. When an employee receives Workers' Compensation checks from the insurance company for temporary total and partial disability benefit, the checks are to be immediately turned over to the City since the employee is already being paid for the lost wages.

The City will not retaliate against an employee for seeking or receiving Workers' Compensation benefits to which they are entitled. Employees believing that they have been retaliated against must bring the matter to the attention of their supervisor. If this proves unsatisfactory or the employee is uncomfortable visiting with their supervisor regarding the matter, the employee should contact their department head. If this does not resolve the matter or this would prove uncomfortable, the employee may always contact the Human Resources Director directly.

Sec. 5.50 Holiday Leave.

The City shall observe the following holidays during the year:

New Year's Day	January 1
Presidents Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas	December 25
Personal Holiday	One personal day off chosen by employee

Regular full-time employees are entitled to paid leave in observance of these holidays. These holidays are to be taken in whole day increments. The pay record and/or time sheet will be recorded as "holiday pay" and will be equal to the number of normally scheduled work hours for the employee's shift at the regular rate of pay. Regular part-time employees are entitled to paid leave in observance of these holidays based on their proration of hours worked. Example: employee hired to work 20 hours/week, will receive 4 hours of holiday benefit if they were normally scheduled to work the day of the week the holiday falls on.

Personal Holiday shall be recorded on time sheet as personal holiday. In addition, a regular employee may take two hours of religious leave one day a year to attend a religious observance of their faith.

If a holiday falls on a Saturday, it shall be observed on the preceding Friday. If a holiday falls on a Sunday, it shall be observed on the following Monday. For City departments or work groups who are normally scheduled to work on holidays, the department head may elect to have the work group observe the holiday on its actual day even when the holiday is on a weekend.

In order to be paid holiday pay, you will be required to work the day before and day after the scheduled paid holiday, unless the employee provides a note from a doctor or employee has a pre-scheduled medical absence with a note from a doctor. If you take vacation or comp time the day before or after the holiday, your qualifying day will be the day before or after your vacation or comp time day. If you are absent from work on your qualifying days, you will not be paid holiday pay. (This paragraph excludes Police and Fire Union)

An employee terminating before the actual holiday is not eligible for holiday pay. Regular employees, except for Firefighters and Captains, scheduled to work during an observed holiday will be paid their regular rate of pay for the scheduled holiday hours as a part of the employee's holiday compensation. These hours are to be recorded as holiday hours on the time sheet. The employee will also receive one- and one-half times their regular rate of pay for all hours worked on the holiday except for Firefighters and Captains who receive regular rate of pay.

Except for Firefighters and Captains, all regular employees called in to work on an observed holiday will receive their normal holiday leave hours written into the holiday section of the time sheet. They will also receive one- and one-half times their regular rate of pay for the hours worked on the holiday. For example, a Water Department employee called in to work for two hours on Veterans Day will receive eight hours of holiday pay plus two hours of overtime for working on the holiday.

A regular part-time employee who would have normally been scheduled to work but was granted the time off on an observed holiday will receive the time off and their regular pay for that observed holiday.

Temporary and seasonal workers will receive one- and one-half times their regular rate of pay for all hours worked on an observed holiday.

Sec. 5.60 Leave of Absence Without Pay.

A leave of absence may be granted to an employee for a compelling reason.

For purposes of accruing benefits the following criteria will apply:

1. All benefits that operate on an accrual basis will cease to accrue during any period of unpaid leave.

2. Benefits which are accrued up to the time of the leave of absence will be retained. Employees taking a leave of absence must first use up accrued compensatory time, vacation, and if appropriate, sick leave. The employee will also become responsible for paying their insurance premiums if they will be off work for at least one month after accrued compensatory time, vacation and if appropriate, sick leave are exhausted.

All requests for a leave of absence must be in writing and approved by the department head and the

City Administrator.

A request for a leave of absence should be submitted at least two weeks in advance. An exception to this policy may be granted in emergency or special cases as approved by the department head and City Administrator.

An employee will be reinstated to his original position whenever possible after a leave of absence. However, the City does not guarantee the availability of the same position, in which case an attempt will be made to place the employee in a similar position, if available. Failure of the employee to return to work at the expiration of the leave of absence will result in disciplinary action and may result in termination retroactive to the starting date of the leave.

An employee must make arrangements with the Finance Department before going on a leave of absence for payment of voluntary payroll deductions such as health insurance, or long-term disability insurance, if the employee will not receive enough pay to cover the deductions for one or more payroll periods. If, during an approved leave, an employee desires to have the City continue its contributions toward insurance coverages such as life insurance and health insurance (assuming family medical leave does not apply 5.70), the employee must use at least 30 hours of paid leave per week to maintain the City contribution. When the employee no longer has any paid leave, then the employee must pay the entire cost of the premium for the remainder of the approved leave to keep coverages in force. Ordinarily, a leave of absence will not be granted for more than three months. However, leaves for a specific purpose, such as military service or educational programs may be granted for longer than three months. No leave without pay shall be granted if, when combined with all other types of leave which the employee has taken or is available to the employee, will exceed a period of one (1) year's total leave except for employees covered by required military duty and as pursuant to military orders.

A holiday which occurs during an unpaid leave of absence of 14 days or more will be forfeited, no matter when the holiday falls in the leave period.

If an absence due to illness or injury extends beyond the accrued paid sick leave days, questions concerning benefits, etc. should be referred to the Human Resources Department for interpretation. The City may require certification, on a periodic basis, of an employee's continuing illness or disability by the employee's physician and/or a physician selected by the City. Applicable benefits may also be available under the Family Leave Policy.

Sec. 5.70 Leave of Absence (Family Medical Leave & Military Family Leave).

The City will comply with the Family Medical Leave Act of 1993.

I. Eligibility for Leave

A. Any employee who has been employed by the City at least twelve (12) months and has worked at least 1,250 hours during the twelve (12) months preceding the commencement of the leave of absence is eligible for an unpaid family or medical leave of absence if certain conditions are met ("eligible employee"). In appropriate circumstances, the eligible employee will be returned to the same or an equivalent position following the leave.

B. An eligible employee is entitled to family and medical leave for one or more of the following reasons:

(1) birth of a son or daughter, and care for the newborn son or daughter, if concluded within twelve (12) months of the birth of the child;

(2) placement with the employee of a son or daughter for adoption or foster care, if concluded within twelve (12) months after placement;

(3) care for the employee's spouse, child, or parent who has a serious health condition;

(4) inability of the employee to perform the functions of his or her position due to a serious health condition;

(5) any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation; or

(6) care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next-of-kin of the servicemember.

II. Required Notice

A. If the necessity for the leave is foreseeable, an employee must provide the City with thirty (30) days advance written notice of a request for leave. Leave is deemed to be foreseeable if it is for an expected birth, placement for adoption or foster care, planned medical treatment for a serious health condition of the employee or of an immediate family member, or the planned medical treatment for a serious injury or illness of a covered servicemember. If 30 days notice is not practicable, such as because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, notice must be given as soon as practicable. It should be practicable for the employee to provide notice of the need for leave either the same day or the next business day.

III. Medical Certification

A. An employee requesting leave based on a serious health condition, whether it involves the employee or an immediate family member, must obtain a medical certification form. The medical certification form must be completed and signed by the employee's health care provider. All FMLA forms may be printed from the U.S. Department of Labor website: http://www.dol.gov/esa/whd/fmla, or you can obtain the forms from the Human Resource Director.

The completed certification form (FMLA) must be submitted within fifteen (15)

calendar days of the requested leave, unless it is not practicable under the particular circumstances. Failure to provide the required medical certification may result in denial of all privileges and benefits under this policy and result in denial of re-employment upon completion of the leave.

B. In all cases of leave for medical reasons, the City reserves the right to request a second medical opinion, at the City's expense, if the validity of the first medical certification is in doubt. The City shall designate the health care provider to furnish the second opinion. If the opinions of the employee and the City's designated health care providers differ, the City may require the employee to obtain a third medical opinion at the City's expense. The third health care provider will be chosen jointly by the City and the employee. The third opinion is final and binding.

The City may request recertification no more often than every thirty (30) days, except where the employee requests an extension of leave or circumstances described by a previous certification have changed significantly. However, if the medical certification indicates that the minimum duration of the condition is more than 30 days, the City must wait until that minimum duration expires before requesting a recertification. In all cases, the City may request a recertification of a medical condition every six months in connection with an absence by the employee. the City may request recertification in less than 30 days if: 1) the employee requests an extension of leave; or 2) circumstances described by the previous certification have changed significantly; or 3) the City receives information that causes doubt upon the employee's stated reason for the absence of the continuing validity of the certification.

IV. Service members Certification

A. An employee requesting leave based on a qualifying exigency arising out of the active duty or call to active duty status of a covered military member, must provide the employee's supervisor with a copy of the covered military member's active duty orders or other documentation issued by the military which indicates that the covered military member is on active duty or call to active duty status in support of a contingency operation, and the dates of the covered military member's active duty service.

An employee requesting leave based on a qualifying exigency arising out of the active duty or call to active-duty status of a covered military member, must also obtain a certification form from the Human Resource Director or U.S. Department of Labor website that must be signed and completed by the employee. The completed FMLA form must be submitted within fifteen (15) days of the requested leave, except in unusual circumstances. Failure to provide the required certification may result in denial of all privileges and benefits under this policy and result in denial of re-employment upon completion of the leave.

B. An employee requesting leave to care for a covered servicemember with a serious injury or illness, must obtain a certification form from the Human Resource

Director or U.S. Department of Labor website that must be signed and completed by the employee. The completed certification form must be submitted within fifteen (15) days of the requested leave, except in unusual circumstances. Failure to provide the required medical certification may result in denial of all privileges and benefits under this policy and result in denial of re-employment upon completion of the leave.

In lieu of a certification, the employee may submit as certification "invitational travel orders" or "invitational travel authorization" issued to any employee's immediate family member to join a qualified injured or ill servicemember at his or her bedside.

V. Length of Leave

A. Each eligible employee may be granted an unpaid family and medical leave, including maternity leave, for a period up to twelve (12) weeks (during any twelve (12)-month period). In determining eligibility for leave, a "rolling" twelve (12) month period is used, measuring backward from the date the employee first uses the leave.

B. An eligible employee may be granted an unpaid family and medical leave to care for an immediate covered family member who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, for a period of up to twenty-six (26) workweeks of leave during a single twelve (12) month period to care for the servicemember. Leave to care for an injured or ill servicemember, when combined with other FMLA-qualifying leave, may not exceed twenty-six (26) weeks in a single twelve (12) month period.

C. An employee requesting leave will be required to use any unused accrued vacation, compensatory leave and sick leave as part of the FMLA leave. Once such accrued vacation, compensatory leave and sick leave is exhausted, the balance of the employee's FMLA leave will be without pay.

VI. Benefits during Leave

A. An employee on a family or medical leave will be retained on the City's health plan under the same conditions as active employees, except that the employee must make arrangements with the payroll administrator for timely payment of the employee's portion of the premium in order to continue such coverage, and if any premium payment is more than thirty (30) days late, coverage will be lost during the period of the leave. In circumstances where an employee is on paid leave (i.e., the use of sick leave or vacation while on FMLA leave), the appropriate deductions will be made in the same manner as the employee's regular paycheck. All benefits that operate on an accrual basis will cease to accrue during any period of unpaid leave.

B. In the event that an employee fails to return from leave, consistent with the terms of this policy, the employee will be liable for the premiums paid by the employer

to maintain insurance coverage unless:

(1) the employee's failure to return to work stems from the continuation, recurrence, or onset of a serious health condition of the employee or an immediate family member; or

(2) the failure to return stems from circumstances beyond the control of the employee.

VII. Return from Leave

A. An employee returning from leave will be reinstated to the same or an equivalent position upon his or her proposed return to work date, except that the employee will not be entitled to any employment rights or benefits greater than those he or she would have had in the absence of taking such a leave.

B. In dealing with leaves involving a serious health condition of an employee, as a condition of restoring an employee whose FMLA leave was occasioned by the employee's own serious health condition that made the employee unable to perform the employee's job, the City must receive a fitness-for-duty certificate from the employee's health care provider stating that the employee is able to resume work.

VIII. Reduced Work Schedule

In limited circumstances, an employee who is eligible for family or medical leave may be permitted to work a reduced schedule or receive periodic time off from work.

In cases of a serious health condition of the employee or an immediate family member, such leave may be permitted in circumstances when it is medically necessary, but appropriate medical certification will be required. In dealing with planned medical treatment, an employee is required to make reasonable effort to schedule the treatment so as not to unduly disrupt the City's operations, and the City reserves the right to request rescheduling of such treatment in appropriate circumstances. Further, where a reduced work schedule is based on planned medical treatment, the City reserves the right to temporarily transfer the Employee to a comparable position that better accommodates the employee's recurring periods of leave.

Any time permitted based on a reduced work schedule will be treated in the same manner as absence under the family and/or medical leave policy, and such absence will be counted against the leave permitted under the policy.

Sec. 5.80 Absence Without Leave.

Employees failing to report for or remain at work as scheduled or directed without proper notification, authorization, or excuse shall be considered absent without leave, shall not be in pay status for the time involved, and shall be subject to appropriate disciplinary action. Absence without leave for more than three work shifts or in the case of a firefighter, two work shifts, shall be considered an

abandonment of their duties, which shall ordinarily result in dismissal.

Sec. 5.85 Continued Employment While on Leave of Absence

Employees who are on an approved leave of absence, whether paid or unpaid are normally prohibited from outside employment with another employer or being self-employed while on such leave unless the employee's written disclosure of the employment relationship is approved by the City Administrator. Military orders would be considered an exception to this rule. Employees who are found to be engaged in outside employment while on a leave of absence may be disciplined up to and including termination.

Sec. 5.90 Compassionate Leave.

In the event of a death, serious illness, injury or similar major personal problem of a regular 20 hour or more a week employee's immediate family, a department head may request compassionate leave for the employee, not to exceed three work shifts with pay, per occurrence, to a regular employee. Firefighters may use up to 24 working hours over two work shifts with approval of Fire Chief. Compassionate Leave request shall be made to and approved by the City Administrator.

When an event would also qualify under the sick leave benefit, sick leave will be the leave of first resort.

In the event of a death of the listed below, a department head may grant an employee up to one work shift, with pay, to attend the funeral, wake or event related to the funeral.

Employee's	**Spouse's**
Aunts and Uncles	Brother and their spouse
Nieces and Nephews	Sister and their spouse
	Grandparents and Grandchildren
	Aunts and Uncles
	Nieces and Nephews

CHAPTER SIX

PROBLEM SOLVING AND DISCIPLINE

Sec. 6.10 Statement of Policy

This policy is intended to keep employees and management equally aware of each employee's responsibility of maintaining a positive and productive work environment. This policy applies to all city employees. The intention of this policy is to clarify the city's position concerning standards of conduct and performance, appropriate corrective action and discipline.

Sec. 6.15 All Employees Standards of Conduct

Timely and Regular Attendance: Planned use of leave time should be arranged with your supervisor in advance. Unexpected use of time should be reported as promptly as possible to your supervisor prior to the beginning of the employee's work schedule. Employees are expected to work any assigned overtime, unless excused by the appropriate manager.

Dependable Application of Time: Employees are expected to apply themselves to their assigned duties during the full schedule for which they are being compensated, except for reasonable time provided for meals and personal needs.

Satisfactory Work Performance: Employees are expected to meet established performance standards. Conditions or circumstances, as they become known, which will prevent employees from performing normally or completing their assigned task, should be reported to the appropriate manager. Likewise, unclear instructions or procedures should be brought to the attention of your supervisor.

Use of City Equipment, Facilities, and Information: City equipment (all property owned, leased, or controlled by the city, including but not limited to vehicles, computers, tools, devices, and materials), facilities, and information, are to be used only for work-related purposes, unless otherwise authorized. Theft of city property of any kind may result in criminal prosecution in addition to disciplinary action.

Conflict of Interest: Employees shall conduct city business with the highest standards of integrity and shall not officially act in regards to any contract, transaction, or other matter in which the employee may have a personal interest, individually or through a family member. Refer to section 7.70 for the entire policy on Conflict of Interest.

Safety: The city and certain departments have established safety rules, regulations, and procedures. Employees are required to know and observe all such rules, regulations, and procedures. Employees

are required to observe all traffic laws. Employees are required to adhere to chapter 10 of this manual and any other Department specific policies and procedures.

Off-duty Conduct: The city does not prescribe employee conduct off the job. However, any conduct on or off-the-job which affects the employee's credibility, effectiveness, performance, or ability to fully carry out the responsibilities of city employment and any conduct which is prejudicial to the interests, reputation, or operations of the City of Columbus are subject to disciplinary action.

Sec. 6.20 Supervisory Employees Standards of Conduct

This policy is intended to keep employees who supervise and management aware of their responsibility of setting clear expectations through open communication to enable a positive and productive work environment. This policy applies to all city employees who supervise others.

Professionalism and Integrity: Supervisors are expected to uphold the highest standards of professionalism, honesty, and integrity. They should act as role models and promote ethical behavior within the organization.

Fairness and Equality: Supervisors should treat all employees with fairness, respect, and equality, regardless of their race, gender, age, religion, sexual orientation, or any other protected characteristic. Discrimination, harassment, and favoritism will not be tolerated.

Communication and Transparency: Supervisors should maintain open and transparent communication with their team members. They should listen attentively, provide clear instructions, and encourage open dialogue. Information should be shared promptly and accurately, ensuring employees are informed about matters affecting their work.

Accountability and Responsibility: Supervisors should take responsibility for their actions and decisions. They should be accountable for meeting their commitments, honoring deadlines, and delivering results. Managers should also hold their team members accountable for their performance and conduct.

Confidentiality and Privacy: Supervisors must respect the confidentiality and privacy of employee information, including personal and sensitive data. Confidential information should be handled with utmost care and disclosed only on a need-to-know basis and within the bounds of legal requirements.
Conflict Resolution: Supervisors should proactively address conflicts and disagreements in a fair and constructive manner. They should encourage open dialogue, actively listen to all perspectives, and strive to find mutually beneficial solutions. Escalation procedures should be followed when necessary.

Employee Development and Support: Supervisors should foster the professional growth and development of their team members. They should provide regular feedback, guidance, and support to help employees enhance their skills, knowledge, and performance. Supervisors should also promote a positive work environment that values well-being and work-life balance.

Compliance with Policies and Laws: Supervisors must comply with all applicable laws, regulations, and internal policies. They should be familiar with and ensure their team's adherence to these policies, including those related to safety, diversity and inclusion, data protection, and other relevant areas.

Conflict of Interest: Supervisors shall conduct city business with the highest standards of integrity and shall not officially act in regards to any contract, transaction, or other matter in which the employee may have a personal interest, individually or through a family member. Refer to section 7.70 for the entire policy on Conflict of Interest.

Continuous Improvement: Supervisors should strive for personal and professional growth. They should actively seek opportunities to enhance their leadership skills, stay updated on industry trends, and contribute to the overall improvement of the organization.

By adhering to this Code of Conduct, supervisors will contribute to a positive work environment, foster employee engagement, and uphold the organization's values and reputation. Failure to comply with this policy may result in disciplinary action, up to and including termination of employment.

Sec. 6.25 Coaching

Coaching is an essential part of employee development and performance improvement. The purpose of these guidelines is to provide all supervisors with a framework and best practices for effectively coaching employees to achieve their full potential and enhance their performance.

Establishing a Coaching Culture:

- Create an environment that promotes coaching as a positive and ongoing process for employee growth and development.
- Encourage managers to view coaching as a collaborative and supportive approach to help employees succeed.

Coach's Mindset:

- Approach coaching with a positive and constructive mindset, focusing on employee strengths and growth opportunities.
- Be empathetic, supportive, and non-judgmental during coaching conversations.
- Foster a safe and trusting environment that encourages open dialogue and feedback.

Goal Setting and Performance Expectations:

- Set clear performance expectations and goals with employees, aligned with the Department or Divisions objectives.
- Help employees understand how their individual goals contribute to team and organizational success.
- Ensure goals are specific, measurable, attainable, relevant, and time-bound (SMART).

Active Listening and Effective Communication:

- Practice active listening during coaching sessions, allowing employees to express their thoughts, concerns, and ideas.
- Use open-ended questions to encourage employees to reflect, problem-solve, and generate solutions.
- Provide feedback effectively, focusing on specific behaviors and outcomes, and offering constructive suggestions for improvement.

Continuous Feedback:

- Provide regular and timely feedback to employees, both positive reinforcement and areas for improvement.
- Offer praise and recognition for achievements and efforts to motivate and encourage employees.
- Address performance issues promptly and constructively, offering guidance and support for improvement.

Development Planning:

- Collaborate with employees to create individual development plans that align with their career aspirations and organizational needs.
- Identify learning opportunities, training programs, and resources that can support employee growth and skill enhancement.
- Regularly review and revise development plans to ensure they remain relevant and achievable.

Monitoring and Progress Reviews:

- Schedule regular coaching sessions to review employee progress, discuss challenges, and provide ongoing support.

- Track employee performance against goals and provide feedback based on observed behaviors and outcomes.
- Offer guidance and resources to help employees overcome obstacles and develop strategies for improvement.

Recognition and Rewards:

- Recognize and celebrate employee achievements, milestones, and contributions to boost morale and motivation.
- Recommend employees for formal recognition and rewards programs based on their performance and growth.

Documentation:

- Maintain accurate and confidential documentation of coaching sessions, performance discussions and employee development plans.
- Document goals, action plans, milestones, and outcomes to track progress and support performance evaluations.

Manager Support and Training:

- Provide employees with training and resources on coaching techniques, active listening, effective feedback, and performance management.
- Offer ongoing support and guidance to employees in their coaching roles, including access to mentors or coaching circles.

Confidentiality and Trust:

- Respect employee privacy and maintain confidentiality of coaching conversations, unless disclosure is required by law or company policy.
- Build trust with employees by demonstrating integrity, transparency, and maintaining professional boundaries.
- Remember, coaching is an ongoing process, and managers should strive to create a culture of continuous learning and improvement. Regularly assess the effectiveness of coaching efforts and make necessary adjustments to ensure employee development and organizational success.

Sec. 6.30 Discipline

The Human Resources Director or designee shall be consulted prior to taking any formal disciplinary action. The City may administer any of the disciplinary measures listed below, or a combination of disciplinary measures, depending on the severity of the situation in the City's sole discretion. Although the City will attempt to administer progressive discipline, this policy does not create any guarantee that specific steps will be followed. In some cases, the City may terminate employees effective immediately. Nothing in this policy should be interpreted to alter the at-will nature of employment.

The implementation of this disciplinary policy occurred at the time the City Council adopted the 2024 Personnel Manual. Any written-verbal disciplinary action which occurred ~~more than six months~~ prior to the adoption of this policy shall be removed from the employee's personnel record(s)

Verbal or Written Counseling
The employee is advised and cautioned by a supervisor or department head about unsatisfactory work performance or misconduct. Verbal discussion may be reduced to writing in a counseling memorandum and will not be considered formal discipline. Counseling is generally the initial attempt to correct less severe performance or conduct violations; however, it is not a prerequisite to disciplinary action for subsequent offenses. All verbal and written letters of counseling are not grievable.

Suspensions
A suspension is temporarily prohibiting an employee from performing their duties as a result of the employee's unsatisfactory job performance or misconduct. A suspension seriously impacts departmental productivity and the employee's pay.

Duration
Disciplinary suspensions shall be without pay and shall not exceed ten (10) work days for a Group II violation or twenty (20) work days for suspensions in lieu of termination.

Overtime Exempt Employees
Overtime exempt employees may be suspended for any duration within the above limits for violations of written rules and policies governing workplace conduct applicable to all employees; otherwise, the suspension must be for a full work week. Also, overtime exempt employees cannot be suspended for less than a full work week for job performance issues.

Demotions
A disciplinary demotion can occur as an intermediate form of discipline or as an alternative to termination and in situations where other disciplinary measures have been unsuccessful to correct

unsatisfactory job performance or misconduct. The employee's salary will be reduced to a level within the salary range of the city's Classification & Pay Plan.

Terminations
An involuntary separation for acts and/or behavior of such a serious nature that the first occurrence should justify termination or for unsatisfactory job performance or misconduct of a less serious nature which continues after other disciplinary measures have been imposed for prior poor work performance or misconduct.

Sec. 6.35 Types of Offenses & Specific Actions

The following procedures will set forth guidelines for determining the severity of the offenses of misconduct. The offenses listed in this policy are not intended to be all inclusive but instead serve as guidelines. It is expected that many, if not most, infractions will not be specifically listed in this policy. Failure to correct behavior, performance, or conduct after commission of a Group I or II offense will result in further disciplinary action.

Sec. 6.40 Group I Offenses

These offenses include misconduct that is less severe in nature, but which requires corrective action in the interest of maintaining a well-managed, respectful, and productive work environment. Examples of Group I offenses include:

- Unsatisfactory attendance or excessive tardiness as defined by the individual departments;
- Abuse of City time such as use of City time for non-work-related activity, personal business, or abuse of sick leave;
- Inappropriate or unauthorized use of City equipment, facilities, or information;
- Unsatisfactory job performance
- Disruptive behavior; including rudeness, inappropriate language or gestures, or uncooperativeness toward others;
- Refusal to work reasonable overtime;
- Failure to comply with the Fair Labor Standards Act (FLSA); and
- Improper use or operation of a city vehicle, equipment or facility

Corrective Action: The prescribed disciplinary action for each violation is five {5) disciplinary points and a written reprimand in the employee's personnel file. Supervisors must discuss a Group I offense with the employee and advise the employee of the need for correction. Depending upon the severity and nature of the offense, the employee may, in lieu of being cited for a Group I offense, be subject

to verbal or written counseling. If the condition is not resolved by verbal discussions, the employee must be given a written counseling to document the failure to correct the stated offense.

Sec. 6.45 Group II Offenses

Group II offenses constitute misconduct which is more severe in nature. Disciplinary actions for Exempt employees shall be in compliance with the Fair Labor Standards Act (FLSA). Examples of Group II offenses include:

- Continued unsatisfactory job performance;
- Failure to follow a supervisor's verbal or written instructions, perform assigned work, or otherwise comply with applicable city or departmental policy, rules, regulations, or directives, except for refusal to cooperate with respect to alcohol and drug testing which is a Group III Offense;
- Violating safety procedures (not a threat to life);
- Leaving the worksite without permission during work hours;
- Workplace harassment or other prohibited discriminatory conduct;
- Failure to report to work as scheduled without proper notification;
- Violating confidentiality when city and department policies, regulations, or rules have been published or which the employee is expected to know;
- Use of obscene or offensive language or gestures when dealing with other employees, supervisors, or the public;
- Negligence in the performance of job responsibilities including the negligent operation of a city vehicle or equipment; and
- Unauthorized use or misuse of city property or information;

Corrective Action: The prescribed disciplinary action for each violation is ten (10) disciplinary points and a written reprimand in the employee's personnel file, and may also include a suspension without pay for 1-10 days with the concurrence of the department head, Human Resources Director and City Administrator.

Sec. 6.50 Group III Offenses

The offenses included in this group are more serious in nature. Examples of Group III offenses include:

- Accumulation of three (3) Group 1 offenses within a rolling twelve-month period;
- Accumulation of 25 disciplinary points within a rolling twelve-month period;

- Accumulation of 30 disciplinary points within a rolling twenty-four month period;
- Unauthorized possession or use of firearms, dangerous weapons, or explosives while working or on any city property except in accordance with State or Federal laws;
- Absence or leave in excess of five (5) working days without prior authorization;
- Withholding information, or making false or misleading statements;
- Failing to fully cooperate during an administrative investigation, or interfering with an administrative investigation;
- Falsification, misuse, concealment, or alteration of records, including but not limited to vouchers, reports, time and leave records, or other city documents;
- Gross negligence in the performance of job responsibilities;
- Behavior which is considered unethical, or unprofessional conduct with clients, citizens, program participants, or other employees;
- Overt or implied threats or coercion of employees, supervisors, subordinates or the public, including but not limited to incidents of bodily contact;
- Unauthorized possession or use of alcohol or a controlled substance on the job; operating city equipment, including vehicles, while under the influence of alcohol or a controlled substance;
- Positive controlled substance or alcohol test; refusal to cooperate fully with respect to alcohol/substance abuse testing policy as defined by the city's Alcohol, Illegal
- Drugs and Controlled Substances policy will result in termination;
- Violating safety procedures where there is a threat to life;

Corrective Action: The prescribed corrective action for Group III offenses is termination. If the department head determines that extenuating circumstances exist and the employee otherwise has a satisfactory record of job performance and conduct, the department head with the concurrence of the Human Resources Director and the City Administrator, has the option to impose twenty (20) disciplinary points and a (20) day suspension without pay, and/or demotion, in lieu of termination.

Sec. 6.60 Corrective Action Guidelines

Disciplinary action will be taken to correct or discourage unsatisfactory behavior or performance. The following principles will be observed when considering disciplinary action:

- Management shall consider prior disciplinary actions taken against the employee, including the date, severity, and circumstances of the prior actions.
- The disciplinary action shall be situationally appropriate and shall be consistent with the expectations of the position.
- Management shall consider the special needs of the department, and the seriousness of the employee's behavior or performance.

- Employees are responsible and accountable for knowing the performance or behavioral expectations of the city and their department.
- In determining the severity of the disciplinary action, the supervisor should establish whether there has been repetition of the same or similar performance or behavior.

Sec. 6.65 Disciplinary Procedures

Any alleged violation of the city's or a department's Standards of Conduct, rules, policies, directives, or for continued failure to meet job performance standards or expectations shall be investigated. The employee shall be provided the opportunity to respond before disciplinary action is taken. Departments have flexibility in the investigation of disciplinary matters in a manner appropriate to the alleged misconduct.

Immediate Administrative Suspension with Pay Pending Departmental Investigation:

An employee may be immediately suspended from work with pay pending completion of a disciplinary investigation into misconduct (committed on or off duty) with the prior approval of the affected department head,Human Resources Director and City Administrator, if it is determined that the employee's continued presence on the job is deemed to be a substantial and immediate threat to the efficient operation of the city government or the employee's department, or to the welfare of the public, or to other city employees or to the administrative investigation.

When an employee is placed on administrative leave with pay and the department head, Human Resources Director or City Administrator has established one or more meeting dates related to the administrative investigation during the employee's regular work hours which the employee may reasonably be expected to attend, and the meeting date is postponed at the employee's request, the employee will not be paid past the original established date. Likewise, paid administrative leave will cease if an employee does not attend the meeting. If a meeting date is postponed by the department head, Human Resources Director or City Administrator, then the employee will remain on administrative leave with pay until the date of the meeting. If the meeting is commenced but is adjourned, the employee will remain on administrative leave with pay until the meeting is concluded. If subsequent termination action is taken, the effective date of the termination will be the determined by the investigating party with the concurrence of the Human Resources Director and City Administrator.

Immediate Suspension Without Pay Pending Departmental Investigation:

An employee may be immediately suspended from work without pay only when a finding of probable cause that a crime has been committed by the employee has been made by a judge, magistrate, or grand jury, AND the employee's continued presence on the job is deemed to be a substantial and immediate threat to the efficient operation of the city government or employee's department, or to the welfare of the public, or to other city employees. Such a suspension without pay may be imposed if the above conditions are met, and with the prior approval of the affected department head and the Human Resources Director or designee, after consultation with the City Administrator.

Duration: The administrative suspension without pay shall end if the above conditions cease to exist (e.g., the employee is no longer deemed to be a substantial and immediate danger to the aforementioned persons or entities) or until completion of the city's administrative investigation provided the employee is returned to work.

Grievability: The administrative suspension of an employee without pay under this subsection is immediately grievable. Steps I and II of the grievance procedures shall be waived. A meeting at step III within the required time period shall be limited to the issue of the continued suspension without back pay. At the employee's option, the issue of the suspension without pay may be combined in a timely grievance filed later by the employee concerning the underlying disciplinary action, if any.

Back Pay: If the employee is not subsequently terminated following the completion of the administrative investigation, the City Administrator or designee may order full, partial, or no back pay. The City Administrator or designee shall not be bound by the outcome of any criminal court case but may refer to such outcome and findings in making a final decision.

Sec. 6.70 Procedures for Taking Disciplinary Actions

Disciplinary action may be taken only by the department head or the department head's designated representative. This policy is intended to promote consistency in the application of discipline and to grant employees the opportunity to respond to allegations at a high level of management before action is taken. However, supervisors below the level of the department head or the designated representative have a major responsibility for administering the Standards of Conduct (and also performance issues) and disciplinary procedures. Supervisors monitor and enforce the Standards of Conduct and, in most instances, will determine if an action will be processed through the disciplinary process. Supervisors are often assigned responsibility for investigating alleged misconduct and performance issues. Supervisors are responsible for providing input and making recommendations to department heads and designated representatives and such recommendations are to be considered in the determination of what disciplinary action to take, if any.

In large departments, or those with several levels of management, the department head may designate lower levels of management to handle less severe misconduct and performance issues and to take

appropriate disciplinary or corrective action, if any. In cases involving alleged misconduct and unsatisfactory performance, which may result in suspension, demotion, or termination, the department head shall be personally involved in investigating or overseeing the investigation of the allegations of misconduct and unsatisfactory performance, and determining disciplinary action, if any.

When there is reason to believe misconduct may have occurred, the department head or the department head's designee shall initiate an appropriate investigation to determine the facts surrounding the alleged misconduct or unsatisfactory performance. The department head or designee may personally conduct the investigation or may assign the investigation to another person.

If after review of information developed in the investigation, the department head or designee determines that misconduct or unsatisfactory performance may have occurred and that disciplinary action may be pursued, he/she will inform the employee in writing in a formal written notice of allegations. The employee will be informed in the notice that the employee will be afforded an opportunity to meet with the department head or designated representative in order to respond to the allegations after five (5) work days after receipt of the notice, unless an earlier date has been agreed to by both parties. The allegations should cite the specific instance(s) of misconduct or unsatisfactory performance including the facts underlying the allegations but need not specify specific level(s) of misconduct. The employee shall also be informed in the notice that the employee has a right to present documents and give verbal or written statements at the meeting, and bring witnesses, if desired.

The meeting between the department head or designee and the employee shall be held as soon as practicable, preferably within ten (10) work days of the time the employee is given the notice of the allegations.

The meeting, at which the employee is provided the opportunity to respond to the allegations, is an informal administrative process. It is not a grievance proceeding. The meeting is not a trial and it is not intended that the department's evidence and witnesses be presented. The meeting is not bound by or conducted by court procedures or rules of evidence. The meeting is conducted by the department head or designee who shall determine the procedures by which the meeting will proceed to ensure that the employee has the opportunity to respond to all allegations. The following policies apply to the conduct of the meeting:

- The meeting shall be recorded.
- The meeting shall be between the department head or designee and the employee. A representative from Human Resources may also be present. Attorneys for the city and the employee shall not be present. Supervisors of the employee and other departmental management shall not be present except as necessary to provide information. The employee has the right to present documents, make statements, and present witnesses. If the employee brings witnesses, the witnesses shall be present only while presenting information.

- The department head or designee may continue the meeting if necessary and shall determine when the matter is concluded.

If the employee has waived the right to appear at the meeting, or does not appear, the department head or designee shall base the decision on the information available.

Upon conclusion of the meeting, the department head or if appropriate, designee, shall consider all available evidence, including the employee's work record, if appropriate and shall determine appropriate action.

If the department head or the designee determines that misconduct or unsatisfactory performance did not occur, or could not be substantiated, the reasons for the decision shall be documented and the matter shall be closed.

If the department head or designee determines that misconduct or unsatisfactory performance did occur, the department head or designee shall determine the specific instance(s) of misconduct or unsatisfactory performance, level of misconduct, and the disciplinary action to be taken. In cases in which several violations of the city's or a department's Standards of Conduct, rules, policies or directives arise from the same incident, the department head may assess the appropriate disciplinary action for each separate violation. The department head or designee shall not be bound by the outcome of any court action, but may refer to such outcome and findings in making a final decision.

If the employee was administratively suspended without back pay the City Administrator or designee may order full, partial, or no back pay as deemed appropriate under the circumstances.

If the meeting was held by a person other than the department head, the department head may review the case with the designee and may elect to meet with the employee before making the final determination of disciplinary action.

In cases involving termination, demotion, or suspension and in cases in which misconduct specifically assigned to a level by this policy is processed at a different level, and in cases in which a lesser action than termination is taken due to extenuating circumstances, the department head shall review the case with the Director of Human Resource Management or designee prior to determining disciplinary action.

The employee shall be notified in writing of the determination within ten (10) work days after the conclusion of the meeting. However, this time frame may be extended by the department head or designee when necessary to appropriately consider the information, review the case, and prepare a written response.

If the meeting was held by anyone other than the department head, the employee may request a meeting with the department head before disciplinary action is administered. The request must be in writing to the department head within seven (7) calendar days of notification of the disciplinary action. This meeting will be conducted as stated above. with the department head notifying the employee of his/her determination within ten (10) work days after the conclusion of the meeting.

Upon the final determination of disciplinary action, the employee shall be advised of his/her rights to appeal through the employee Grievance Procedure, if applicable.

CHAPTER SEVEN

EMPLOYEE RESPONSIBILITIES AND CONDUCT

Sec. 7.10 Behavior of Employees.

It is the policy of the City that certain rules and regulations regarding employee behavior are necessary for the efficient operation of the City and for the benefit and safety of all employees. Conduct which interferes with operations, discredits the City, or is offensive to customers or fellow employees will not be tolerated.

1. Employees are expected at all times to conduct themselves in a positive manner so as to promote the best interests of the City. Such conduct includes:

    a) Reporting to work punctually as scheduled and being at the proper work station, ready for work, at the assigned starting time.

    b) Giving proper advance notice whenever unable to work or report on time.

    c) Complying with all City safety and security regulations.

    d) Wearing clothing appropriate for the work being performed.

    e) Maintaining work place and work area cleanliness and orderliness.

    f) Treating all citizens and fellow employees in a courteous manner.

    g) Refraining from behavior or conduct deemed offensive or undesirable, or which is contrary to the City's best interests.

    h) Performing assigned tasks efficiently and in accord with established quality standards.

    i) Reporting to department heads, or in those cases where a department head is involved, to the Human Resources Director or City Administrator any suspicious, unethical, or illegal conduct by fellow employees, suppliers, or contracting organizations.

    j) Treating their supervisors with respect and carrying out instructions to the best of their ability without delay or quarrel.

2. The following conduct is prohibited and will normally subject the individual involved to disciplinary action, up to and including termination.

    a) Reporting to work with alcohol on their breath or under the influence of alcoholic beverages and/or illegal drugs and narcotics, or the use, sale, dispensing, or possession of alcoholic beverages and/or illegal drugs and narcotics on City premises unless such possession is a necessary part of the job assignment.

b) Use of profanity or abusive language.

c) Possession of firearms or other weapons on City property unless authorized by the City Administrator or department head.

d) Insubordination of a lawful order or the refusal by an employee to follow management's instructions concerning a job-related matter.

e) Physical assault on a fellow employee or citizen.

f) Theft, intentional destruction, defacement, or misuse of City property or resources or of another employee's property.

g) Gambling on City property.

h) Falsifying or altering any City record or report, such as an application for employment, a medical report, a production record, a time record, an expense account, an absentee report, or shipping and receiving records.

i) Threatening or intimidating management, supervisors, security personnel, or fellow workers.

j) Use of tobacco products, if prohibited by local ordinance or City rules.

k) Horseplay, pranks, or practical jokes of a malicious nature.

l) Unauthorized sleeping on the job.

m) Failure to wear assigned safety equipment or failure to abide by safety rules and policies.

n) Improper attire or inappropriate personal appearance.

o) Engaging in any form of harassment.

p) Violation of City policies on solicitation or distribution.

q) Improper disclosure of confidential information.

3. The examples in part (2) of 7.10 are illustrative of the type of behavior that will not be permitted, but are not intended to be an all-inclusive listing. Any questions in connection with this policy should be directed to your supervisor or the Human Resources Director.

Sec. 7.20 City Property.

Employees shall be responsible for the proper care and use of all City property entrusted or available to them. Employees damaging or losing City property through negligence or abuse shall be subject to disciplinary action and may be required to reimburse the City for such damage or loss. City equipment, keys, materials, and supplies shall not be used for private purposes and shall not be

removed from authorized locations without proper supervisory approval. Employees leaving the City service shall return any tools, uniforms, or other City property issued to them before receiving their final pay.

Sec. 7.25 Absenteeism.

1. Unnecessary absences should be absolutely avoided. Employees are hired because they are needed to carry out the department workload, so unexpected and unnecessary absences disrupt the normal work routine. Often, other department employees will have to carry your workload in your absence.

2. Any absence, for any reason, should be reported immediately to the supervisor or the department head and the following information reported:

    a) Specific reason for absence.

    b) Expected time or date of return.

    c) Always report any change in the time of return to the department head or supervisor.

3. Absence due to illness or injury must be reported each day, unless the employee and department head or immediate supervisor have personally agreed to a more extended period of time.

4. Chronic absenteeism will result in disciplinary action, including possible termination.

Sec. 7.30 Assigned Vehicles.

The City Administrator may assign City vehicles to department heads, and certain other employees for use during normal duty hours and for transportation between home and work. Such vehicles shall otherwise be used only for official purposes as determined by the City Administrator.

Sec. 7.40 Secondary Employment.

Employees may engage in outside employment which does not involve the use of City time, equipment, supplies, uniforms (in whole or part) and which does not create a conflict of interest with their City position, or which does not so fatigue the employee that it adversely affects their job performance. Before engaging in such employment, the employee shall notify their department head and annually thereafter on their anniversary date. The first such notification, which shall be in writing, shall include the place of employment, phone number of employer, a brief job description, hours of employment, and such additional information the department head may require. Annually thereafter, the disclosure is to be written into the annual employee appraisal form.

If the department head believes any present or proposed outside employment violates Section 7.70, the department head may, after consultation with the City Administrator, require the employee to modify, not accept, or terminate such employment.

Sec. 7.45 Private Business Activities.

Employees shall not engage in private business activities during their scheduled working hours and shall not use City property or facilities for such activities.

Sec. 7.50 Workplace Violence.

The City is concerned about the increased levels of violence prevalent in our society and has taken affirmative steps to prevent incidents of violence from occurring in the workplace. All acts or threats of violence by any City employee against any other employee, client, contractor, vendor or visitor, on or off City property, is strictly prohibited. Violation of this policy can lead to disciplinary action, up to and including immediate termination.

If you observe or are aware of any workplace violence, threats of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks, or other suspicious activity or incidents that have or could lead to violence in the workplace, you shall immediately bring the incident to the attention of your supervisor. If that is not feasible, would prove to be uncomfortable, or you are not satisfied with your supervisor's handling of the complaint, bring the matter to the attention of the department head. If none of these alternatives are feasible or do not address the problem, contact the Human Resources Director or City Administrator.

The City will promptly investigate all reports of actual or threatened workplace violence in as confidential of a manner as possible and take appropriate corrective action if warranted.

Under no circumstances will a department head or supervisor be allowed to intimidate or retaliate against an employee for making a report under this policy.

Sec. 7.55 Weapon-Free Workplace Policy.

To ensure that the City maintains a workplace safe and free of violence for all employees and visitors, the City prohibits the possession or use of Dangerous Weapons on City Property or while performing City business except for sworn officers. A license or permit to carry or possess any weapon does not supersede City policy.

"City Property" is defined to include all City-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways, green spaces and parking lots under the City's ownership or control. It also includes all City-owned or leased vehicles and all vehicles that come onto City Property.

"Dangerous Weapons" includes, but is not limited to, firearms, explosives, knives (other than those used to perform your duties at the City), swords and other weapons or objects that might be considered dangerous by the City or that are capable of being used to inflict severe bodily injury upon another. Employees are responsible for making sure that any item possessed by the employee is not a Dangerous Weapon.

Because employees do not have a reasonable expectation of privacy with respect to their work at the City, the City reserves the right to monitor City Property and those present on City

Property at any time. This includes the right to conduct reasonable searches of all City Property, and all vehicles including such things as packages, containers, briefcases, purses, coats, bags, lockers, desks, computers, cell phones and enclosures present on City Property as well as persons entering upon City Property. As a condition of employment and as a condition for entering upon City Property, all employees and visitors are required to promptly submit to a reasonable search upon request as provided in this policy.

Any employee who violates this policy is subject to disciplinary action, up to and including termination. Any visitor who violates this policy will be denied access to the City Property.

Sec. 7.60 Political Activity.

Employees are free to vote and support candidates for public office as they may desire; provided they do not engage in political activities during their working hours or use City property to do so, City uniforms or facilities for such activities. All non-City political campaign buttons shall not be worn while an employee is on duty. No supervisor or other person in authority shall require an employee to support a candidate or political activity.

Sec. 7.70 Conflicts of Interest.

No employee shall engage in any activity or enterprise which conflicts or creates the appearance of conflicting with the employee's City duties or with the duties, function, or responsibilities of the City. The City Administrator or the Human Resources Director may prohibit particular activities which would create conflicts of interest in their specific organizational environments. Employees shall be encouraged to seek advance determinations regarding possible conflict of interest situations. The following employee activities shall generally constitute conflicts of interest and may in some cases also be criminal acts:

1. Public employees may not have an interest in a contract with the governmental entity which they serve, without proper disclosure.
2. Employees must properly disclose prior to taking any official action or making an official decision which may result in a financial benefit or detriment to the public official or public employee, a member of his or her immediate family, or business with which he or she is associated.
3. Employees may not use, or authorize the use of public resources, personnel, property or funds under their official care and control for personal financial gain.

Sec. 7.75 Family and Friends in the Workplace.

Employee’s family and friends are welcome to visit the workplace, provided the visits are infrequent, brief and take place in a fashion that limits disruption to the workplace.

Sec. 7.80 Solicitation.

It is the policy of the City to prohibit solicitation and distribution on its premises by non-employees and to permit solicitation and distribution by employees only as outlined below.

1. The City limits solicitation and distribution on its premises because, when left unrestricted, such activities can interfere with the provision of City services, can be detrimental to employee efficiency, can be annoying to citizens (who are the customers of City services), and can pose a threat to security.

2. Department heads are responsible for administering this policy and for enforcing its provisions. Employees will be subject to disciplinary action for violations of this policy (See Chapter 6).

3. Persons who are not employed by the City are prohibited from soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services (except by representatives of suppliers approved by the Human Resources Director), or engaging in any other solicitation or similar activity on City premises.

4. The City Administrator may authorize a few fund drives by employees on behalf of charitable organizations or for employee gifts. Employees are encouraged to volunteer to assist in these drives. However, employees are not to be discriminated against because of their willingness or unwillingness to participate.

5. Employees are permitted to engage in solicitation or distribution of literature for any group or organization, including charitable organizations, only in accordance with the following restrictions:

    a) The sale of merchandise is prohibited on City premises unless approved by the affected department head.

    b) Solicitation and distribution of literature are prohibited during the working time of either the employee making the solicitation or distribution, or the targeted employee. The term "working time" does not include an employee's authorized lunch or rest periods or other time when the employee is not required to be working. All solicitation materials shall be provided in the breakroom for employees to review, during breaks or outside of working hours.

    c) Distribution of literature is prohibited in work areas at all times.

    d) The distribution of literature in such a manner as to cause litter on City property is prohibited.

    e) Off-duty employees are requested not to return for the purposes of solicitation.

6. The City maintains bulletin boards to communicate City information to employees and to post notices required by law. These bulletin boards are for the posting of City information and notices only, and only persons designated by the department heads may place notices on or take down material from the bulletin boards.

Sec. 7.81 Email

The City provides employees with electronic business communication tools, including an email system. This policy will govern acceptable use of this system, regardless of where such use occurs.

The policy applies to employees' use of desktop computers, laptops, smartphones, and other hand-held devices, whether provided by the City, owned by the employee or a third party. It applies to employees, independent contractors, interns, volunteers, consultants, agents and third parties including but not limited to suppliers and vendors.

Any employee who violates the email policy is subject to disciplinary action up to and including termination.

The email system is provided primarily for business purposes. Employees may use the City email system for limited personal use strictly in accordance with this policy.

Employees may use the email system to communicate with family, school, and other minimal personal dealings outside of City business. The time involvement should be short and require little more time needed than is available on breaks. Spending more than minimal time or sending a substantial volume of personal or private business email would be considered a violation of this policy. Other types of activities which would violate this policy would include soliciting money for causes or personal gain and campaigning for political causes or candidates.

The email system is the property of the City. All passwords, user IDs and messages created and transmitted are the property of the City. The City reserves the right to monitor all email transmissions conducted via the City computer system.

Employees have no reasonable expectation of privacy when it comes to the business and personal use of the City email system. All employee email messages (incoming, outgoing, and internal) can be monitored. The City reserves the right to monitor, inspect, copy, review, and store at any time and without notice any and all usage of the City's email system, and any and all files, information, software, and other content created, sent, received, downloaded, uploaded, accessed, or stored in connection with employee usage. The City reserves the right to disclose email text and images to regulators, the courts, law enforcement, and other third parties without the employee's consent.

Employees are prohibited from using the email system to engage in activities or transmit content that is harassing, discriminatory, menacing, threatening, obscene, defamatory or offensive. Therefore, it will be considered a policy violation to send, solicit, print, copy or reply to text or images that contain these types of offensive, harassing or discriminatory material.

Confidential, proprietary, and personal information must be protected. Unless so authorized, employees are prohibited from using the email system to transmit confidential information to outside parties. Confidential information includes but is not limited to, credit card numbers, social security numbers, employee performance reviews, employee medical information, passwords, and information expressly exempted from the Nebraska public records law.

If an employee receives email containing inappropriate or offensive material the following procedure should be used:

a. If you know the sender, contact them immediately and instruct the sender to stop sending this type of material.

b. If you do not know the sender, block the sender. If the blocking is not effective, contact the Computer Network Technician.

Passwords are the property of the City. Employees are expected to share current passwords and user IDs when requested. Unauthorized sharing of passwords and user IDs will be a violation of policy.

Email messages should be treated as business documents and created with care. Since these documents are not in your control, once they are sent, they can reflect positively or negatively upon the employee and the City.

Organization wide email messages must be approved by the appropriate department head before being sent. Employees are prohibited from sending email blasts (mass mailings) to external parties without appropriate department head approval. Employees are prohibited from requesting email replies to organization-wide email or external email blasts without permission from the appropriate department head and the Computer Network Technician.

Sec. 7.82 Internet Usage

The City provides specified employees with a network connection and internet access. This internet usage policy governs all use of the City's network, regardless of where such use occurs.

The City network and internet access are intended for business use. Employees may access the internet for personal use only during breaks and non-working hours, and strictly in compliance with this policy.

All information created, transmitted, acquired, downloaded, or uploaded via the City network and internet system is the property of the City. Employees should have no expectation of privacy regarding this information. The City reserves the right to access, read, review, monitor, and copy all messages and files on its computer system at any time and without notice. When deemed necessary, the City

may disclose text or images to law enforcement agencies, regulatory bodies, courts and other third parties without the employees' consent.

Upon legal order, an employee shall share passwords used on City computer systems.

Alternate internet service provider connections to the City internal network are not permitted unless expressly authorized by the City and properly protected by a firewall or other appropriate security device(s).

Files downloaded from the web may not be viewed or opened until scanned with virus detection technology. Employees are reminded that information obtained from the web is not always reliable and should be verified for accuracy before it is used.

Employees are prohibited from misusing the City network or internet access for activities such as:

a. Downloading software without the express authority of the appropriate department head.

b. Operating a business, usurping business opportunities, soliciting money for personal gain, or searching for jobs outside the City organization structure.

c. Making offensive or harassing statements and/or disparaging others based on race, color, religion, national origin, veteran status, ancestry, disability, age, or sex.

d. Visiting websites featuring pornography, terrorism, espionage, theft, racially offensive material or drugs unless authorized by the respective department head as a part of specifically ordered duties.

e. Gambling or engaging in unethical activities or content.

f. Participating in activities, viewing, or writing content with the intent to purposely harm the City organizational structure or malign an individual employee.

Department heads and supervisors are responsible for ensuring employee compliance with this policy. Employees who learn of policy violations should notify the appropriate Department Head or the Human Resources Director. Employees who violate this policy or use the City network or internet system for improper purposes will be subject to discipline, up to and including termination.

Sec. 7.83 Social Networking

1. Generally

The City of Columbus takes no position on an employee's decision to start or maintain a blog or to participate in other social networking activities. However, it is the right and duty of the City to protect itself from unauthorized disclosure of confidential information and information expressly exempted from Nebraska's public records laws. The City's social networking policy includes rules and guidelines for City-authorized social networking and personal social networking and applies to employees, committee members and elected officials.

Blogging or other forms of social media or technology includes but is not limited to video or wiki postings, sites such as Facebook and Twitter, chat rooms, personal blogs or other similar forms of online journals, diaries or personal newsletters not affiliated with the City.

Unless specifically instructed, employees are not authorized and therefore are restricted from speaking on behalf of the City. Employees may not publicly discuss confidential information or information expressly exempted from Nebraska's public records laws outside of City-authorized communications. Employees are expected to protect privileged data. For example, employees, vendors or clients are prohibited from disclosing personal employee and nonemployee information and any other proprietary and nonpublic information to which employees have access. Such information includes but is not limited to citizen financial information, legal process information, and personnel issues.

Employees are cautioned that they should have no expectation of privacy while using the internet. Postings can be reviewed by anyone, including City staff. The City reserves the right to monitor

comments or discussions about the City, its employees, vendors and contractors posted on the internet by anyone, including employees and non-employees. The City may use blog-search tools and software to monitor forums such as blogs and other types of personal journals, diaries, personal and business discussion forum, and social networking sites.

Employees are cautioned that they should have no expectation of privacy while using City equipment or facilities for any purpose, including authorized blogging. The City reserves the right to use content management tools to monitor, review or block content on City blogs that violate City blogging rules and guidelines.

2. Authorized Social Media on behalf of the City.

The following rules and guidelines apply to social networking and blogging when authorized by the City and completed on paid work time. The rules and guidelines apply to all employer-related blogs and social networking entries.

Only authorized employees can prepare and modify content for the City of Columbus website and/or the social networking entries located on the web. Content must be relevant, add value and meet at least one of the specific goals or purposes developed by the City. If uncertain about any information, material or conversation, discuss the content with the respective department head.

Any copyrighted information where written reprint information has not been obtained in advance cannot be posted by an authorized employee.

City departments are responsible for ensuring all blogging and social networking information complies with City policies and regulations. Department heads are authorized to remove any content that does not meet the rules and guidelines of this policy or that may be illegal or offensive. Removal of such content may be done without permission of the blogger or advance warning.

The City expects all guest bloggers to abide by all rules and guidelines of this policy. The City reserves the right to remove, without advance notice or permission, all guest bloggers' content considered inaccurate or offensive. The City also reserves the right to take legal action against guests or employees who engage in prohibited or unlawful conduct.

3. Social Media—Personal/Non-City

The City respects the right of employees to write blogs and use social networking sites and does not want to discourage employees from self-publishing and self-expression. Employees are expected to follow the guidelines and policies set forth to provide a clear guideline to you as an individual and to you as the employee.

The City respects the right of employees to use blogs and social networking sites as a medium of self-expression and public conversation and does not discriminate against employees who use these media for personal interests, affiliations or other lawful purposes.

Bloggers and commenters are personally responsible for their commentary on blogs and social networking sites.

Employees are not to use City-owned equipment, including computers, company licensed software, or other electronic equipment, or productive work time to conduct personal blogging or social networking activities.

If an employee chooses to identify themselves as or is known to be a City of Columbus employee, then readers may view this employee as one who speaks for the City of Columbus. Therefore, it must then be stated that the views being expressed are personal and not those of the City of Columbus or of any person or organization affiliated or doing business with the City of Columbus.

Employees cannot post on personal blogs or other sites the name or logo of the City of Columbus or any organization with a connection to the City of Columbus. Nor may they post City documents or pictures which would lend the impression of official approval of these personal postings.

If contacted by the media about anything that relates to their employment or duties with the City, employees shall direct all such media inquiries to the respective department head.

Sec. 7.84 Cell Phone/Electronic Devices.

While at work, employees are expected to exercise the same discretion in using personal cell phones and electronic devices as is expected for the use of City phones. Excessive texting and personal calls during the work day, regardless of the phone or device used, can interfere with employee and department productivity and can be distracting to others. Employees are encouraged to text and make any other personal calls on non-work time where possible and to ensure that friends and family members are aware of this policy.

Where workload needs demand immediate access to an employee, the City may issue a cell phone or other electronic device for work related communications or a fee arrangement may be made to have the employee carry their own cell phone on an agreed upon schedule. As requested, the employee may be asked to produce this cell phone or electronic device for immediate return or inspection.

All employees are expected to follow applicable state or federal laws or regulations regarding the use of cell phones or other electronic devices. Employees whose jobs responsibilities include regular or occasional driving as a part of the work day shall refrain from texting or using the keypad while driving. Safety must come before all other concerns. Bring the vehicle to a safe stop before texting or using the keypad of the cell phone or electronic device.

Where possible, hands-free equipment will be provided with City issued phones and other electronic devices to facilitate the provisions of this policy.

Sec. 7.85 Offices and Locker Facilities.

Offices and locker facilities are provided for designated employees as a place to keep personal items while on duty and to have supplies readily available to perform necessary tasks.

Employees should check with their supervisor for the availability of lockers. Where lockers are not available, your supervisor will point out areas approved for keeping personal items while on duty.

To guard against insects and rodents, please do not store food or other material which may mildew or

spoil in lockers, desks, or file cabinets.

Since the above described facilities are public and not private property, they can be subject to a search at any time. Employee should therefore have no expectation of privacy concerning the material stored in/on this City property.

Sec. 7.90 Change of Status.

All employees shall report changes of address, telephone number, name and similar information to their respective department head and on to the Human Resources Department, as these changes occur. Municipal emergencies can occur at any time and this data can be crucial to efficient operations. At the time of the annual appraisal, employees are to correct their changes of status mentioned above as a part of the appraisal process.

Sec. 7.95 Tobacco Use.

The City desires to encourage all employees to abandon the use of tobacco products while serving the public. Therefore, tobacco use and vaping devices are restricted from all City owned buildings and vehicles. Employees may use tobacco products outside of City owned buildings and vehicles while they are on approved breaks, meal times and before and after the work shift. Tobacco use areas outside of each City building will be designated by the appropriate department head. Violation of this policy can lead to disciplinary action.

Sec. 7.96 Drug and Alcohol Policy.

The City has committed to the maintenance of a safe and productive work environment for its employees and to provide a drug free workplace. The City, therefore, has enacted the following Drug and Alcohol Policy.

1. Drug and Alcohol Policy Definitions:

    a) "Alcohol" - Any beverage that has an alcoholic content in excess of .5% by volume.

    b) "Drug" - Any substance, other than alcohol, capable of altering the user's judgment, perception, or mood, or of impairing the user's physical reactions.

    c) "Legal Drug" - Includes prescribed drugs and over-the-counter drugs which have been legally obtained, and are being used for the purpose for which they were prescribed or manufactured.

    d) "Illegal Drugs" means any drug which (a) is not legally obtainable; or (b) is legally obtainable but has not been legally obtained. The term includes controlled substances including, but not limited to, marijuana, cocaine, PCP, LSD, heroin and other narcotics. The term also includes prescribed drugs, legally obtained, but not being used for prescribed purposes or prescribed drugs which were illegally obtained.

e) "Reasonable Suspicion" means reasonable grounds to suspect that the employee is in possession of illegal drugs or alcohol, or that the employee is under the influence of or impaired by illegal drugs or alcohol. Reasonable suspicion is to be based upon specific observations concerning such things as appearance, behavior, or speech of the employee in question.

f) "Under the Influence" means that the employee is affected by an illegal drug or alcohol or a combination of drugs and/or alcohol at any detectable level. The symptoms of influence may include, but are not limited to, impairment of physical or mental ability such as slurred speech, problems in maintaining balance, poor work performance, sudden mood swing, or radical change in behavior. A determination of influence may be established by a professional opinion or a scientifically accepted testing procedure.

2. Drug and Alcohol Policy Application

a) The sale, purchase, transfer, distribution, manufacture, dispensation or unauthorized possession or consumption of alcohol on City property, or while performing City business is prohibited. This policy is not intended to preclude the consumption of alcohol at City-sponsored or authorized social functions, such as holiday parties, picnics, and the like.

b) The manufacture, distribution, dispensation, sale, purchase, transfer, use, or possession of an illegal drug while performing City business, while on City premises or at a City job site is prohibited. Reporting to work or working under the influence of illegal drugs or alcohol is prohibited.

c) It is the responsibility of the employee to notify their supervisor if they are under the influence of a drug. Except as provided below, the use or being under the influence of any legally obtained drug by any employee while performing City business or while on City property is prohibited to the extent such use or influence may affect the safety of co-workers or members of the public, the employee's job performance, or the safe or efficient operation of the City. An employee may continue to work even though under the influence of a legal drug, if City management has determined, after consulting with a physician or pharmacist, that the employee does not pose a threat to his or her own safety or the safety of co-workers and that the employee's job performance is not significantly affected by the legal drug. Otherwise, the employee may be required to take a leave of absence or comply with other appropriate action, including assignment to another job position, as determined by City management.

d) Any violation of these rules may result in discipline up to and including termination.

e) This Drug and Alcohol Policy is applicable to employees of vendors and subcontractors as well. Violation of these rules or refusal to cooperate with implementation of this Policy by such persons may result in being barred from

City property.

f) Compliance with the City's Drug and Alcohol Policy is a condition of employment. All new regular employees will be required to submit to the scheduled "post offer" drug and alcohol test.

3. Searches

a) The City reserves the right to conduct reasonable searches of employees and employees of vendors and subcontractors for illegal drugs or alcohol on City premises and job sites, including, but not limited to, vehicles, desks, bags and work areas.

b) Illegal drugs or alcohol discovered in the course of a search will be confiscated until ownership is determined. Where warranted, confiscated items will be turned over to appropriate law enforcement authorities.

c) Refusal to cooperate in a search may result in immediate suspension, pending investigation, and may result in further disciplinary action, up to and including termination. Refusal to surrender contraband may also result in discipline, up to and including termination.

4. Testing of Current Employees

a) Where the City has documented reasonable suspicion that an employee possesses or is under the influence of illegal drugs or alcohol, the employee may be required to take a urinalysis test. The employee may also be suspended without pay pending the receipt of test results and the completion of any investigation conducted by the City.

b) The City may request or require current employees to undergo testing for drugs and/or alcohol without reasonable suspicion if the employee:

(1) has sustained a personal injury, even a minor injury where medical treatment was sought, or has been involved in an accident where another individual has sustained such a personal injury and accident; or

(2) has been involved in a work-related accident or exposure to bloodborne pathogens or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident where the accident results in property damage.

The Supervisor on duty at the time is responsible for contacting the Occupational Health Department to set up the testing and for transporting the employee to the Occupational Health Department for testing.

c) Refusal of a request to take a urinalysis test may result in immediate suspension without pay pending investigation, and may also result in further disciplinary

action, up to and including termination.

d) If the initial test is positive, the laboratory will be instructed to retest the specimen for the substance indicated using a testing method approved by the Nebraska Department of Health before reporting a positive result to the City.

e) A confirmed positive test will subject the employee to disciplinary action up to and including termination.

f) In all cases of confirmed positive test results, employees will have the opportunity to explain the result, and to substantiate the explanation with medical evidence, which could include an additional confirmatory test of the same specimen.

5. Additional Testing Procedures

a) All employees who agree to take a urinalysis test will be required to sign a form consenting to the test and authorizing disclosure of the results to the City.

b) Specimen collection and urinalysis will be performed only by a qualified independent testing laboratory or health care provider designated by the City.

c) The City will pay the full cost of any testing that is requested of any employee, as well as any confirmatory test requested by the employee, including the reasonable cost of any transportation to and from the designated testing facility.

6. Confidentiality

a) Information obtained on an individual as part of a drug and/or alcohol test is strictly confidential and will be disclosed to only those persons within the City having a legitimate need-to-know. Such information will not be released to any individual or organization outside the City, without written permission of the employee, except as required or allowed by law.

b) Other information developed in investigating possible violations of this policy will be communicated to City personnel only on a need-to-know basis.

7. Rehabilitation

a) Current employees testing positive will be suspended from work and, if termination is not undertaken, may be referred to a care unit/treatment facility. Refusal of treatment or failure to complete treatment will result in termination.

b) Employees who undergo treatment will be retested within 45 to 60 days of the initial test. A positive test and confirmation at that time will result in termination of employment.

c) Should the retest be negative, the employee will be allowed to return to work subject to periodic retesting during the duration of employment with the City. Any

additional positive test and confirmation at any time will result in termination.

d) This policy of encouraging rehabilitation is not to be interpreted as conflicting with the rule above prohibiting manufacture, distribution, dispensation, use, or possession of illegal drugs or alcohol on City premises or while performing City business. In addition, if the City deems the circumstances warrant termination, without first offering rehabilitation, it reserves the right to take such action.

Employees are prohibited from the use, sale, dispensing, distribution, possession, or manufacture of illegal drugs and narcotics or alcoholic beverages on City premises, work sites, in City vehicles, or in personal vehicles parked on City property. However, there may be an occasional event that allows the dispensing of alcohol at specific City buildings with City Council approval. In addition, employees are prohibited from the off-premises use of alcohol and possession, use, or sale of illegal drugs when such activities adversely affect job performance, job safety, or the City's reputation in the community. Employees shall not use alcohol while on duty or within 8 hours of a regularly scheduled shift. Undercover officers are exempt when performing their assigned duties.

Sec. 7.97 Personal Finances of Employees.

It is the policy of the City to require employees to meet and discharge their financial obligations in a timely manner.

1. Employees should manage their personal finances so they do not adversely impact job performance or the City's image in the community. The failure of employees to meet financial obligations may impose an administrative and financial burden on the City in terms of extra bookkeeping and the need to respond to and comply with court processes.

2. The City must disclose employee financial data as obligated under statutory requirements. Employees who become financially obligated to the City will be expected to enter into a written acknowledgment of the obligation at the time it is incurred. Such obligations could arise from pay or expense advances, breakage or shortages.

3. The Finance Department is authorized to receive a writ of garnishment or attachment, a notice of levy by any taxing authority, or any other similar order requiring payment of a portion of an employee's compensation to someone other than the employee. The Finance Department is to notify the affected employee immediately, and then deduct the required amount from the employee's earning. The amount deducted, however, should not exceed that permitted by law.

4. No employee will be terminated because of the fact that their earnings have been subjected to garnishment for one indebtedness.

5. The City will not deny employment to, or terminate the employment of, any person solely because that person has filed a petition for bankruptcy.

Sec. 7.98 Zero Tolerance for Unlawful Harassment.

The City is committed to offering employment opportunity based on ability and performance, in a

productive climate, free of discrimination. Accordingly, harassment of any kind by supervisors or co-workers will not be tolerated. In addition, the City will protect employees, to the extent possible, from reported harassment by non-employees in the work place.

In general, ethnic or racial slurs, jokes and other verbal or physical conduct relating to a person's race, color, age, sex, national origin, religion, disability, marital status, marital status, AIDS/HIV status, genetic information, or other class protected by applicable law constitute harassment when they unreasonably interfere with the person's work performance or create an intimidating work environment.

Sexual harassment has been defined by federal and state regulations as a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual favors, or other physical and verbal conduct of a sexual nature by supervisors or others of the same or opposite sex in the work place. Sexual harassment exists when:

1. Supervisors or managers make submission to such conduct either an explicit or implicit term or condition of employment (including hiring, compensation, promotion, or retention); or

2. Submission to or rejection of such conduct is used by supervisors or managers as a basis for employment-related decisions such as promotion, performance evaluation, pay adjustment, discipline, or work assignments.

Sexual harassment may also exist when co-workers (or non-employees, such as vendors, citizens) engage in such conduct, when the conduct unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

If you believe that you are being harassed by another employee, supervisor or any other person in connection with your employment with the City, you should bring the incident to the attention of your supervisor. If that would prove to be uncomfortable or you are not satisfied with your supervisor's handling of the complaint, bring the matter to the attention of your department head, the Human Resources Director and/or the City Administrator.

If you still are not satisfied with the handling or outcome of your complaint, or if you feel more comfortable bypassing the other steps, take the matter to the Human Resources Director. The City will promptly investigate all allegations of discrimination and/or harassment in as confidential a manner as possible and take appropriate corrective action if warranted.

Under no circumstances will a manager or supervisor be allowed to threaten or retaliate against an employee who alleges harassment.

CHAPTER EIGHT

SEPARATION AND REINSTATEMENT

Sec. 8.10 Separation.

All separations of employees from positions in the Classified Service shall be one of the following:

1. Reduction in force.
2. Death.
3. Dismissal.
4. Disability.
5. Retirement.
6. Resignation.

Any employee who is separated for any of the above reasons will receive their final paycheck on the next regular payday following the effective date of their separation or by the end of the month of separation. In the event of the death of an employee, the final payment will be issued as soon as the legal beneficiary or beneficiaries are determined. Prior to final payment of any money due, all records, assets, and other items of City property in the employee's custody shall be transferred to the department head and certification to this effect shall be executed.

Department heads shall secure from each employee who is issued City equipment, or who has possession of City records or keys to City equipment or buildings, the following release:

> "In the event of my separation from City employment, I hereby authorize the City of Columbus to withhold my final paycheck until such time as I have returned to the City all equipment, keys, and records issued to me and owned by the City. In the event any such equipment is damaged, I also authorize the City to deduct from my final paycheck the cost of repairs of such equipment."

In the event an employee has signed such a release and fails to return all City equipment, keys, and records, their paycheck may be withheld as allowed by Nebraska law and the employee's signed acknowledgment.

Sec. 8.20 Resignation.

An employee may leave the City service in good standing by submitting their resignation at least two weeks in advance of the effective date. Department heads must give four weeks' notice to leave in good standing. The City Administrator, for good cause, may waive any portion of the notice period.

An employee resigning without the required notice may have the act recorded as a part of their personnel records. The Human Resources Director or the City Administrator shall endeavor to

conduct an exit interview with each resigning regular full time or part time employee to determine the reasons for the resignation, to solicit suggestions for improving operations and personnel management, and to determine whether prohibited discrimination was a factor in the decision to resign.

Sec. 8.30 Reduction in Force Policy.

It is the policy of the City of Columbus to avoid, insofar as possible, reductions in force which might unduly impact any of its employees. However, it is recognized that financial constraints or changes in service requirements may require such reductions in force.

Therefore, in order to ensure optimum notice to the City's employees in the event of a reduction in force, the following policy is hereby established for all regular employees in positions in the classified service:

1. An employee will be considered to be in the position to which he was most recently appointed, promoted or demoted.

2. Those employees in training in positions in which reductions are mandated will be the first to be removed. An employee in training due to promotion has the right to request to be reassigned to their previous position, if such position is available and currently a part of the classified service. An employee must notify the City Administrator of their desire to be considered for reassignment to their previous position as provided in paragraph 6.

3. An employee who has successfully fulfilled the training period for their position will only be removed from the classified service after any employees in training in the same position have been removed and after being considered for reassignment, if promptly requested in writing, to a previous position. Such employee may also make a prompt request, in writing, to be considered for reassignment to a position for which they are qualified and which position is being held by an employee in training or is vacant.

4. The decision as to who will be removed from the classified service shall be based on factors, including, but not limited to, the following:

    a) The employment policies and staffing needs of the City, together with contracts, ordinances, and statutes related thereto.

    b) The multiple job skills possessed and recently or currently being performed by the employee.

    c) The knowledge, skills, and abilities of the employee.

    d) Efficiency of the employee as demonstrated on the job.

    e) The performance appraisals of the employee, including any recent, pending, or recurring disciplinary actions involving the employee.

    f) Required federal, state, or local certifications or licenses.

g) Seniority.

These factors may be documented by employee evaluations, disciplinary actions, commendations, documented training, citizen reports, and other verifiable comments or data or a recommendation from the employee's department head.

5. An employee whose services are terminated under this Reduction in Force Policy will be entitled to two weeks written notice from the City. Such notice shall be delivered by the United States Postal Service, registered return receipt requested, to the employee's address on file with the Human Resources Department of the City, or personally served on such employee. If the employee is in a position subject to the Civil Service provisions of the State Statutes and City Ordinances, the City Administrator shall also give written notice to the Civil Service Commission by contacting the Secretary of the Commission.

6. An employee whose position has been eliminated or who is being replaced as the result of the reassignment of a regular employee whose position has been eliminated by such reduction in force in a classified position, may request to be considered for reassignment to a lesser classification. Such request shall be submitted in writing to the City Administrator within five working days of the notice of the elimination of the employee's position or the reassignment of such other employee. If such a request is made, the employee will be considered for such classification using the criteria provided in paragraph 4.

Sec. 8.40 Ability to Perform Essential Duties.

Employees who cannot perform the essential duties of their job, with or without reasonable accommodation, may be separated from employment. The City reserves the right to require medical examinations that are job-related and consistent with a business necessity.

Sec. 8.50 Retirement.

Whenever an employee meets the conditions set forth in the City's Pension Retirement Plan, the employee may elect to retire and receive all benefits of the plan.

Sec. 8.60 Reinstatement.

Eligibility for benefits such as vacation and service awards is figured from the hire date of continuous employment. It is recognized that due to personal or business reasons an employee may terminate their employment with the City. As an incentive to encourage these employees to consider reemployment with the City rather than another organization, procedures have been created for recognizing the past service accumulated before separation.

Those employees with less than a two-year break in service, who resigned in good standing, may be reinstated, provided the person is qualified to perform the duties of the position and such reinstatement would be in the best interest of the City.

The pay rate will be at the same step in the pay range at which the employee left unless they are returning to a different job, in which case the Demotion or Promotion Policy would then apply.

Benefit accumulation would resume according to the restored years of service; i.e., vacation rate. Those employees who were under the provisions of the 2006 reinstatement personnel policy, will retain their ability to the “five year” reinstatement provisions.

CHAPTER NINE

EXPENSE REIMBURSEMENT POLICIES AND REPORTING PROCEDURES

Sec. 9.00 Expense Reimbursement Policies and Reporting Procedures.

1. The City of Columbus shall reimburse actual and necessary expenses incurred by elected and appointed officials, employees, or volunteers of the City at educational workshops, conferences, training programs, official functions, hearings, or meetings, whether incurred within or outside the City limits, after attendance has been approved by the department head or City Administrator and is in the parameters of the Personnel Policy and the annual City budget. The reimbursement of expenditures shall be limited to:

    a) Registration or tuition costs, fees, or charges.

    b) Transportation as specified below.

    c) Meals as specified in 9.30.

    d) Lodging.

    These expenses will be reimbursable up to the federal per diem rates for the locality of travel. The per diem rates for the national and the state are available in both the Human Resources and Finance Departments.

    Expense vouchers must be completed in order to be reimbursed.

2. Authorized expenditures shall not include any expenses incurred by spouse of an elected or appointed official, employee, or volunteer unless the spouse is also an elected or appointed official, employee, or volunteer of the City of Columbus and the expenses for the spouse are also preapproved.

Sec. 9.10 Lodging.

Except as otherwise provided herein, all hotel and motel reservations shall be made on a single-room basis only. Suites or similar accommodations shall not be used. When making reservations and at the time of registering, commercial or government rates, if available, shall be requested.

Sec. 9.20 Transportation.

For air travel, reservations shall be for coach class. If possible, an attempt should be made to arrange a commercial flight on a discounted basis. The employee will not be reimbursed for more than the actual cost of the flight ticket. Any special discount coupon or voucher received in connection with municipal trips for which the fare was paid or reimbursed by the City of Columbus, shall be returned to the City of Columbus for use, as applicable, in reducing cost of future trips paid or reimbursed by the City of Columbus.

Automobile transportation shall be arranged, whenever possible, to use City-owned vehicles.

Personal vehicles may be used on City business only when there is no City vehicle available for the trip or when the use of a personal vehicle is approved by the department head.

If an employee elects to drive their personal vehicle when a City vehicle is available, the City will not reimburse mileage.

Mileage for the required use of personal vehicles will be reimbursed at the specified Federal rate, as it may be amended from time to time, computed by the most direct highway route or an amount equal to the cost of regular, not discounted, coach air fare, whichever is less.

Rental cars shall be utilized on business trips only when transportation fares (taxi, bus, etc.) in that locale are less economical or pose a serious inconvenience. There shall not be more than one rental car for each four individuals on the same business trip. At all times an attempt shall be made to lease compact cars rather than larger sedans.

Sec. 9.30 Meal Expense.

Daily meal expenses incurred by an employee, Mayor, or City Council member in the process of performing duties for the City of Columbus are reimbursable with the following documentations:

1. Dates.
2. Amounts spent.
3. Business reason.
4. Names of persons or firms represented.
5. Name of City where meals occurred.

Reimbursement for alcoholic beverages is not allowed.

Employees may be reimbursed for meals incurred for only that employee's single meals. The employee shall be provided payment for individual meals based on Federal per diem rates.

The City Finance Director will announce future meal price adjustments as Federal Travel Regulations change.

When traveling out of state overnight, reimbursement will be made for all reasonable meal expenses provided receipts are presented for all meals.

For payment of the meal on overnight trips, the following guidelines apply:

1. In order to be reimbursed for breakfast, the claimant must leave Columbus before 7 a.m.
2. In order to be reimbursed for dinner, the claimant must return to Columbus after 6 p.m.

The above policy does not include meals which are served as part of the seminar, conference, or meetings.

Reimbursement will be made for meals which are a part of a seminar, conference, approved meeting; however, reimbursement will not be made in the event an employee elects to obtain a meal elsewhere when the meal is included in the registration fee for a meeting or seminar.

Sec. 9.40 Expense Reports.

Expense reports should be submitted at least monthly and be in compliance with the policies of the City of Columbus. Expenses shall be shown on the dates incurred. Each expense report shall be approved by a designated supervisor. Such approval shall be given by the supervisor after being satisfied the expense is City related, they are reasonable expenses, and the necessary documentation and supporting data are included. The Finance Department will audit to determine if the necessary documentation and supporting data are a part of the expense report and all information is correctly reported.

Expense reports without adequate documentation will not be paid in full. Only the expense report items with proper documentation will be paid. Items with insufficient support shall be deleted for payment later, after the needed documentation or written explanation is obtained. Correspondence regarding requests for additional documentation and all responses will be attached to the original expense report or resubmitted expense report.

Sec. 9.50 Receipts.

Receipts for expenses should be obtained to support a reimbursement request. Loss of a meal receipt or two will not endanger reimbursement. Receipts are required for the following items before expense reimbursement will be allowed:

1. All lodging expenses.
2. Rental cars (actual copy of rental agreement).
3. Registration fees at meetings or seminars.
4. Meals.

A receipt shall be the actual paid receipt received when paying for an expense incurred, a copy of a credit card charge, a copy of a customer receipt given to the employee by a firm providing services or goods to such employee, or a copy of a canceled check drawn payable to a specific payee. If a receipt covers a combination of personal and business expenses, the business items must be clearly identified.

There are a few items that do not require receipts, such as tips associated with meals (no more than 18% of meal cost), taxi, limousine, local bus fares, parking expense in the course of a business trip, and telephone calls of a business nature when not placed via a City of Columbus telephone.

CHAPTER TEN

RISK MANAGEMENT

The City has appointed a Risk Manager and Risk Management Committee. They are responsible for the Risk Management Program as described in Resolution No. R90-20. It is the intent of the City that this group of employees help the City make a good faith effort to maintain a safe working environment by establishing programs and policies which encourage safety in the work environment and to abide by applicable laws and regulations.

Sec. 10.00 Risk Management Responsibilities.

Risk Manager

The Risk Manager is responsible for the development, organization, coordination and implementation of safety programs and safety education. Responsibilities also include work-site inspections, hazard reduction and/or elimination and accident/injury investigation, reporting and management. Other assignments and responsibilities related to disaster response and risk management complete the role of the Risk Manager.

The Risk Manager will advise the City Administrator as well as department heads, supervisors and employees of unsafe conditions, problems related to accident prevention and recommendations for loss control. The Risk Manager will not fulfill obligations of department heads or supervisors relative to providing safe work environments, necessary equipment, training, or inspections in the interest of accident prevention.

Department Head

The department head is responsible for fulfillment of departmental goals and objectives as well as health and welfare of each employee in the department. In the adopted safety policy, the highest priority has been placed on employee safety which becomes the responsibility of the respective department head. It is normal practice for department heads to delegate the authority to carry out safety policy in their department, but the responsibility for meeting objectives and the protection of employees in performance of their assignments cannot be transferred.

Supervisors

Supervisors will assume the responsibility of thoroughly instructing their personnel in the safe practices to be observed in their work situations. They will consistently enforce safety standards and requirements to the utmost of their ability and authority. Supervisors will act positively to eliminate any potential hazards within the activities under their jurisdiction and they will set the example of good safety practice in all phases of their endeavors. The principal duties of supervisors in discharging responsibilities for safety are as follows:

1. Enforce all safety regulations in effect and make employees aware that violations of safety rules will not be tolerated.

2. Make sure all injuries are reported promptly and treated properly and all accidents or

unusual incidents are reported (preferably on the same work day) even if injury is not apparent.

3. Conduct thorough investigations of all accidents or incidents and take necessary steps to prevent recurrence, if possible, through employee safety education, operating procedures, or modification of equipment, facilities, or environment.

4. Provide employees with adequate safety instructions regarding their duties prior to the employees actually starting to work.

5. Make sure regular safety checks, including a careful examination of all new and relocated equipment are accomplished before it is placed in operation.

6. Assure equipment is properly maintained and issue instruction for the elimination of fire and safety hazards.

7. Continuously inspect for unsafe practices and conditions and promptly undertake any necessary corrective actions.

8. Develop and administer an effective program of good housekeeping and maintain high standards of personal and operational cleanliness throughout all operations.

9. Provide safety equipment and protective devices for each job based on knowledge of applicable standards.

10. Conduct safety briefings at organizational meetings and encourage the use of employee safety suggestions.

11. Give full support to all safety procedures, activities, and programs.

Employee

Each employee, as a part of the comprehensive City of Columbus Risk Management Program, is expected to place safe work practices and identification of unsafe conditions as the highest priority while performing daily tasks. Each employee's safety commitment must include, but is not limited to, the following:

1. Using the safety equipment which has been provided for use in performing daily work assignments.

2. Wearing the prescribed uniform and safety shoes as required.

3. Only operating equipment for which training or orientation has been received.

4. Warning co-workers of unsafe conditions or practices they are engaged in which could lead to or cause an accident.

5. Reporting defective equipment immediately to their supervisor.

6. Reporting dangerous or unsafe conditions that exist in the work place as well as throughout the municipality. This would include defective sidewalks, broken curbs, hanging tree limbs, loose handrails, open manholes, sunken basins and sewers, missing or damaged traffic signs or signals.

7. The employee or if appropriate, the supervisor records all injuries, accidents or incidents immediately, completing the incident report, on the same work day, regardless of severity. If due to severity of injury or illness the employee is unable to complete the form, it is the supervisor's responsibility to complete the form.

8. Record on an incident report form any unusual occurrences or incidents observed on the day they occur, as it may later pose a liability risk to the City, its workers, or the public.

9. Protection of unsafe conditions resulting from municipal work which could present a hazard to the public.

10. Taking care not to abuse tools and equipment so these items will be in usable condition for as long as possible, as well as to ensure that the tools and equipment are in the best possible operating condition while being used.

11. When required, the employee will maintain a commercial driver's license. The City will pay the amount of the license fee in excess of the cost of a normal driver's license fee.

Sec. 10.04 Incident Reports.

Incident Reports shall be filled out whenever a near injury, an accidental injury or exposure occurs including possible bloodborne pathogens. This report shall be sent to the Human Resource office as with all other incidents reports, normally within the same work day. These reports will be kept as a permanent part of the safety record.

Sec. 10.05 The Cost of Accidents.

Another area of major concern to supervisors is the cost of accidents. Many people fail to realize how much accidents really cost. Accidents are expensive in ways that are not obvious; therefore, attention to loss control can improve your department performance.

Accidents can cause obvious and direct costs, such as medical, hospital, rehabilitation expenses, worker's compensation payments, and higher insurance premiums or even loss of insurability. But there are other indirect costs that are less obvious, and usually uninsured. These include the various disruptions of normal work procedures, such as employees being witnesses or helping the injured, or even the reduction in production.

If the return on the investment is not sufficient, it may be necessary to defer the procurement of new equipment and facilities. Insurance covers only a portion of the total accident cost and as accident loss experience increases, so will a company's insurance premiums. It is clear that directly and indirectly, accidents reduce the funds available for salaries, employee benefits, new equipment, etc. Actually, the total cost of accidents is greater than many of us realize.

Items in Indirect Cost:

1. Time lost by others.
2. Cost of hiring and training a replacement.
3. Lost efficiency.
4. Overtime premium.
5. Cost to investigate the accident.
6. Report time.
7. Tools/equipment damage.
8. Lost equipment utilization.
9. Lost production time.

All of these reduce efficiency and represent another cost. There are many hidden costs due to accidents. Conversely there are hidden savings in accident prevention, which is the reason the phrase "Loss Control" is often used. Every accident you prevent saves direct-indirect accident costs and this money will remain in money available for wages and City services.

Other benefits of accident prevention efforts include:

1. People will not be injured or killed.
2. Property and materials will not be destroyed.
3. Production will flow more smoothly.
4. You will have more time for the other major parts of your job.

All employees will include "Loss Control" as a regular part of their job and expect to have this part of performance measured. Employees are expected to perform periodic safety inspections of the work areas for which they are responsible.

Safety and housekeeping inspections, and the problems you discover, are important but what you do about them is more important. If a problem can be rectified by your department, work to complete the appropriate task as soon as possible so the problem can be solved. Be sure to follow up, as needed, to see that the job is done. You may even find it necessary to have your supervisor help expedite the work by getting help from other departments. Completing an Incident Report provides a written record as a basis for determining the best way to solve hazards that are observed in your City department or another department.

Sec. 10.10 Driving Rules and Regulations.

All drivers of municipal vehicles, and those using their personal vehicles in pursuit of municipal business, will comply with all applicable laws of the state as well as any additional regulations of the municipality. Emergency vehicles under pressing emergency situations are exempted from the usual motor vehicle laws and rules but are required to exercise due caution and care in travel.

Parking

1. Municipal vehicles are not to park in "NO PARKING" zones except in emergency situations or in required performance of official duties. At those times a vehicle is parked in a "NO PARKING" zone, emergency blinkers will be turned on.

2. All municipal vehicles should be locked when not in use at a remote location.

3. Before initial use of any vehicle each day, the driver will walk around and inspect the vehicle for damage, inoperable lights, loose hardware, underinflated tires, or any other condition which may create an unsafe situation.

4. Any deficiency encountered will be reported to their supervisor immediately. It will be the supervisor's responsibility to ensure that appropriate action is taken to correct the problem.

Equipment

1. All employees will wear seat belts as required by state law.

2. Portable or detachable doors may not be removed from vehicles unless:

   a) It is a necessity in order to perform the job.

   b) Mirrors remain usable when the doors are off. Similarly, vehicle doors are not to be tied open.

3. Turn signals will be utilized by all drivers at all times in ample time to warn oncoming or following vehicles of their intent.

4. Drivers will ensure windows, headlights, taillights, and windshield wipers are clean and operational at all times.

5. Tailgates will be up and locked when vehicles so equipped are in motion. If a vehicle's function requires that the tailgate remain in the open position, red flags will be attached to the materials being carried if they meet or exceed the length specified by State Law. (State Law requires flags on anything that extends over 4 feet from the taillight).

6. In any case, the driver of the vehicle is responsible to see that all necessary conditions are met on the vehicle before the driver operates it.

7. If the vehicle does not have a tailgate, but is loaded, the driver of the vehicle will ensure

the load is secure on the truck and that overhangs are properly marked in accordance with applicable state and local laws.

Special Equipment

1. Special equipment such as tractors, hi-lifts, high rangers, graders, plows, cranes, or any unit which has special devices added for specific types of work will require formal instruction prior to use by a driver. This special training will include the following:

   a) Explanation and demonstration of all control devices.

   b) Explanation and demonstration of all safety equipment.

   c) Knowledge of maintenance items such as fuel, water, oil and other minimum operating needs of the unit.

   d) Demonstration of operation.

   e) New driver operation under supervision with testing.

   f) Instruction in driving to and from, or on and off a trailer, parking procedures and method for securing.

2. Passengers will ride only in seats so designed for passengers on special equipment.

3. Triangular, orange-colored slow moving vehicle signs will be required to be displayed as per state law and, if sign is deployed, said vehicle will not exceed 25 mph.

General.

1. Backing up vehicles without a clear view of the area back of the rear end will be done only with the assistance of a guide. If a second person is in the vehicle, that person will get out and guide the vehicle back using the appropriate hand signal and voice signal. If the driver is alone, the driver will get out of the vehicle and inspect the area behind the vehicle before backing. Again, strict caution is to be observed.

2. Riding on the sides, toolboxes, tailgates, or roof of any truck is prohibited. Further, standing in the back of any truck is not permitted.

3. Drivers will carry their state driver's license at all times. Loss of driving privileges may result in full-time drivers being temporarily reclassified if a position is available until such time as their driving privileges are reinstated or a temporary restricted permit is issued.

4. Employees who operate a City vehicle as a part of their job are required to report any suspension or revocation of their license to their supervisor who will in turn determine the future responsibilities of the employee. Failure of an employee to report a change in license status will result in disciplinary action.

5. Riding on running boards of trucks is strictly prohibited.

6. Except in authorized emergencies, posted speed limits will be strictly adhered.

7. Drivers should direct their full attention to driving. Inspections of streets, trees, signs, etc. may be made by a second person, other than the driver, wherever possible.

8. During periods of limited visibility, vehicle headlights will be turned on.

9. Trailers are to be fastened securely to hitches. Safety pins in pintle locks will be used. Safety chains will be crossed under the hitch and securely fastened before moving the vehicle.

10. All items to be transported either in a truck or trailer, which may move around during transport, will be secured.

11. No more than three (3) persons will ride in the front seat of any vehicle. Where only two single seats exist, there is to be only one rider per seat.

These rules may be updated periodically and may be amended as necessary.

Sec. 10.15 Procedures for Reporting Accidents and/or Breakdowns of Municipal Vehicles.

In the event an operator of a municipal vehicle is involved in an accident, the municipal Police Department should be called to the scene and required to prepare a report. If the accident should take place in another jurisdiction, the law enforcement agency of that jurisdiction should be called to the scene to make a report. The operator of the municipal vehicle involved in the accident should provide all the necessary identification and insurance information to the other party involved.

If a municipal vehicle is disabled as the result of an accident, or if a municipal vehicle breaks down and becomes inoperable, it shall be reported in accordance with department policy. When employees are covered by D.O.T. regulations, these federal policies should be obeyed, including steps for mandated drug testing.

Operators of municipal vehicles should be sure whenever a serious incident occurs, whether a breakdown, traffic accident, or vandalism, the responsible municipal department head should be immediately notified and an Accident Report be completed by the operator. Copies of all Accident Reports will be sent to the City Clerk’s office, preferably during the same work shift.

Sec. 10.20 Safety Equipment.

It is the municipality's intent to provide all necessary personal protective equipment required in performing routine operations. Protective equipment is provided to employees on an "as needed" basis. Each division sets protective equipment requirements depending on the activities of the jobs performed.

Requests for equipment not immediately available should be directed to the responsible supervisor. Failure to use available and required personal protective equipment is the employee's responsibility and ignoring this requirement can lead to the employee being subject to disciplinary action.

Additional Safety Equipment

Other protective equipment is provided in order to protect employees from unnecessary exposures. This includes barricades, cones, warning signs, warning lights, and many other specialty items. Consult with a supervisor or the Risk Manager for more information.

When working with power take-off shafts or chipping machines, no loose clothing should be worn. Reflective vests or cross straps are not required.

Sec. 10.25 Training.

Each department has the responsibility of providing on-the-job training to each employee on the topics which will enable the employee to do their job safely and efficiently. This training shall include:

1. Orientation of departmental and overall municipal safety and health rules.

2. Procedure for reporting on-the-job injuries or unusual incidents.

3. Procedures for processing hospital/medical bills related to job-related injuries.

4. Worker's Compensation claims process.

5. Requirements for use of vehicles.

6. Reporting of unsafe conditions.

In addition, specialized training must be offered in the use of tools and equipment in order to maximize the capabilities of the equipment as well as to prolong its usable life and to prevent accidents.

All employees are expected to request instructions in those tasks or for any equipment with which they are not familiar.

Sec. 10.30 Hard Hats.

Hard hats will be worn by municipal personnel when involved in the following situations:

1. Present, for any reason, on construction sites where hard hat signs are posted.

2. In locations damaged by disaster, fire, flood or other cause which could result in structural damage or falling material.

3. Persons working near high-voltage electrical hazards.

4. All supervisors involved in the above-types of work.

Sec. 10.35 Operations in the Public Way.

Whenever operations are taking place in streets, parkways, sidewalks, or other places where citizens, as well as employees, may be endangered, the supervisor or crew leader on the work site is as responsible for the safety of the public in this type of operation as for getting the job done. The supervisor must spend ample time before, during, and after the work to protect employees and the public from the hazards created by this work. The following procedures are to be followed:

1. If street construction or repair work is to be done, preparations will be made to assure vehicle and pedestrian safety before such work is allowed to begin.

2. If traffic is affected by the operation, proper signing must be used to warn in advance of the work area. Traffic control signs, in and around the affected area, are to be correctly placed and maintained through the period when work is being performed and traffic obstructions exist.

3. Where barricades and signs are used overnight, supervisors will examine the work area for proper placement at the end of the workday.

4. Lighted barricades will be used whenever possible for overnight protection.

5. Where traffic must be periodically stopped or obstructed by workers or equipment in the traveled portion of a roadway, protective cones will be stationed.

6. All City employees in or near the roadway will wear regulation safety green clothing, vests, or cross straps on their clothing while at the work site.

7. If a construction site is barricaded where no traffic can pass into the work area, vests need not be worn.

8. Flagmen will be used to slow or direct traffic where the approach to the work area does not provide adequate visibility to drivers.

9. In any case where streets are significantly obstructed or closed for any period of time, the Police Department and Fire Department will be notified of the situation and told approximately how long the closure will be in effect. Police and Fire operations may vary significantly due to the nature of the services they provide.

Pedestrian Safety

1. If pedestrian traffic is impeded by official municipal barricades, then restrictive tape, rope, or other restraint will be used to keep the public from the work site.

2. If pedestrian traffic must be routed off sidewalks and into the street, then protection will be provided by cones, barricades, and signs to guard from vehicular traffic.

3. Holes in the sidewalk or parkway which must be left open will be covered whenever possible along with perimeter protection. Every possible means of preventing accidental

entry into the hole should be used. Keep in mind that darkness and snow can complicate this situation.

4. Where an unusual situation exists which cannot be easily resolved, or when personal injury or damage to equipment or property occurs as a result of operations, contact the responsible supervisor and the Risk Manager immediately.

Sec. 10.40 Office Safety.

Office work is more dangerous than is commonly supposed and many accidents occur during ordinary office routine.

1. Every employee shall be responsible to see that their own desk and work area is clean and orderly. Pick up items such as pencils or paper clips that are strewn around. Good housekeeping is the key to a safe office environment.

2. Keep an eye open for loose or threadbare floor coverings.

3. Be extra cautious when you come up to a door that can be opened in your direction. Take it easy when pushing open such a door and slow down when coming to a "blind" corner.

4. Haste when walking between desks can result in bruises and falls. Keep electrical cords out of aisles.

5. All file, desk, and table drawers shall be kept closed when not in use. As soon as you leave them, close them. Never open more than one file drawer at a time.

6. Overloading the top drawer of unsecured file cabinets has caused many an injury. If unfamiliar with file cabinets, test the drawers and be careful not to pull them out to full extension. There may be no locking device on inexpensive or older models.

7. Office tables, desks, and chairs must be maintained in good condition and free from sharp corners, projecting edges, wobbly legs, etc.

8. Tilting chairs can be hazardous when improperly used. Care should be taken to assure that they are in good working condition.

9. Never use chairs, desks, or other office furniture as a makeshift ladder. Always use a stepladder. Don't overreach and lose your balance.

10. Message spindles can all too frequently cause puncture wounds to hands and arms. When used, the point shall be protected by a suitable blunt cover or, preferably, the point should be bent to a horizontal angle.

11. Keep the blades of paper cutters closed when not in use.

12. Scissors, paper cutters, and similar office devices can easily cause minor, but painful injuries. Report such injuries at once and take precautions to avoid infection.

13. Keep your hands clear of electric typewriter carriages.

14. Paper cuts hurt. Use a sponge or wetting devices for envelopes. Use rubber finger guards when working with stacks of paper.

15. Keep paper clips, thumb tacks, and pins in a place where they can't injure you. Keep razor blades and "exacto" blades covered; even a little scratch can get infected.

16. Be sure all electrical equipment is grounded and the cord is in good condition. If a machine gives you a shock or starts smoking, unplug it and report the defective device immediately to the supervisor.

Sec. 10.45 Ladders and Scaffolding.

Mishaps involving electricity and falls from high places result in the two most critical types of injuries involving ladders and scaffolding. Other hazards include: splinters, slivers, and slips which can cause sprains, strains, bruises, and abrasions.

The following safety procedures will prevent accidents and possible injury:

Ladders

1. Metal ladders shall not be used in the vicinity of electrical circuits.

2. Periodically inspect wooden ladders. They shrink over a period of time. In a stepladder, this may cause steps or back bar members to become loose. Hold the rods beneath the steps with pliers and tighten the nut at the end with a wrench to maintain strength and keep the ladder steady.

3. Wooden ladders or scaffold planks should not be painted because defects may be covered up. Use a good grade of spar varnish or a mixture of linseed oil and turpentine to preserve the wood.

4. Nonskid feet should be used on all straight and extension ladders.

5. When properly placed, the feet of the ladder should be about one-fourth as long as the vertical (i.e., if the ladder is leaned against a wall eight feet high, the feet should be set two feet from the wall.)

6. When using a straight ladder, it should be long enough to extend at least three rungs above the level to which the user is climbing. Step ladders must not be used in lieu of straight ladders. They are not designed for this purpose.

7. If the feet of a straight ladder are to rest on an unsecured surface, secure the ladder in position by the use of hooks, ropes, spikes, cleats or other anti-slip devices or by stationing an employee at the base of the ladder to hold it in position during use.

8. Never stand on the top step of a step ladder.

9. Only one person shall be on a ladder at a time.

10. Never carry articles in hand while climbing. Use a hand line to raise and lower tools and materials or suspend them suitably in a tool belt.

11. Always face a ladder when ascending or descending and always use both hands.

12. Clean muddy or slippery shoes before beginning to climb the ladder.

13. Keep the rungs clean and free of grease, oil, and caked-on dirt.

14. If it is necessary to place a ladder near a door or where there is potential foot traffic, set up warning signals or take other precautions to prevent accidental contact which might upset the ladder.

Scaffolding

1. Proper supervision is required to erect scaffolding.

2. Planks and other material used in building scaffolding must be sound and free from knots. Keep planks in good condition. Never paint the planks.

3. Planking should be adequately cleated; scaffolding used for work over 10 feet off the ground should have toe boards, mid-rails and handrails.

4. Tools left on top of the scaffolding can easily fall to the ground and injure a passerby. Keep tools in a bucket or box lashed to the scaffolding.

Sec. 10.50 Use of Head Sets or Earbuds.

As a general policy, the employee use of personal headsets or earbuds while operating machinery will not be permitted. Hearing protection devices will be provided as needed.

Sec. 10.55 Working in Cold and Hot Weather.

This should serve as a guideline for assessing whether or not non-vital services should continue to be performed during periods of extremely cold or hot weather. While this information may not be relevant to all municipal departments, the data provides good personal information and should be shared with employees for their use.

Wind chill factors were developed by the military to determine the effects of combining wind and temperature as they affect exposed skin surfaces. Wind chill effect does not cause liquids to freeze when the air temperature is above the freezing point. However, when the air temperature is below freezing, wind effect will speed up the freezing process.

The National Weather Service has devised the "Heat Index", which is an accurate measure of how hot it really feels when relative humidity is added to the actual air temperature.

There are going to be situations where no condition of weather will force work to be stopped. These

situations include police and fire service, sanitation services, and emergency responses by any personnel to situations which arise as a result of this severe weather. Bear in mind, however, that nonessential services within emergency response departments should be considered for curtailment during extreme temperature or wind chill periods. The procedure for evaluation of particular jobs will be as follows:

1. Assess the necessity of performing the particular task at the time.

2. Assuming the task must be done, determine if the employees are properly dressed and protected from the elements.

3. Determine what method the employee will have available to get warm or cool periodically while the task is being performed.

4. Consult a Wind Chill Chart and determine the wind chill equivalent. If the chill factor is in the "Danger" zone, special clothing is required and protection from the effects of the chill must be considered and used. Likewise, check with the National Weather Service to determine the heat index.

5. If the chill factor is in the "Great Danger" zone, or the heat index is at an extremely “High" level, only life and health safety tasks will be considered.

6. In the "Danger" zone, certain tasks may be impossible due to wind or temperature alone. However, the general policy for non-life safety tasks will be that cold weather considerations will be implemented anytime the reported wind chill falls below -25 degrees or the heat index is above 130 degrees.

7. Individual municipal departments may establish separate conditions, based on wind chill or heat index factors as they affect specific tasks.

8. Any questions or circumstances that arise regarding this policy should be directed to the Risk Manager.

Sec. 10.60 Hazardous Communications Policy.

The City of Columbus wants employees to be able to work safely and effectively on their jobs.

As a part of this goal, the City wants employees in each department to know the chemical products in their department and how to best work with these chemicals. Each department should assemble an information file on those chemicals used, and especially those chemicals that might be designated as hazardous. Each department should also make sure the chemicals in their department remain properly labeled.

These records will be reviewed at least annually by our insurance company Loss Control Specialist and/or a Risk Management team member and then reported annually at the first Risk Management meeting of the year.

Whenever employees are using a chemical agent for the first time, they should review their proposed

handling of the product with their supervisor to assure proper procedures will be followed.

As new chemicals are added to a department's inventory, the department should obtain information (Safety Data Sheets) from its supplier and make sure the new product has complete labeling on each storage container. If the SDS sheet requires protective equipment for safe handling, each department is to have the necessary equipment available.

Should an accident or unusual reaction occur with a department chemical, report it to your supervisor and complete an Accident/Incident Report.

A supplementary publication, "**Hazards in the Workplace: YOUR RIGHT TO KNOW"** booklet, is available in each department to help employees learn how labels and SDS information can help them to work with knowledge and sensitivity.

Sec. 10.65 Bloodborne Pathogen Policy.

The purpose of the Bloodborne Pathogen Policy is to limit occupational exposure to blood and other potentially infectious materials. This policy will provide a review on infection control. It is the City's intent, as far as is possible, and within the scope of current knowledge, to protect all concerned parties from accidental exposure to the viruses that cause Hepatitis B, Acquired Immune Deficiency Syndrome (AIDS) and other blood communicable diseases.

Infectious Materials

1. Blood products (plasma).
2. Vaginal secretions.
3. Fluids surrounding the spine, brain, heart, lungs, abdomen and joints.
4. Amniotic fluid.
5. Semen.
6. Any other body fluid containing visible blood.
7. Body tissue.

Hepatitis B virus attacks the liver and is the major infectious bloodborne hazard faced on the job.

HIV attacks the immune system, making the body less able to fight off infections, causing the disease known as AIDS.

Universal Barrier Precautions

These devices and procedures should be used by anyone coming in contact with blood or bodily fluids, whether it be direct contact, splashing, clothing exposure, or working with medical instruments.

1. Waterproof gloves should be worn when handling items soiled with blood, body fluids, tissues or equipment contaminated with blood or other body fluids.

2. Waterproof gowns or plastic aprons shall be worn when performing procedures that may bring contact with body fluids.

3. Hands shall be washed thoroughly and immediately if they accidentally become contaminated with blood or potentially infective body fluids. Hands should be washed even when gloves have been used.

4. Masks and/or protective eyewear should be worn if aerosolization or splattering is likely.

5. Contaminated materials should be double bagged and marked as containing biohazardous material and then transported to the Fire Department for disposal.

Clean Up

When an area is possibly contaminated by blood or body fluid containing blood such as emesis, care should be taken to sop up the liquid with paper toweling (using universal precautions). The area should then be cleaned with a disinfectant such as Clorox (one part Clorox to ten parts water). Secondary cleaning may then be conducted as needed. Double bag and tag all such sopped materials.

Hepatitis Vaccination

For employees who are expected to come in contact with blood and body fluids containing blood, as a part of their job duties, vaccinations for Hepatitis B may be required at City expense. The determination of which employees fit this category is decided on a department-by-department basis.

Workplace Infections

People infected with a bloodborne pathogen like AIDS or Hepatitis can sometimes appear to be in good health. Therefore, it is better to assume blood or blood-contained body fluids are infected than to act carelessly.

Fortunately, AIDS and Hepatitis B aren't spread through the air like cold or flu germs. You won't get either disease from working alongside someone who is infected or from casual contact.

You can become infected at work by:

1. Accidentally cutting yourself with a sharp object that is contaminated with infected blood or body fluids.

2. Getting infected blood or body fluids on your skin, especially if your skin has open sores, nicks or cuts.

3. Getting contaminated blood or body fluids in the mucous membranes of your eyes, nose or mouth.

Normally, your skin acts as a protective barrier to keep viruses out. But even tiny breaks or cracks in

the skin from common conditions like dermatitis, acne, chapping and broken cuticles can be doorways for these bloodborne viruses to enter your body. More restrictive or less restrictive guidelines may be adopted within specific departments to accommodate unique work situations.

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ACKNOWLEDGMENT FORM

I acknowledge receiving a copy of the 2024~~0~~ City of Columbus Personnel Manual. I understand that I must read it or have it read to me carefully. I understand this Manual supersedes all prior versions. I recognize that I must understand all of its rules, policies, terms, and conditions, and agree to abide by them, realizing that failure to do so may result in disciplinary action and/or termination. I understand that upon termination of my employment for any reason, I must return all City materials, property and equipment issued to me and pay the City any money that I may owe, and agree that upon my failure to promptly do either of these the City can withhold corresponding amounts from my final paycheck and take whatever legal action is necessary to recover such. **I understand and agree that unless I am covered by the Civil Service System (which has its own set of statutes and regulations), my employment is terminable-at-will, so that both the City and I remain free to choose to end our work relationship at any time. Similarly, no City official has the authority to enter into an oral employment contract, and only the Governing Body can enter into a written employment contract on behalf of the City.**

I understand nothing in this Manual in any way creates an express or implied contract of employment between the City and me, but rather is intended to foster a better working atmosphere while the employee/employer's relationship exists.

_____

Employee's Signature

_____

Date

_____

Employee's Name (Printed)

THIS IS NOT A CONTRACT FOR EMPLOYMENT. NOTHING CONTAINED HEREIN SHALL BE CONSTRUED AS A PROMISE OF ANY TERM OR CONDITION OF EMPLOYMENT, INCLUDING, BUT NOT LIMITED TO, CONTINUING EMPLOYMENT. THE CITY OF COLUMBUS RESERVES THE RIGHT TO MODIFY OR REPEAL ANY PROVISION OF THIS HANDBOOK AT ANY TIME, FOR ANY REASON, WITH OR WITHOUT PRIOR NOTICE.

CHAPTER ONE

PERSONNEL MANAGEMENT SYSTEM

Sec. 1.10 Purpose.

The personnel management system of the City of Columbus, of which this manual is a part, is designed to instill a high degree of understanding, cooperation, efficiency, and unity through systematic, uniform application of modern personnel practices. The purpose of this manual is:

1. To inform employees of their rights and obligations in relation to their employer; but not to provide any legal or contractual rights not otherwise provided for, and shall not be construed as a contract of employment.

2. To inform department heads and other supervisors of their obligations toward and their rights to assign and instruct subordinate employees.

3. To ensure compliance with all applicable laws.

4. To promote and increase efficiency and responsiveness to the public, and to promote economy in the City service.

5. To provide fair and equal opportunity for a qualified person to enter and progress in the City service based on merit and fitness as ascertained through fair and practical personnel management methods.

6. To enhance the attractiveness of City careers and encourage employees to give their best efforts to the City and the public.

7. In the event of conflict between this manual and state or federal laws, such state and federal laws shall prevail.

Sec. 1.20 Coverage of the Rules.

These rules shall apply to all departments, divisions and employees of the City except in cases of conflict with applicable state or federal laws or regulations or with the rules of the City of Columbus Civil Service Commission as statutorily applicable. An employee is defined as any person who has been appointed/hired to a position of employment on the City payroll, excepting any person serving on a retainer contract basis. Benefits conferred to employees in this manual may be different if the employee is covered by a City-recognized Collective Bargaining Agreement. These changes will be described in the approved Collective Bargaining Agreement.

Sec. 1.30 Adoption of the Manual.

This manual shall become effective when adopted by the Mayor and City Council, whereupon all conflicting rules, regulations, policies, or procedures previously adopted by the Mayor and City Council or by administrative directive shall be superseded, to the extent of the conflict.

Sec. 1.35 Amendment of the Manual.

Written suggestions for amending this manual are welcome at any time from City employees and should be submitted, through supervisory channels, to the City Administrator or the Human Resources Director. Amendments shall become effective upon approval by the Mayor and City Council.

Sec. 1.40 Availability of the Manual.

Each regular employee shall receive and maintain a copy of this manual.

Sec. 1.50 Supplemental Personnel Regulations.

Department heads may establish such supplemental personnel regulations as are necessary for efficient and orderly administration and for ensuring the proper conduct and discipline of their employees.

Supplemental personnel regulations shall be subject to approval by the City Administrator and shall be consistent with these rules, other requirements of the Mayor and City Council, and administrative directives. Copies of supplemental personnel regulation shall be made available to employees in their departments.

Sec. 1.55 Employment at Will.

An employee has freely chosen the opportunity of employment with the City. It is understood the employee has a continuing right to leave or stay as they choose. The City reserves those same rights to maintain or terminate the employment and compensation of employees as needs require. The City also reserves the right, except as to those employees who are protected under the Civil Service System, to terminate the employment and compensation of employees as needs require, and to do so with or without cause.

The City of Columbus, by decision of the Mayor and City Council, agrees to follow the process for dismissals and disciplinary actions as outlined in the Personnel Rules and Civil Service Rules that are applicable to those regular employees who have successfully completed their introductory period. However, these policies in no way shall be construed to create a contractual employment relationship between the City of Columbus and its employees. Furthermore, the City of Columbus shall have no tenured employment agreements with any employee or organized employee group.

This manual is not a contract of employment, nor shall it be construed as creating any contractual rights or property interest in favor of City employees. Nothing contained in this manual or in any other statement of City philosophy, including oral statements, should be considered a promise of continuing employment.

Sec. 1.60 Definitions.

The following definitions shall apply in these regulations, unless the context clearly indicates otherwise:

Absence Without Leave. An absence from duty which was not authorized or approved.

Appeals. Procedures as described by these regulations for appealing disciplinary actions, employee-evaluations and other individual grievances.

Applicant. An individual who has applied in writing on a City application form for employment with the City of Columbus.

Appointment. The offer to and acceptance by a person of a position either on a regular or temporary basis.

Appointing Authority. The person or persons who are authorized to offer employment in the City's classified service. For the City Administrator, City Clerk, City Engineer, Finance Director, full-time paid firefighters, Fire ~~Lieutenant~~Captains, Fire Chief, Assistant Fire Chief, Fire Training and Safety Officer and sworn members of the police force, it shall be the Mayor and City Council. For all department heads, other than the City Clerk, City Engineer, and Finance and Library Director, it shall be the City Administrator, Mayor, and City Council. For the Library Director, it shall be the Library Board. For all other employees it shall be the City Administrator.

Chain of Command. The chain of command is the formal line of authority, communication, and responsibility within an organization. The chain of command is usually depicted on an organizational chart, which identifies the superior and subordinate relationships in the organizational structure. According to classical organization theory the organizational chart allows one to visualize the lines of authority and communication within an organizational structure and ensures clear assignment of duties and responsibilities. By utilizing the chain of command, and its visible authority relationships, the principle of unity of command is maintained. Unity of command means that each subordinate should report to one and only one superior. Unity of command is crucial to productive work schedules, the maintenance of a prioritized work schedule, and productive communications. It would therefore be expected that communications and requests for service flow both ways through chain of command.

Civil Service Employee. Civil Service employees employed by the City of Columbus shall be designated by the definition in Revised Statutes of Nebraska, Sec. 19-1829.

Compensatory Leave. Time off from work in-lieu of monetary payment of overtime worked.

Demotion. Assignment of an employee from one title to another which is a lower rate of pay and/or rank.

Department Head. A person trained to manage a specific area of City government such as Police, Library, etc. Department heads are responsible for the general operation of the department and ensuring adequate performance levels from employees. Department heads

shall have full responsibility to recommend any personnel actions in accordance with the authority delegated to them by the Appointing Authority. All actions by department heads within their department are accountable to the City Administrator.

Disciplinary Action. Action taken by a supervisor, department head, or the City Administrator whenever an employee's performance, attitude, work habits or personal conduct fall below a desirable level.

Dismissal. A type of disciplinary action which separates an employee from the City payroll.

Employee. An individual who is legally employed by the City in one of the categories listed below and is compensated through the City payroll. An employee may be defined as follows:

a) Regular, full-time. This person is expected to work an average of 30 hours per week for the 6 months during their introductory period before obtaining the regular status in their assigned classification, except in the case of firefighters and fire ~~lieutenant~~Captains whose work period shall be an average of 106 hours in a 14 consecutive day period.

b) Regular, part-time. This person may be employed on a regular schedule of less than 30 hours per week and will normally work at least 1,000 hours throughout a year.

c) Temporary and Seasonal**.** This person may be employed for any number of hours per week in positions declared to be seasonal or temporary in nature and will not normally work more than 1,500 hours per year. This person may be assigned to a classification temporarily vacated by a regular employee while on military duty or other authorized absence.

d) The Temporary employee shall not include:

Elected officials and persons appointed to fill vacancies in elective offices, members of appointive boards, commissions or committees, the City attorney, consultants, advisors, and counsel rendering temporary professional service, independent contractors, emergency employees who are hired to meet the immediate requirements of an emergency condition and volunteer personnel, and also all other personnel appointed to serve without compensation.

Employee Counseling. The act of assisting employees to become more effective on the job. Relates to employee evaluation and employee improvement.

Employee Development. The interaction of employee counseling, employee evaluation and employee improvement.

Employee Evaluation. The system of evaluating employees' performance. Relates to employee improvement and employee counseling.

Employee Improvement. All types of training and educational programs that improve the

quality of service of the employee and improve his/her chances for advancement. Relates to employee evaluation and employee counseling.

Examination. The process of testing, evaluating or investigating the fitness and qualifications of applicants and employees.

Grievance. An employee's feeling of differences, disagreements or disputes arising between an employee and their supervisor relative to some aspect of their employment, application, or interpretation of regulations and policies or some management decision affecting the employee.

Hire Date. The date upon which employment started with the City of Columbus for a specific employee. This date will be adjusted to exclude leave of absence without pay. This is the date upon which vacation accruals are based.

Immediate Family. Spouse, children, brothers and their spouse, sisters and their spouse, parents, grandparents or grandchildren. Spouse's children and parents.

Introductory Period. See policy 2.95 for definition.

Job Description. A written description of a job consisting of a title, a general statement of the level of work and of the distinguishing features of work, examples of duties and qualifications for the Job Title.

Job Title. A group of positions which are sufficiently alike in general duties and responsibilities to warrant the use of the same title, class specifications and pay range.

Lay-off. The involuntary non-disciplinary separation of an employee from a position because of shortage of work, materials, or funds.

Leave. An approved type of absence from work as provided for in this manual.

Merit/Periodic Pay Increases. A merit increase is compensation within the confines of the pay scale established in the Pay Plan. It may be granted to an employee for meritorious service and completion of minimum prescribed periods of employment in the class.

Merit Proficiency Date. This date is generally when the employee completes their first 12 months of employment. It is the date used to mark annual performance evaluations. Each year the employee should have their evaluation during the two-week pay period which contains this date, when possible. The merit proficiency date will change with any change in pay grade or unpaid leave of absence.

Military Leave, Reserve. A leave of absence for military service performed during their employment as required by applicable state or federal law. An eligible employee’s rights to reemployment after military leave will also be governed by applicable law.

Overtime. Authorized time worked by an employee for overtime work performed in accordance with Federal and State Regulations and this manual.

Promotion. Assignment of an employee from one Job Title to another which has a higher rate of pay and rank.

Reclassification. The action of changing a position by classifying it upward, downward or to a different classification on the basis of sufficient changes in the kind, development or responsibilities of work assigned to the position.

Reprimand. A form of guidance which may be oral or written, and which should be used not only to warn an employee, but also to guide, direct and instruct the employee in how to correct and avoid repeating a mistake, infraction, deficiency or problem.

Seniority. Length of continuous service with the City as a regular employee.

Sick Leave. An absence approved by the department head or supervisor due to illness or injury.

Supervisor. An individual who has the authority to undertake or recommend tangible employment decisions affecting a particular employee; or an individual who has the authority to direct a particular employee's daily work activities.

Suspension. An enforced leave of absence for disciplinary purposes or pending investigation of charges made against an employee; may be with or without pay.

Transfer. Assignment of an employee from one position to another position of a different Job Title or Work Location.

Work Day or Work Period. Scheduled number of hours an employee is required to work per day or per scheduled number of days as department policy.

Sec. 1.70 Role of Mayor and City Council.

The Mayor and City Council shall be the ultimate policy-making authority for all matters pertaining to personnel management in the City government and shall determine the numbers and kinds of positions of employment.

Sec. 1.80 Role of the City Administrator.

The City Administrator shall be responsible for the proper administration of the personnel management system by:

1. Ensuring appointments are based on merit and fitness.
2. Recommending a sound Pay Plan and position plan.
3. Equitably administering the Pay Plan.
4. Ensuring the City is an Equal Opportunity Employer.
5. Maintaining employee discipline.

6. Ensuring high employee productivity.

7. Maximizing employee development opportunities.

8. Ensuring fair and effective appeal and grievance procedures.

9. Fostering good employee relations.

10. Issuing such administrative directives as are necessary to implement these rules.

Sec. 1.90 Functions of the Human Resources Department.

The Human Resources Department performs the following functions:

1. Recruits candidates for employment.

2. Receives and initially processes employment applications.

3. Refers applicants to department in accordance with established procedures.

4. Processes appointments, separations, and other actions.

5. Develops general personnel forms.

6. Advises and assists the City Administrator and the department heads as to general personnel policies, and in individual cases ensures all laws and administrative regulations are complied with and that good personnel practices are observed.

7. Represents the City Administrator, as directed, in relationships involving personnel matters with private and governmental agencies.

8. Revises and keeps this manual up-to-date.

9. Maintains the Pay Plan and Job Descriptions.

10. Keeps the central personnel records, including records of accidents and injuries.

11. Performs other related functions as directed by the City Administrator.

Sec. 1.92 Human Resources Director.

The normal procedures for discussing concerns, or problems, will be resolved using the chain of command as provided in the Personnel Rules.

However, in instances where the concern is confidential in nature or the employees' interest might be compromised if a rigid chain of command is followed, the employee shall have the right to bring the concern directly to the Human Resources Director.

When questions or problems arise regarding issues in the workplace, employees are encouraged to

first discuss the matter with their supervisor. If they are not satisfied at this point or are uncomfortable visiting with their supervisor regarding the matter, the employee should contact their department head. If this does not resolve the matter or would prove uncomfortable, employees may always contact the Human Resources Director directly.

Sec. 1.93 Responsibility for Job References.

The Human Resources Director shall be responsible for providing job references for all past and present employees. All employees shall refer all job-related inquiries regarding references for former and current employees to the Human Resources Director.

Sec. 1.94 Role of Department Heads.

Department heads shall have full responsibility for managing their assigned personnel and for taking or recommending any personnel actions in accordance with the authority delegated to them by the City Administrator and the applicable provisions of these rules.

Sec. 1.95 Personnel Records.

The Human Resources Director shall maintain a file for each person currently employed by the City. An employee may contact the Human Resources Director to review their own personnel file. The documents in the file shall be reviewed in the Human Resources Director's office. The file or documents in the file shall not be permitted to leave that designated office. Employees do not have the right to add or delete material from their personnel files. Copies of particular documents shall be made at the request of the employee.

Sec. 1.96 Code of Employer-Employee Relations.

It is the policy of the City of Columbus to implement fair and effective personnel policies and to require all employees to serve the organization's best interests as listed below:

1. The City retains the sole right to exercise all managerial functions including, but not limited to, the right of the City to manage and supervise all operations and establish work rules, regulations, and other terms and conditions of employment; direction, assignment of work to, and arrangement of working forces, including the right to hire, promote or not promote, suspend, terminate for cause, make interdepartmental transfers, relieve employees from duty because of lack of work or other legitimate reasons; the determination of services to be provided; the determination of employee's work abilities; the location of the work sites including the establishment of new work sites and the relocation and closing of old work sites; the determination of financial policies including accounting procedures and budget control; the determination of the management organization of the department and the selection of employees for promotion, transfer, or reorganization; maintenance of discipline and control and use of City property; the subcontracting of unit work; the establishment of quality standards and judgment of workmanship required; the scheduling of operations and the time to be worked; and the right to enforce rules and regulations now in effect and which it may issue from time to time. The above detailed listing of management rights shall in no way be deemed to exclude other management prerogatives which may not have been specifically listed.

2. The City's objectives for employees include the following:

   a) To provide equal employment opportunity and treatment regardless of race, color, religion, sex, age, national origin, disability, marital status, AIDS/HIV status, genetic information or any other class protected by applicable law.

   b) To provide compensation and benefits commensurate with the work performed.

   c) To establish reasonable hours of work based on the City's service obligations.

   d) To monitor and comply with applicable federal, state, and local laws and regulations concerning employee safety.

   e) To offer employees training opportunities whereby the employee and City would mutually benefit.

   f) To be receptive to constructive suggestions which relate to the job, working conditions, or personnel policies.

   g) To establish appropriate means for employees to discuss matters of interest or concern with their immediate supervisor, department head, Human Resource Director or City Administrator.

3. The City expects all employees:

   a) To deal with citizens, suppliers, and contracting organizations in a professional manner.

   b) To perform assigned tasks in an efficient manner.

   c) To be punctual.

   d) To demonstrate a considerate, friendly, and constructive attitude toward the public and fellow employees.

   e) To adhere to the policies adopted by the City.

4. Nothing in this manual should be considered as altering the employment-at-will relationship or as creating an express or implied contract or promise concerning the policies or practices that the City has implemented or will implement in the future. (See Employment-At-Will, Sec. 1.55.) Accordingly, the City retains the rights to establish, change, and abolish its policies, practices, rules, and regulations at will, and as it sees fit at any time, with or without notice.

Sec. 1.97 Employee Educational Refund Plan.

The City of Columbus recognizes the mutual advantages to be gained when employees enroll in continuing education courses. In order to encourage this program, the City has implemented an Employee Education Refund Plan whereby the City will reimburse the employee 80% of the tuition,

books and fees, subject to the following conditions:

1. Availability of budgeted department funds.

2. Only regular fulltime employees are eligible and must have completed one continuous calendar year of employment.

3. The courses or degree work selected by the employee must be technical or professional, and related to work available in City service. Enrollment must be made with a recognized and established college, university, technical school, correspondence school, or equivalent.

4. Prior to enrolling in a class, the request must be approved by the immediate supervisor, department head, and the City Administrator.

5. Continuing education courses are voluntary and must occur while off-duty and without compensation since such training does not constitute "hours worked".

6. The course must be satisfactorily completed and receipts for tuition, books, and entrance fees and transcript must be submitted as a basis on which to compute the refund.

7. Where the employee is already receiving tuition or scholarship assistance such as VA benefits, etc., the City will make the reimbursement for education costs to the extent that the total payments received by the employee from all sources does not exceed 100% of the total course cost.

8. An employee benefit of $500 as incurred each calendar year and a $2,000 maximum benefit is allowed under this policy.

In order for training and education to be eligible for this Employee Education Refund Plan, it must meet all 4 of these factors:

1. Attendance is outside of the employee's regular work hours;

2. Attendance is voluntary;

3. The course, lecture or meeting is ~~not~~ directly related to the employee's job; and

4. The employee does not perform any productive work for the employer during such attendance.

CHAPTER TWO

METHOD OF FILLING VACANCIES

Sec. 2.05 Vacancy Identification.

Department heads shall notify the Human Resources Director as soon as they become aware of actual or impending vacancies in their organizations. No vacancy may be filled without the authorization of the City Administrator, who may specify the selection process or processes to be used.

Sec. 2.10 Promotion Policy.

A promotion is the assignment of an employee from a position in one Job Title to a position in another Job Title having a higher maximum salary. The City shall provide promotional opportunities whenever feasible. City employees may also apply and be considered for any position in the same manner as members of the general public.

Sec. 2.12 Competitive Selection.

When a competitive selection process is to be used, the City Administrator, according to the best interest of the City, may designate the selection process for applicants from any of three processes. First, the selection process may be limited to persons in the City service or a segment thereof. Secondly, the selection process may be opened to the general public without special preferences or consideration for any City employees who apply. And finally, the selection process may include both City employees and members of the general public, with City employees given preference in application and/or consideration.

Sec. 2.15 Noncompetitive Selection.

When in the best interest of the City, a noncompetitive selection process may be specified by the City Administrator. Vacancies may be noncompetitively filled with qualified persons by the following means:

1. Reinstatement of a former City employee, as described elsewhere in these rules.
2. Demotion for cause, as described elsewhere in these rules.
3. Voluntary demotion.
4. Repromotion of an employee previously demoted in lieu of layoff.
5. Lateral transfer.
6. Special employment program.

Sec. 2.17 Voluntary Demotion.

Demotion is the assignment of an employee from a position in one class to a position in another class having a lower maximum salary. Employees may be demoted at their own request if in the best

interest of the City.

Sec. 2.20 Demotion in Lieu of Layoff.

An employee may be demoted as an alternative to layoff. Such demotion may be fully or partially rescinded at any time through noncompetitive re-promotion.

Sec. 2.25 Lateral Transfer.

Lateral transfer is any assignment from one position to another not involving a promotion or demotion. A lateral transfer may be effected at an employee's request or for reasons of administrative necessity. It is highly desirable when a vacancy occurs in a department for which an employee of another department is qualified, that the employee be given an opportunity to apply for the vacancy. In appropriate circumstances, the Human Resources Director shall ensure that notices are posted in City departments and divisions soliciting applications for lateral transfer.

Sec. 2.27 Special Employment Programs.

From time to time, the City Administrator, in furtherance of legitimate public policy objectives may specify vacancies be filled with persons eligible for inclusion in particular special employment programs without regard to the provisions of this chapter concerning selection processes. Special employment programs include, but are not limited to internships, youth employment programs, work-study programs, intergovernmental mobility assignments, vocational rehabilitation programs and seasonal employees.

Sec. 2.30 Temporary Positions.

The City Administrator may authorize any fair and practical means of filling temporary or seasonal positions without regard to other provisions of this chapter concerning selection processes.

Sec. 2.35 Vacancy Announcements.

The Human Resources Director shall announce all vacancies for which a competitive selection process has been specified.

Sec. 2.37 Purpose and Design of Application Forms.

The Human Resources Director shall develop one or more general application forms for use in applying for City employment. The Human Resources Director or department heads may also develop specialized or supplemental application forms for use in appropriate circumstances. Any forms developed by department heads shall be reviewed by the Human Resource Director for technical adequacy, utility, and equal employment opportunity compliance. Application forms shall be used in making fair determinations of qualifications for employment. Information concerning non-merit factors shall only be requested as necessary to satisfy equal employment opportunity and other legal requirements. Information required only at the time of selection or appointment shall not be solicited at the time of initial application.

Sec. 2.40 Filing of Application.

Applications shall be filed with the Human Resources Director as specified in the applicable vacancy announcements. The City Administrator may authorize the acceptance of late applications, if in the best interest of the City. The Human Resources Director shall provide all reasonable assistance to persons requesting help in completing their applications. All information submitted shall be subject to verification. The City may cease accepting or processing applications at any time in accordance with operational requirements.

Sec. 2.45 Initial Processing of Application.

The Human Resources Director shall be responsible for the initial processing of employment applications as directed by the City Administrator. Should information be collected solely for equal employment opportunity purposes it shall be detached from the main body of each application upon receipt. The information shall be separately and securely filed by the Human Resources Director and shall not be used in the selection process.

Sec. 2.47 Evaluation of Qualifications.

It is the policy of the City to select, develop and promote employees based upon their individual qualifications, abilities and performance. Applicants for employment with the City will be requested to supply personal and employment references. In addition, the City reserves the right to obtain background information on applicants either before or after actual employment. Such information may include, but is not limited to, an individual's character, general reputation, mode of living, and criminal and other public record. To protect against the use of inaccurate information, the City will comply with applicable federal law in obtaining such information.

Sec. 2.50 Disqualification.

An applicant may be disqualified from further consideration at any stage of the selection process for, among other things:

1. Applicant cannot provide adequate documentation demonstrating their eligibility to work in the United States as required by federal law.

2. Applicant will not have attained their 16th birthday at the time of employment, except that a lower or higher minimum age may be established for certain temporary positions as required or permitted by state and federal law.

3. Applicant is not qualified to perform the essential functions of the position, with or without reasonable accommodation, or if such accommodation would impose an undue hardship on the City.

4. Applicant is currently engaging in the use of illegal drugs.

5. Applicant is not of good moral character to the extent that his or her job performance would be impaired or that discredit or risk would be brought upon the City by offering employment.

6. Applicant has made a false statement of material fact or has committed or attempted to commit a fraudulent, illegal, or unethical act.

Sec. 2.55 Interviews.

Selection officials shall interview applicants in competitive selection processes who on the record appear to be the best qualified for the position involved. For designated positions, a written summary of interview questions and answers shall be prepared and forwarded to the Human Resources Director for retention. Interviews shall be conducted in a consistent job-related and nondiscriminatory manner.

Sec. 2.57 Documentation and Notification.

The Human Resources Director shall devise necessary forms and procedures pertaining to the selection process. Disqualification and selection decisions shall be thoroughly documented by the responsible officials. The Human Resources Director shall be responsible for conducting reference checks of successful applicants. The Human Resources Director shall also respond to any written requests from applicants concerning the reasons for their disqualification or non-selection.

Sec. 2.60 Employment of Relatives.

Two or more members of the same immediate family shall not be allowed to supervise each other or to do work under the same immediate supervisor except in emergencies. They may be employed in different units of the same department or in different departments. Should two present employees become immediate family through marriage, both employees may retain employment, however, City Administration retains the right and responsibility to transfer either one of the related employees for the purpose of maintaining the best interest of the City of Columbus. Summer only employees may be exempt from this policy if the department head specifically approves the hiring. The hiring of an immediate family member of a supervisor or department head must be approved by the City Administrator.

Sec. 2.65 Types of Appointment.

Appointments of employees to positions under these rules shall be of the following types:

1. Training appointments.

2. Regular appointments. Upon the satisfactory completion of the introductory period, employees are granted regular appointments.

3. Temporary appointments to replace regular employees. Employees may be given temporary appointments, which are limited to no more than one (1) year. Employees who are hired to temporarily fill a position vacated by a regular employee who is on authorized leave, shall, after 90 calendar days of employment, be entitled to sick and holiday leave on the same basis as a regular employee. In addition, should such employee receive an offer of employment to a regular position with the City, while still serving as a temporary employee, they will receive vacation and sick leave credit from the date of their appointment as a temporary employee.

Positions may be full or part-time, and may be occupied by employees under any of the three types of appointments.

Sec. 2.66 Nondiscrimination Against and Accommodation of Individuals with Disabilities.

The City complies with applicable federal, state and local laws providing for nondiscrimination in employment against qualified individuals with disabilities. The City also provides reasonable accommodation for such individuals in accordance with these laws.

It is the City's policy to:

1. Ensure that qualified individuals with disabilities are treated in a nondiscriminatory manner in the pre-employment process and that employees with disabilities are treated in a nondiscriminatory manner in all terms, conditions, and privileges of employment.

2. Administer medical examinations: (a) to applicants only after conditional offers of employment have been extended; and (b) to employees for business necessity.

3. Keep all medical-related information as confidential as possible and retain such information in separate confidential files.

4. Provide applicants and employees with disabilities with reasonable accommodation, except where such an accommodation would impose an undue hardship on the City.

Qualified individuals with disabilities should make requests for reasonable accommodation to the City's Human Resources Director. On receipt of an accommodation request, the Human Resources Director will meet with the requesting individual to discuss and identify the precise limitations resulting from the disability and the potential accommodation that the City might make to help overcome those limitations. The Human Resources Director and City Administrator, in conjunction with those City officials and employees having a need to know, will determine the feasibility of the requested accommodation.

Sec. 2.67 Equal Employment Opportunity.

It is the policy of the City to provide equal employment opportunity to all employees and applicants for employment. No person is to be discriminated against in employment because of race, color, religion, sex, age, national origin, disability, marital status, AIDS/HIV status, genetic information or any other class protected by applicable law.

1. This policy is applicable to all terms, conditions, and privileges of employment including, but not limited to hiring, introductory period, training, placement and employee development, promotion, transfer, compensation, benefits, educational assistance, layoff and recall, social and recreational programs, employee facilities, termination, and retirement.

2. The Human Resources Director, who reports directly to the City Administrator on matters relating to this policy, is responsible for formulating, implementing, coordinating, and monitoring all efforts in the area of equal employment opportunity. The Human Resources

Director duties may include, but are not necessarily limited to:

a) Assisting management in collecting and analyzing employment data.

b) Developing policy statements, and recruitment techniques designed to comply with the equal employment policies of the City.

c) Complying with various statutory record keeping and notice requirements in order to ensure full compliance with all employment-related statutes and regulations.

d) Assisting supervisory personnel in arriving at solutions to specific personnel problems.

e) Serving as liaison between the City and government agencies, minority organizations, and other community groups.

f) Keeping City management informed of the latest developments in the entire equal employment opportunity area.

3. Any communication from an applicant for employment, an employee, a government agency, or an attorney concerning any equal employment opportunity matter is to be immediately referred to the Human Resources Director.

4. Employees who feel they are being discriminated against should bring the matter to the attention of their supervisor. If this proves unsatisfactory or the employee is uncomfortable visiting with their supervisor regarding the matter, the employee should contact their department head. If this does not resolve the matter or this would prove uncomfortable, the employee may always contact the Human Resources Director directly or City Administrator.

Sec. 2.80 Minimum Age.

No applicant for employment shall be considered who is less than ~~16~~ 15 ~~-~~years of age, and 15,16 and 17 year-olds shall not be considered eligible for any Job Title that requires the operation of a motor vehicle on public roadways.

Sec. 2.90 Processing and Orientation.

New and reinstated employees shall report to the Human Resources Director as directed for completion of personnel and payroll forms and for a general orientation to the City government, the Personnel Management System, and the City policy of Equal Employment Opportunity. Department heads or their designee shall provide further orientation on such matters as the introductory period, employee rights and responsibilities, assigned duties, level of performance expected, organizational structure and interrelationships, hours of work, safety, and availability of these rules and any applicable supplemental personnel regulations. Each regular employee will be issued a City personnel manual. Those departments who hire temporary and seasonal employees shall have a spare personnel manual available to these workers and shall make time for a review of the manual as a part of department orientation for their temporary and seasonal employees. After this review the employee

shall sign an acknowledgement form to be filed in their employee file. Employees should be made to feel welcome and should be especially encouraged to ask questions during their first days of employment.

Sec. 2.95 Introductory Period.

Every employee, except Police Officers & Fire Fighters, including part-time, seasonal, and temporary employees, shall have an introductory period of the first 6 months of work. Police Officers' and Fire Fighters shall have an introductory period of one year. Police Officers one year introductory period begins after the employee has received certification by the Nebraska Law Enforcement Training Center.

The purpose of the introductory period is to permit the supervisors and department heads to closely observe and evaluate the capabilities and willingness of the new employee. During this time, supervisors shall encourage and assist the new employee in making a successful adjustment to the job. Only those employees who meet an acceptable standard of work during the introductory period will be retained. An employee may be dismissed at any time during the introductory period if, in the judgment of the immediate supervisor and department head, the quality of work or the employee's manner or approach to the work do not warrant continuation of employment. The successful completion of the introductory period should not be considered a guarantee of employment of any specific duration.

The department head may extend the introductory period for a period of three months except in the case of Police Officers and Fire Fighters.

Employees promoted within the City service shall be in introductory training for their first six months. During that time the department head may cancel the promotion and assign the employee to the former or a similar position. As with all regular employees who successfully complete their introductory period, promoted employees shall not automatically receive a pay increase because of the satisfactory completion of their introductory period.

CHAPTER THREE

SALARY ADMINISTRATION

Sec. 3.10 Pay Plan.

It is the policy of the City to have a formal Pay Plan that is reviewed at least annually. Each job in the City, whether occupied, vacant, temporary, full-time or part-time shall have a job description outlining duties, responsibilities, and minimum job qualifications.

Sec. 3.20 Pay Grades.

Each position or job is evaluated and assigned a pay grade based on internal equity and competitive pay rates, keeping in mind the City's overall financial position.

Sec. 3.30 Salary Survey.

It shall be the policy of the City insofar as economically possible to remain continually competitive in compensation compared to similar sized cities in the state.

To that end, it shall be the responsibility of the City Administrator to annually review the Pay Plan, taking into account changes in economic conditions, as well as salary trends in similar sized communities and in the local wage market. On the basis of such review, the Administrator shall make recommendations as appropriate to the City Council for changes in the Pay Plan. The City Administrator is authorized to grant pay changes to avoid inequities.

Sec. 3.40 Starting Pay.

New employees shall normally start work at the minimum of the pay grades to which their positions are allocated if they possess the minimum qualifications for that position.

A candidate for employment having exceptionally good qualifications for the position may be employed initially at a rate higher than the minimum rate; provided the department head and City Administrator approve.

Sec. 3.50 Promotion.

When an employee is promoted from a position in a lower pay grade to a position in a higher pay grade, the pay of the employee shall be increased as follows:

1. To the first step of the higher grade.

2. If their present pay exceeds the first step of the new grade, to a step of the new grade which is higher than their present salary.

The applicable alternative shall be that which gives the employee an increase in pay.

If the employee is promoted to a higher grade, the employee shall be eligible for a periodic merit pay increase annually on the anniversary date of the promotion.

Sec. 3.60 Reclassification to Lower Pay Grade.

If an employee is demoted, either voluntarily or involuntarily, the employee's rate of pay shall be determined as follows:

1. If the rate of pay in the higher grade position is more than the maximum rate of pay for the position to which demoted, the rate of pay shall be reduced to the maximum rate of pay of the lower position.

2. If the rate of pay in the higher grade position falls within the range of the pay grade for the position to which demoted, the rate of pay shall be placed on the next closest step down in the lower pay grade.

3. The City Administrator may vary the strict application of (1.) and (2.) in any case when such strict application would result in practical difficulties or unnecessary hardship.

Sec. 3.70 Periodic Pay Increases.

Employees shall become eligible for pay increases in the Pay Plan on the annual anniversary dates of their employment or annually on the date of most recent promotion. The supervisor is to evaluate the employee's performance and rate the employee and make a recommendation. No pay increases (including pay step increases and adjustments to the pay steps themselves) will be implemented unless there is a current satisfactory appraisal on file.

If the employee is not at the top of their pay grade, the supervisor may initiate a periodic pay increase at the anniversary date on which the employee becomes eligible or it may be recommended later. The recommendation shall be transmitted through the department head to the Human Resources Director. The department head and/or City Administrator may reject or modify the supervisor’s recommendation.

It is the duty of the department heads and supervisors to identify outstanding workers and to recommend to the City Administrator that they be granted special pay increases. Such increases may be used to reward an employee for acquiring a special job certification.

Department heads shall avoid circumstances whereby a special pay increase is recommended to prevent a valuable employee from seeking employment elsewhere. Merit and ability should be recognized voluntarily by the supervisor, not under threat of resignation.

Sec. 3.80 Benefits.

The cash pay of employees by no means constitutes their total pay since employees receive a number of benefits in-kind which have substantial value. Depending on an employee’s status, these benefits could include the following items described here in summary:

Benefit Title	Description	Who Qualifies	Who Pays for It
Call-Back Pay	A minimum payment of 2 hours of overtime pay when called back to work during an emergency.	All regular employees	City
Coffee Breaks	Employee working an eight-hour shift normally receives two 15 minute coffee breaks. As a full-time employee, break periods in a week add up to the equivalent of 2 ½ hours of paid break time.	All employees	City
Compassionate Leave	Up to 24 working hours of paid leave for a death or serious injury of an immediate family member or similar personal problem upon approval of department head.	All regular employees	City
Compensatory Leave	Employee may bank time off at a rate of 1 ½ times the number of hours worked in lieu of overtime pay.	All regular employees	City
Deferred Compensation	Employees can deduct pretax dollars from their gross pay into an approved deferred compensation program.	All regular employees	Employee
Dental Coverage	Pays usual & customary charges.	All regular employees working 30 hours or more a week	City and/or Employee
Vision Coverage	Employee Pays flat rates for different coverages (exam, glasses, contacts, etc.)	All regular employees working 30 hours or more a week	Employee
Flexible Spending	Employees may use pretax dollars to fund expenses such as childcare, and unreimbursed medical expenses.	All regular employees working 30 hours or more a week	
Health Coverage	A comprehensive major medical program.	All regular employees working 30 hours or more a week	City and Employee
Holiday Pay	The City recognizes 10 holidays. Most eligible employees receive holidays off with pay. Regular employees working on a holiday receive regular pay plus overtime pay for all hours worked during the holiday.	All regular employees	City
Job Posting	Opportunity to be considered for posted positions.	All employees	City
Life Insurance	City pays for group term life insurance for regular 30 hour employees. Optional supplemental life is also available through payroll deduction.	All regular employees working 30 hours or more a week	City
Long Term Disability Coverage	An income protections plan that pays covered employees 60% of their gross pay	All regular employees working	City

	after having been disabled 180 days for a qualifying condition.	30 hours or more a week	
Military Leave	Pay for approved time away up to the allowed hours per USERRA (Uniformed Services Employment and Reemployment Rights Act)	All employees	City
Pension	Matching contribution program to provide an employee with pension benefits at retirement Current match City 6% and employee 6%. Police officers and firefighters contribute to their pension plans as mandated by Nebraska law.	Regular employees meeting hours and age requirements	City and Employee
Sick Leave	Employees accumulate one sick day per month that can be used when ill, up to a maximum of six month's worth of work hours.	All regular employees working 20 hours or more a week	City
Vacation	Full-time regular employee receives 10 days after 1 year; 15 days after 5~~6~~ years; and 20 days after 15 years. Part-time regular employees' vacation time is prorated based on hours worked.	All regular employees working 20 hours or more a week	City
YMCA	Discounted membership rate available with payroll deduction.	All regular employees working 20 hours or more a week	Employee

Sec. 3.85 Pay Periods.

The pay period shall be a period of two weeks, beginning with the 12:01 a.m. Sunday shift and ending with the last p.m. shift on Saturday.

Pay will be issued biweekly on Friday following the end of a pay period. If a bank holiday falls on a Friday payday, an attempt will be made to issue pay one day early. If a City holiday and not a bank holiday, falls on a Friday payday, pay will be issued Friday.

Terminating employees will receive their final pay on the next regular payday when the pay would normally be due. Terminating employees should make arrangements with their supervisor concerning their final pay.

Sec. 3.90 Bi-Weekly Payroll Processing.

Employee status changes and salary adjustments are to be forwarded to the Human Resources Director for review and City Administrator's approval on the Wednesday before pay week.

Employees should have their signed timesheets completed and forwarded to their supervisor on or before their last day of work in each time period. Timesheets should be delivered to the Finance Department by 9 a.m. each Monday of each pay week.

The City may make payments for wages and reimbursable expenses by electronic funds transfer or similar means of direct deposit.

~~The City Clerk's Office will distribute pay stubs to department heads or their designees after 8 a.m. on each payday.~~

Sec. 3.96 Employee Recognition.

Department heads and supervisors have a duty to identify and recognize outstanding performance by employees. The Municipal Recognition Program is the procedure for the granting of awards. A copy of the Municipal Recognition Program is available from the Human Resources Department.

Sec. 3.97 Payroll Deductions and Reductions.

Generally, a difference exists between "gross earnings" and your "take-home pay" otherwise known as your "net earnings". Two reasons account for that difference: deductions required by federal and state government, and voluntary deductions authorized by the employee. All such deductions are shown on your pay stub.

1. Automatic Deductions

    a) Federal and State withholding tax:
    Amounts withheld for taxes are based on your earnings, marital status and the number of exemptions claimed. Nebraska employees will complete a W-4 form known as the Employee's Withholding Exemption Certificate for both federal and state taxes. Federal and State tax deductions are done in accordance with law and the money deducted from your pay is remitted to the government as required.

    b) Social Security & Medicare (FICA – Federal Insurance Contribution Act):
    Each employee of the City, as required by law is to participate in this program. It is designed to provide retirement, disability, medical, and death benefits. Deductions are made at a rate established by law.

2. Other Required Deductions

    a) In some cases, additional required deductions may include court ordered wage garnishments, wage assignments, third party levies, and income-withholding orders (child or spousal support) levied against an employee's pay. Under the federal Child Support Enforcement Act of 1984, income-withholding orders for child support take priority over all other wage withholding orders.

    b) While it is not the intent of the City to become involved in the personal affairs of its employees, we are required to follow court ordered deductions from pay. The employee will be notified by the Finance Department upon receipt of the court order. The Finance Department is responsible for computing the dollar amount legally allowed to be withheld from the employee's check. Employees may need to complete a form indicating dependents.

3. "Dock in Pay" Deductions

a) A dock in pay will occur when a request for leave time exceeds the leave balances available. Currently, when sick pay is requested, and no sick leave balance exists, the City will reduce vacation or compensatory time, if available. If vacation or compensatory pay is requested, and no leave is available, then a dock in pay may occur. As well, if sick pay is requested, and no other leave is available, a dock in pay may also occur.

b) Non-Exempt Employees: Non-exempt employees are defined by the hours they work. Therefore, when all leave balances are exhausted the system will automatically create a dock in pay for the pay period in which the request exceeds the leave balance.

c) Exempt Employees: Since exempt employees are not paid based on hours worked, there are certain rules pertaining to an institution's ability to dock pay for use of leave above and beyond the balance available. For example, the City may make deductions when an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability. Also, the City may make deductions from pay for absences of one or more full days occasioned by sickness or disability if the exempt employee has exhausted his or her leave allowance under other City leave plans, such as vacation and sick leave.

d) The City prohibits improper pay deductions for exempt status employees leaves. To insure that exempt employees are not put in exempt status jeopardy because of an improper deduction for leave, an employee should notify the Human Resources Department if they believe an improper deduction for absence has been made. If the deduction is found to be improper, the City will reimburse the employee's paycheck for the amount deducted.

4. Voluntary Deductions or Reductions

These deductions must be authorized by the employee, by completing and signing the appropriate form and bringing it into the Finance Department. These deductions remain in effect until the employee notifies the Human Resources Department or the Finance Department in writing of the change, or the Human Resources Department notifies the employee that a new enrollment is necessary.

Deductions may include a variety of approved contributions or payments.

Reductions include pension and deferred compensation contributions, flexible spending contributions, and health and dental premiums.

5. Deductions from Final Paycheck

Upon termination of employment for any reason all employees are required to return City materials, property and equipment issued to the employee and to pay the City any money the employee may owe the City. Otherwise, the City may withhold corresponding

amounts from the employee's final paycheck as authorized in the Acknowledgement Form to this handbook.

CHAPTER FOUR

HOURS OF WORK AND OVERTIME

Sec. 4.10 Hours of Work.

Department heads shall establish working schedules to meet their special need, provided that no schedule with ~~eight hour~~eight-hour shifts shall under normal circumstances call for more than 40 hours a week.

Sec. 4.15 Travel Time.

The following guidelines shall be used in determining if travel time is to be considered as work time:

1. Home-to-work travel is not counted as hours worked.

2. Travel to and from work in emergency situations is counted as hours worked.

3. Time spent traveling to and from other cities on required assignment is counted as hours worked. Travel and work that extends over a 24 hour period, such as a multi-day educational seminar held outside of Columbus, requires a Travel Request form to be given to the department head for written approval.

4. Travel that is all-in-a-day's work is counted as work time.

Sec. 4.20 Overtime.

If requested to work overtime, an employee will be expected to do so unless the employee is excused for good cause.

Except for "exempt" employees, who do not qualify for overtime, overtime hours are based on hours worked in excess of 40 hours in a normal work week. For the purpose of determining overtime, only the following hours are counted towards hours worked: vacation, holiday, procedural and administrative leave except for Firefighters and Fire ~~Lieutenant~~Captains. All other hours are not considered hours works for the purpose of calculating overtime. For Firefighters and ~~Lieutenant~~Captains the overtime rate is applied to all hours worked over 106 hours in a ~~14 day~~14-day work cycle. For Police Officers and Sergeants working ~~12 hour~~12-hour shifts, overtime is computed on a 14 day work cycle.

Overtime pay at the rate of one and one-half times the regular hourly rate of pay shall be paid as follows regardless of whether 40 worked hours accrued in the pay period:

1. For all time worked as a result of being called back to work on a regular work day or a scheduled day off, during an emergency such as snow removal, fire or official court appearance. In such cases the employee will receive a minimum of two hours overtime pay or one and one-half times the regular rate of pay for the actual hours worked, whichever is greater. However, an employee asked to return for an emergency callback cannot claim a second period of two (2) hours of emergency callback pay while they are

still being paid for the first two (2) hour period.

2. To an employee who is required to work during the time period a holiday is observed for the time worked during the ~~24 hour~~24-hour holiday period (not applicable to Firefighters and ~~Lieutenant~~Captains).

When budgetary restraints are compelling, department heads may order employees off the job before the end of the work week to avoid payment of overtime compensation.

Overtime hours must have the approval of the department head and should be approved in advance whenever possible. This applies only to overtime of non-exempt employees. Approval shall be indicated by the department head initialing the employee's time sheet. In-lieu of pay for overtime under (1) and (2), an employee may be granted compensatory time upon approval of the department head (see 4.30).

Sec. 4.25 Carrying a Pager or Other Electronic Device.

Carrying an electronic device while off duty does not constitute hours worked. These devices allow employees to effectively use the time for their own purposes and, consequently, such time is not compensable. However, the City expects that employees will refrain from consuming alcoholic beverages and a response time of 30 minutes while being required to carry these devices. When carrying an electronic device results in frequent "call ins", a pager benefit payment in addition to hours worked compensation will be studied. In unusual or emergency circumstances the City Administrator may authorize a temporary benefit in lieu of normal study. In the Streets Department during the winter season and in the Sanitary Sewer, Wastewater Treatment, and Water Departments, a 'Call Pay Fee' of one and one half (1½) hours has been implemented for each 24 hour period of being on call. Salaried employees can become eligible for pager compensation. For example, Police Captains receive $200 a month. When a substantial amount of the minutes of an employee's personal cell phone is being spent answering City related calls, a $10 monthly cell phone stipend may be implemented. As telecommuting situations occur, employees may be reimbursed for documented hours worked.

Sec. 4.30 Compensatory Time.

At the option of the department head, employees may be granted compensatory time off with pay in-lieu of pay for hours worked. If hours worked are eligible for overtime pay, 1.5 hours will accrue for each overtime hour worked. If the hours over 40 hours in a week are not eligible for overtime, one hour will be banked for each hour worked. Should the employees accrue over 240 hours of compensatory time, the overage will be automatically paid out with the next pay check. Any employee having accrued compensatory time may, upon termination of employment, be paid for such hours of unused compensatory time, not to exceed 240 hours, at a rate of compensation not less than the average regular rate received by the employee during the last three years of employment or the final regular rate whichever is greater. Compensatory pay will be paid out in a lump sum at separation.

Sec. 4.31 Shift Differential.

A 50 cent an hour differential credit will be paid to covered employees who are required to work between 6 p.m. and 6 a.m. The Fire Department is exempted from this benefit due to their unique

work schedule.

Sec. 4.40 Exempt Employees.

Department heads, certain supervisors, and other employees designated by the City Administrator shall not be paid overtime for hours worked in excess of 40 hours per week. Exempt employees are expected to work whatever hours are necessary to complete their work and average at least 40 hours per week. Requests for extended time off will be reviewed by the City Administrator. The exempt positions are as follows:

City Administrator
City Clerk
City Engineer
Communications Director
~~Community Development~~Chief Building and Code Official~~ Director~~
Finance Director/City Treasurer
Fire Chief
Park & Recreation Director
Golf Course Superintendent
Human Resource Director
Library Director
Police Captain
Police Chief
Public Property Director
Public Works Director

Deductions from pay of exempt employees may be made for disciplinary suspensions of one or more full days imposed for violation of major safety rules or workplace conduct rules.

Sec. 4.45 Volunteer Time.

Volunteer time is any time spent working on a project or task which may be City-related but is entirely voluntary and not required by the department head nor directly related to their position with the City. Such time is not compensable, and any injuries or illnesses occurring during such volunteer time shall not be considered work-related for workers' compensation purposes. Work performed by an employee on a volunteer basis is not compensable.

Sec. 4.50 Break Periods

While there are no federal or state laws requiring a paid break period in addition to a lunch break, it is the policy of the City to provide employees with a paid rest period from their normal duties.

1. One ~~15 minute~~15-minute break period may be permitted during each four hours of work or as approved by the department head to accommodate department work schedules.

2. Break periods should be scheduled by department heads or supervisors so services rendered by the department are not interrupted.

3. Break periods should not be scheduled shortly after an employee reports for work or shortly before an employee's shift ends. However, a break period twice a day is not an employee right. Work flow problems may make it impossible on occasions to provide a break in a given ~~four hour~~four-hour period of work.

Sec. 4.70 Disaster Policy.

If Columbus should be struck by a tornado, flood, earthquake, severe wind storm, a major hazardous material incident, or other disaster, all regularly scheduled off duty employees are required to report to their work place, for regularly scheduled work shifts, in person if possible, otherwise by telephone, unless otherwise notified by a supervisor. If the employee is not needed, s/he will be released to go home. Persons suffering personal injury to themselves or members of their household or loss of property during the disaster are not normally expected to report to their work but should report to their supervisor or department head daily or as directed by management.

CHAPTER FIVE

LEAVE BENEFITS

Sec. 5.00 Vacation.

The vacation benefit is to provide all regular employees with a paid leave for personal use as recognition for past services.

Regular full-time and regular part-time employees who are scheduled at least 20 hours a week are eligible to start using vacation hours ~~after completion of 12 months of employment~~after the first payroll has been processed and leave hours have been accrued.

Regular full-time employees shall be granted vacations based at the following accrual rate:

1. 80 hours paid vacation after one (1) full year of continuous employment.

2. 120 hours paid vacation after~~at six~~ five (5~~6~~) full years of continuous employment.

3. 160 hours paid vacation after~~at~~ fifteen (15) full years of continuous employment.

The vacation accrual rate for regular part-time employees who are designated as being on a 20-~~-~~hour or more classification will have the same vacation accrual rate per hour worked as a regular full-time 40-hour employee with the same years of experience. For example:

> A full-time ~~40 hour~~40-hour employee accrues 80 vacation hours at the end of the first year of employment based on working 2080 hours in a year. This is an accrual rate of .0385 of an hour of vacation accrual for every hour worked. If a regular part-time 20 hour a week employee works a total of 1040 hours the first year, the employee will accrue 40 hours of vacation. If the employee works 1200 hours, the employee will accrue 46.2 hours of vacation in a year.

Arrangements for vacation time and approval by the department head or their designee should be made at least four weeks in advance whenever possible. A department head may ask that a written vacation request be turned in so they can be pre-approved. Whenever a conflict arises in scheduling employees for vacation, seniority will be an important consideration in resolving the issue.

Employees may carry up to two years of accrual based on their current employment status. However, any accrual of more than two years will be removed from the records. Vacation accrual shall continue until separation of employment; however, no accrual shall occur on the last paycheck. Having several weeks of vacation accrual does not guarantee an employee the right to use it in a single period of time. Vacation time is to be worked into the department schedule and the maintenance of City service is the first priority. Fire ~~Lieutenant~~Captains shall accrue vacation leave at the rate stated in the Firefighter contract. Since Firefighters and ~~Lieutenant~~Captains receive a designated holiday benefit regardless of hours scheduled on a holiday, paid vacation may be used to replace scheduled work hours on an observed holiday.

Pay in lieu of vacation for full-time 40-hour employees is not permissible. The only exception to this

policy would be at the City's request and only upon the approval of the City Administrator. Vacation leave will not accrue while an employee is on a leave of absence without pay. If a holiday occurs during the time an employee is on vacation leave, the employee will not be charged a vacation day for the holiday.

At the time of separation, the employee will be paid for all unused accrued vacation leave up to the maximum amount which can be accrued. This accrued vacation pay ~~can~~ will be paid out in a lump sum at separation, or can be paid out biweekly until the end of the month of separation in order to maintain health and dental coverage. All insurance coverages end at the last day of the month in which the employee's last day of work occurs.

Vacation pay will not be paid in advance but will be included in the payroll period which includes the vacation period.

Because we recognize the importance of providing our employees with time off for rest, recreation, to recuperate from an illness, to attend family and other personal activities or for whatever purpose our employees deem appropriate, the City grants annual vacation to eligible exempt and non-exempt regular, full-time employees. Regular full-time employees become eligible for vacation ~~upon the successful completion of their Introductory Period~~as soon as the hours are accrued. The amount of vacation to which you are entitled depends upon your length of service with the City. Once a regular full-time employee becomes eligible, vacation becomes available based on your length of service with the City according to the schedule below and subject to certain employment conditions.

Employees shall accrue vacation each year as follows:

Years of Service With City	***Annual vacation Accrual***	***Vacation Accrual Per Pay Period***	***Maximum Vacation Allowed In Employee's Vacation Bank***
~~After completion of Introductory Period~~Day 1-5 years	80 hrs.	3.08 hours per pay period	160 hrs.
After ~~5~~6 years-1~~5~~4 years	120 hrs.	4.61 hours per pay period	240 hrs.
After 15 years+	160 hrs.	6.15 hours per pay period	320 hrs.

Once an employee has reached the maximum vacation accrual, the employee will not accrue additional vacation until the employee uses some vacation time so as to fall below the maximum accrual limit.

Whenever possible, we ask that all requests to use vacation and changes to those requests be made as far in advance as is possible. Shorter notice may be allowed in cases of emergency, with notification to your supervisor as soon as practicable. The earliest requests and/or changes in advance of the

specific day requested will be given priority in determining which requests can be granted based on work requirements and citizen demands. In the event that multiple requests are turned in at the same time and production needs can't accommodate them all, the City Administrator reserves the right to determine which requests will be granted so as to accommodate the needs of the City.

Time taken as vacation does count towards hours worked for overtime purposes.

The purpose of vacation is to give you a chance to rest, relax and spend time on activities other than work. Therefore, you may not take your paid time off benefit as extra pay in lieu of time off. Upon separation, you will be paid accrued but unused vacation. Accrued vacation may not be used after a notice of termination has been given.

Sec. 5.20 Sick Leave.

The sick leave benefit was instituted to provide continued earnings to eligible employees during short spells of illness or injury. Regular employees who are scheduled for 20 hours a week or more are eligible for sick leave benefits based on hours worked. The maximum accrual is prorated based on the employee status.

Full-time 40-hour employees accumulate sick leave benefits at the rate of eight hours per month up to a maximum 1,040 hours which is approximately six months of paid work time. Once an employee has accumulated 1,040 hours of sick leave it will not accumulate further. So, for example, if an employee has accumulated 1,040 hours of sick leave and is sick or injured for five ~~8 hour~~8-hour days, the accumulated sick leave would be lowered 40 hours until such a time as the employee builds up their accumulation again. Fire ~~Lieutenant~~Captains shall accrue sick leave at the rate and maintain the same accrual as stated in the Firefighter contract.

Sick leave is basically an "insuring" benefit. However, employees will be paid 25% of the accumulated sick leave benefit at retirement if they have at least 15 years of service and are age 55 or older. Employees will be paid 50% of the accumulated sick leave benefit at retirement if they have at least 20 years of service and are age 55 or older. If an employee dies with hours remaining in the sick leave account, 100% of this accumulation will be paid to the same beneficiary as is named in the City life insurance policy records for that employee.

Regular full-time and regular part-time employees who are scheduled at least 20 hours a week are eligible to start using sick hours after the first payroll has been processed and the leave hours have been accrued.

~~Employees will not be paid for sick leave during the first six consecutive months of qualified employment. However, benefits will be accumulating at the prorated rate from the date of employment if the months of employment are consecutive qualified employment.~~

Absence due to illness or injury must be reported to the department head or immediate supervisor as soon as possible. Failure to report the absence before the hour of duty may result in loss of sick leave pay. Absence due to illness or injury must be reported each day, unless the employee and department head have personally agreed to more extended periods of time. If an employee is absent without permission and is not in fact ill, the supervisor may cause a deduction in pay to be made from the employee's next paycheck for the number of hours absent from work.

Administration or department heads may request a physician's certification of illness from an employee for any sick leave, regardless of duration.

Abuse of sick leave benefits will result in disciplinary action and may be grounds for termination.

An employee may take sick leave: for illness of a member of the employee's immediate family, including dependents, that require the employee's personal care and attention in the judgment of the department head; enforced quarantine of the employee in accordance with community health regulations; a visit to a medical professional such as a doctor, dentist, or optometrist. Such appointments shall be scheduled in cooperation with the supervisor.

Sick leave benefits will not generally be paid for illnesses which occur during a scheduled vacation or scheduled days off. If an employee has an emergency inpatient hospitalization during a scheduled vacation the department head may grant the use of sick leave. If a holiday occurs during a period of illness the employee will receive holiday pay for that day in lieu of sick leave. Because of the unique holiday payment for Fire ~~Lieutenant~~Captains and Firefighters, it may be possible to receive payment of sick leave during scheduled holiday work hours with the approval of the Fire Chief.

Sick Leave Bank

The purpose of the City of Columbus Sick Leave Bank is to provide additional paid leave for regular employees or the employee's spouse or resident minor children who have exhausted their accrued sick, vacation and compensatory leave benefits as the result of a catastrophic illness or injury. The Bank serves as a depository into which participating employees may voluntarily contribute leave for allocation to other participating employees. The purpose of the bank is not to provide unlimited paid sick leave for any medical reason but to alleviate the hardship caused when employees lose compensation as the result of a catastrophic illness or injury.

In the event a regular employee is diagnosed, or the employee's spouse or resident minor children are diagnosed with a severe illness that results in prolonged absences, use of the Sick Leave Bank may be requested. A request to utilize the Bank will be made to the department head and with the approval of the City Administrator.

Establishment of the Sick Leave Bank

The bank will be established through the voluntary contribution of one leave day by active full-time employees during an initial enrollment period. Contributing a leave day establishes membership in the Bank and eligibility to apply for withdrawal from the Bank.

Once the Bank has been established, an open enrollment period will be held annually during the month of September. During the enrollment period, any eligible employee may join the Bank for the following fiscal year by contributing one leave day. In order to remain a member in good standing, current Bank members must voluntarily make an annual contribution of one leave day each September at the time of initial enrollment. Should the Bank reach a balance of forty-five (45) or fewer available days, a special contribution period may be opened. If any days remain in the Bank at the end of the fiscal year, they will be carried over to the next fiscal year.

The program will be operated under the following additional guidelines:

1. Eligibility is discontinued upon termination of employment, retirement, death, or failure to donate a leave day the following fiscal year(s). No payment of benefits will be made to survivors.

2. Membership continues from year-to-year with annual reduction in one leave day until/unless the member submits a revocation form to discontinue membership to Human Resources. The Human Resources Director will notify all employees at least one month prior to the new term.

3. Employees must waive all claims to leave voluntarily donated sick leave in the Bank, including any monetary or retirement-related value the days may hold.

4. The Bank is available to those employees who have completely exhausted all sick, vacation and compensatory leave and who are not receiving disability or Worker's Compensation.

5. Employees joining the Bank must have eighty (80) leave hours remaining after making a donation.

6. Employees who wish to voluntarily participate in the Sick Leave Bank must sign a statement accepting these terms of the Bank.

7. Employees may not designate a particular individual to receive or to not receive their donated leave.

8. A request to utilize the Bank may be denied if the member fails to provide any requested documentation.

9. The Bank will be administered in accordance with the Americans with Disabilities Act and Family and Medical Leave Act requirements.

10. The maximum amount of donated sick leave any employee can receive shall be 960 hours.

Sec. 5.21 Accrual of Vacation and Sick Time While Not Working

Employees that are eligible to accrue vacation and sick hours; in order to accrue vacation and sick time, you must have working hours, sick, vacation or comp time hours equal to normal weekly hours for each week during the pay period. If hours work, vacation, sick and comp time hours do not equal the same number of regular hours worked, no paid time off (sick and vacation) will be accrued (excludes Fire and Police).

Sec. 5.30 Administrative Leave.

Department heads may make requests for employees paid administrative leave to the City Administrator, if approved, such leave will not be chargeable to vacation leave under the following circumstances:

1. With department head approval, employees who are members of Civil Defense, Volunteer

Fire Department or are assisting with preparation, response, cleanup from a disaster, or are put on procedural administrative leave may qualify for administrative leave during scheduled work hours without loss of pay.

2. In the event of the death of a current or former City official or employee, employees may receive approved administrative leave time to attend the funeral provided adequate staffing can be maintained for the functioning of all City departments.

Sec. 5.31 Jury Duty/Witness Leave.

In the event an employee is summoned to jury duty, the employee must notify his or her supervisor immediately after receiving such notification. If the employee is required to serve jury duty and this interferes with their regularly scheduled work day, the employee will not suffer loss of earnings. However, the employee must promptly turn over all jury pay to the City. Mileage payment for travel during jury duty is not considered a part of jury duty pay.

An employee must report for work on any day they are not assigned to jury duty and must report for work immediately upon the conclusion of their jury service. If approved by the supervisor, an employee may start their shift earlier than normal or finish their shift later in order to facilitate workflow.

An employee called to be a witness in a court or administrative proceeding is entitled to receive their regular rate of pay for time spent as a witness for those matters arising out of and related to the performance of their official duties for the City. However, the employee must promptly turn over all witness fees to the City. Paid witness leave is not available for time spent as an expert witness, for matters relating to any disciplinary or other action against the employee, or for matters that did not arise out of or are not related to the performance of the employee's official duties for the City. All decisions regarding witness leave shall be resolved at the sole discretion of the City Administrator.

Sec. 5.32 Voting Time.

Any employee whose work schedule conflicts with the opening and closing hours of the polls will be given time off to vote. The employee must request the leave of absence for voting prior to or on election day and the supervisor may specify the period of absence.

Sec. 5.35 Election Work.

If service as an election official is required by state statute as it is for jury duty, working as an election official is considered to be a public duty. The check you receive for serving as an election official must be signed and provided to City's Finance Department.

Sec. 5.40 Workers' Compensation.

As required by law, the City shall carry Workers' Compensation Insurance. This insurance shall cover work related accidental injuries, illnesses, or death while at work with the City.

All accidents must be reported immediately to an employee's immediate supervisor. The employee

should complete an incident report, and give it to his/her supervisor who will promptly forward it to the department head for their analysis and signature. The department will promptly forward the incident report to the Human Resources Director office or will require the employee to personally bring the report to the Human Resources Director office for processing.

Repeated laxity in reporting injuries can result in disciplinary action.

If medical treatment costs are incurred, bills should be promptly sent to the Human Resources Director. This information will be submitted to the insurance company to determine if the injury is compensable.

Compensation payments are determined by state and federal regulations. A seven day waiting period is normally involved before compensation begins.

However, if an employee is injured in the line of duty and is unable to work, the employee shall receive full pay from the City less the amount of any Workers' Compensation payments for up to six months after the date of such covered injury. When an employee receives Workers' Compensation checks from the insurance company for temporary total and partial disability benefit, the checks are to be immediately turned over to the City since the employee is already being paid for the lost wages.

The City will not retaliate against an employee for seeking or receiving Workers' Compensation benefits to which they are entitled. Employees believing that they have been retaliated against must bring the matter to the attention of their supervisor. If this proves unsatisfactory or the employee is uncomfortable visiting with their supervisor regarding the matter, the employee should contact their department head. If this does not resolve the matter or this would prove uncomfortable, the employee may always contact the Human Resources Director directly.

Sec. 5.50 Holiday Leave.

The City shall observe the following holidays during the year:

New Year's Day	January 1
Presidents Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas	December 25
Personal Holiday	One personal day off chosen by employee

Regular full-time employees are entitled to paid leave in observance of these holidays. These holidays are to be taken in whole day increments. The pay record and/or time sheet will be recorded as "holiday pay" and will be equal to the number of normally scheduled work hours for the employee's shift at the regular rate of pay. Regular part-time employees are entitled to paid leave in observance of these holidays based on their proration of hours worked. Example: employee hired to work 20 hours/week, will receive 4 hours of holiday benefit if they were normally scheduled to work the day of the week

the holiday falls on.

Personal Holiday shall be recorded on time sheet as personal holiday. In addition, a regular employee may take two hours of ~~holiday time~~religious leave one day a year to attend a religious observance of their faith. ~~Regular part-time employees are entitled to paid leave in observance of these holidays based on their proration of hours worked. Example: employee hired to work 20 hours/week, will receive 4 hours of holiday benefit if they were normally scheduled to work the day of the week the holiday falls on.~~

If a holiday falls on a Saturday, it shall be observed on the preceding Friday. If a holiday falls on a Sunday, it shall be observed on the following Monday. For City departments or work groups who are normally scheduled to work on holidays, the department head may elect to have the work group observe the holiday on its actual day even when the holiday is on a weekend.

In order to be paid holiday pay, you will be required to work the day before and day after the scheduled paid holiday, unless the employee provides a note from a doctor or employee has a pre-scheduled medical absence with a note from a doctor. If you take vacation or comp time the day before or after the holiday, your qualifying day will be the day before or after your vacation or comp time day. If you are absent from work on your qualifying days, you will not be paid holiday pay. (This paragraph excludes Police and Fire Union)

An employee terminating before the actual holiday is not eligible for holiday pay. Regular employees, except for Firefighters and ~~Lieutenant~~Captains, scheduled to work during an observed holiday will be paid their regular rate of pay for the scheduled holiday hours as a part of the employee's holiday compensation. These hours are to be recorded as holiday hours on the time sheet. The employee will also receive one- and one-half times their regular rate of pay for all hours worked on the holiday except for Firefighters and ~~Lieutenant~~Captains who receive regular rate of pay.

Except for Firefighters and ~~Lieutenant~~Captains, all regular employees called in to work on an observed holiday will receive their normal holiday leave hours written into the holiday section of the time sheet. They will also receive one- and one-half times their regular rate of pay for the hours worked on the holiday. For example, a Water Department employee called in to work for two hours on Veterans Day will receive eight hours of holiday pay plus two hours of overtime for working on the holiday.

A regular part-time employee who would have normally been scheduled to work but was granted the time off on an observed holiday will receive the time off and their regular pay for that observed holiday.

Temporary and seasonal workers will receive one- and one-half times their regular rate of pay for all hours worked on an observed holiday.

Sec. 5.60 Leave of Absence Without Pay.

A leave of absence may be granted to an employee for a compelling reason.

For purposes of accruing benefits the following criteria will apply:

1. All benefits that operate on an accrual basis will cease to accrue during any period of unpaid leave.

2. Benefits which are accrued up to the time of the leave of absence will be retained. Employees taking a leave of absence must first use up accrued compensatory time, vacation, and if appropriate, sick leave. The employee will also become responsible for paying their insurance premiums if they will be off work for at least one month after accrued compensatory time, vacation and if appropriate, sick leave are exhausted.

All requests for a leave of absence must be in writing and approved by the department head and the City Administrator.

A request for a leave of absence should be submitted at least two weeks in advance. An exception to this policy may be granted in emergency or special cases as approved by the department head and City Administrator.

An employee will be reinstated to his original position whenever possible after a leave of absence. However, the City does not guarantee the availability of the same position, in which case an attempt will be made to place the employee in a similar position, if available. Failure of the employee to return to work at the expiration of the leave of absence will result in disciplinary action and may result in termination retroactive to the starting date of the leave.

An employee must make arrangements with the Finance Department before going on a leave of absence for payment of voluntary payroll deductions such as health insurance, or long-term disability insurance, if the employee will not receive enough pay to cover the deductions for one or more payroll periods. If, during an approved leave, an employee desires to have the City continue its contributions toward insurance coverages such as life insurance and health insurance (assuming family medical leave does not apply 5.70), the employee must use at least 30 hours of paid leave per week to maintain the City contribution. When the employee no longer has any paid leave, then the employee must pay the entire cost of the premium for the remainder of the approved leave to keep coverages in force. Ordinarily, a leave of absence will not be granted for more than three months. However, leaves for a specific purpose, such as military service or educational programs may be granted for longer than three months. No leave without pay shall be granted if, when combined with all other types of leave which the employee has taken or is available to the employee, will exceed a period of one (1) year's total leave except for employees covered by required military duty and as pursuant to military orders.

A holiday which occurs during an unpaid leave of absence of 14 days or more will be forfeited, no matter when the holiday falls in the leave period.

If an absence due to illness or injury extends beyond the accrued paid sick leave days, questions concerning benefits, etc. should be referred to the Human Resources Department for interpretation. The City may require certification, on a periodic basis, of an employee's continuing illness or disability by the employee's physician and/or a physician selected by the City. Applicable benefits may also be available under the Family Leave Policy.

Sec. 5.70 Leave of Absence (Family Medical Leave & Military Family Leave).

The City will comply with the Family Medical Leave Act of 1993.

I. Eligibility for Leave

A. Any employee who has been employed by the City at least twelve (12) months and has worked at least 1,250 hours during the twelve (12) months preceding the commencement of the leave of absence is eligible for an unpaid family or medical leave of absence if certain conditions are met ("eligible employee"). In appropriate circumstances, the eligible employee will be returned to the same or an equivalent position following the leave.

B. An eligible employee is entitled to family and medical leave for one or more of the following reasons:

(1) birth of a son or daughter, and care for the newborn son or daughter, if concluded within twelve (12) months of the birth of the child;

(2) placement with the employee of a son or daughter for adoption or foster care, if concluded within twelve (12) months after placement;

(3) care for the employee's spouse, child, or parent who has a serious health condition;

(4) inability of the employee to perform the functions of his or her position due to a serious health condition;

(5) any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation; or

(6) care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next-of-kin of the servicemember.

II. Required Notice

A. If the necessity for the leave is foreseeable, an employee must provide the City with thirty (30) days advance written notice of a request for leave. Leave is deemed to be foreseeable if it is for an expected birth, placement for adoption or foster care, planned medical treatment for a serious health condition of the employee or of an immediate family member, or the planned medical treatment for a serious injury or illness of a covered servicemember. If 30 days notice is not practicable, such as because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, notice must be given as soon as practicable. It should be practicable for the employee to provide notice of the need for leave either the same day or the next business day.

III. Medical Certification

A. An employee requesting leave based on a serious health condition, whether it involves the employee or an immediate family member, must obtain a medical certification form. The medical certification form must be completed and signed by the employee's health care provider. All FMLA forms may be printed from the U.S. Department of Labor website: http://www.dol.gov/esa/whd/fmla, or you can obtain the forms from the Human Resource Director.

The completed certification form (FMLA) must be submitted within fifteen (15) calendar days of the requested leave, unless it is not practicable under the particular circumstances. Failure to provide the required medical certification may result in denial of all privileges and benefits under this policy and result in denial of re-employment upon completion of the leave.

B. In all cases of leave for medical reasons, the City reserves the right to request a second medical opinion, at the City's expense, if the validity of the first medical certification is in doubt. The City shall designate the health care provider to furnish the second opinion. If the opinions of the employee and the City's designated health care providers differ, the City may require the employee to obtain a third medical opinion at the City's expense. The third health care provider will be chosen jointly by the City and the employee. The third opinion is final and binding.

The City may request recertification no more often than every thirty (30) days, except where the employee requests an extension of leave or circumstances described by a previous certification have changed significantly. However, if the medical certification indicates that the minimum duration of the condition is more than 30 days, the City must wait until that minimum duration expires before requesting a recertification. In all cases, the City may request a recertification of a medical condition every six months in connection with an absence by the employee. the City may request recertification in less than 30 days if: 1) the employee requests an extension of leave; or 2) circumstances described by the previous certification have changed significantly; or 3) the City receives information that causes doubt upon the employee's stated reason for the absence of the continuing validity of the certification.

IV. Service members Certification

A. An employee requesting leave based on a qualifying exigency arising out of the active duty or call to active duty status of a covered military member, must provide the employee's supervisor with a copy of the covered military member's active duty orders or other documentation issued by the military which indicates that the covered military member is on active duty or call to active duty status in support of a contingency operation, and the dates of the covered military member's active duty service.

An employee requesting leave based on a qualifying exigency arising out of the active duty or call to active-duty status of a covered military member, must also obtain a certification form from the Human Resource Director or U.S. Department

of Labor website that must be signed and completed by the employee. The completed FMLA form must be submitted within fifteen (15) days of the requested leave, except in unusual circumstances. Failure to provide the required certification may result in denial of all privileges and benefits under this policy and result in denial of re-employment upon completion of the leave.

B. An employee requesting leave to care for a covered servicemember with a serious injury or illness, must obtain a certification form from the Human Resource Director or U.S. Department of Labor website that must be signed and completed by the employee. The completed certification form must be submitted within fifteen (15) days of the requested leave, except in unusual circumstances. Failure to provide the required medical certification may result in denial of all privileges and benefits under this policy and result in denial of re-employment upon completion of the leave.

In lieu of a certification, the employee may submit as certification "invitational travel orders" or "invitational travel authorization" issued to any employee's immediate family member to join a qualified injured or ill servicemember at his or her bedside.

V. Length of Leave

A. Each eligible employee may be granted an unpaid family and medical leave, including maternity leave, for a period up to twelve (12) weeks (during any twelve (12)-month period). In determining eligibility for leave, a "rolling" twelve (12) month period is used, measuring backward from the date the employee first uses the leave.

B. An eligible employee may be granted an unpaid family and medical leave to care for an immediate covered family member who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, for a period of up to twenty-six (26) workweeks of leave during a single twelve (12) month period to care for the servicemember. Leave to care for an injured or ill servicemember, when combined with other FMLA-qualifying leave, may not exceed twenty-six (26) weeks in a single twelve (12) month period.

C. An employee requesting leave will be required to use any unused accrued vacation, compensatory leave and sick leave as part of the FMLA leave. Once such accrued vacation, compensatory leave and sick leave is exhausted, the balance of the employee's FMLA leave will be without pay.

VI. Benefits during Leave

A. An employee on a family or medical leave will be retained on the City's health plan under the same conditions as active employees, except that the employee must make arrangements with the payroll administrator for timely payment of the employee's portion of the premium in order to continue such coverage, and if any premium payment is more than thirty (30) days late, coverage will be lost during

the period of the leave. In circumstances where an employee is on paid leave (i.e., the use of sick leave or vacation while on FMLA leave), the appropriate deductions will be made in the same manner as the employee's regular paycheck. All benefits that operate on an accrual basis will cease to accrue during any period of unpaid leave.

B. In the event that an employee fails to return from leave, consistent with the terms of this policy, the employee will be liable for the premiums paid by the employer to maintain insurance coverage unless:

(1) the employee's failure to return to work stems from the continuation, recurrence, or onset of a serious health condition of the employee or an immediate family member; or

(2) the failure to return stems from circumstances beyond the control of the employee.

VII. Return from Leave

A. An employee returning from leave will be reinstated to the same or an equivalent position upon his or her proposed return to work date, except that the employee will not be entitled to any employment rights or benefits greater than those he or she would have had in the absence of taking such a leave.

B. In dealing with leaves involving a serious health condition of an employee, as a condition of restoring an employee whose FMLA leave was occasioned by the employee's own serious health condition that made the employee unable to perform the employee's job, the City must receive a fitness-for-duty certificate from the employee's health care provider stating that the employee is able to resume work.

VIII. Reduced Work Schedule

In limited circumstances, an employee who is eligible for family or medical leave may be permitted to work a reduced schedule or receive periodic time off from work.

In cases of a serious health condition of the employee or an immediate family member, such leave may be permitted in circumstances when it is medically necessary, but appropriate medical certification will be required. In dealing with planned medical treatment, an employee is required to make reasonable effort to schedule the treatment so as not to unduly disrupt the City's operations, and the City reserves the right to request rescheduling of such treatment in appropriate circumstances. Further, where a reduced work schedule is based on planned medical treatment, the City reserves the right to temporarily transfer the Employee to a comparable position that better accommodates the employee's recurring periods of leave.

Any time permitted based on a reduced work schedule will be treated in the same manner as absence under the family and/or medical leave policy, and such absence will be counted

against the leave permitted under the policy.

Sec. 5.80 Absence Without Leave.

Employees failing to report for or remain at work as scheduled or directed without proper notification, authorization, or excuse shall be considered absent without leave, shall not be in pay status for the time involved, and shall be subject to appropriate disciplinary action. Absence without leave for more than three work shifts or in the case of a firefighter, two work shifts, shall be considered an abandonment of their duties, which shall ordinarily result in dismissal.

Sec. 5.85 Continued Employment While on Leave of Absence

Employees who are on an approved leave of absence, whether paid or unpaid are normally prohibited from outside employment with another employer or being self-employed while on such leave unless the employee's written disclosure of the employment relationship is approved by the City Administrator. Military orders would be considered an exception to this rule. Employees who are found to be engaged in outside employment while on a leave of absence may be disciplined up to and including termination.

Sec. 5.90 Compassionate Leave.

In the event of a death, serious illness, injury or similar major personal problem of a regular 20 hour or more a week employee's immediate family, a department head may request compassionate leave for the employee, not to exceed three work shifts with pay, per occurrence, to a regular employee. Firefighters may use up to 24 working hours over two work shifts with approval of Fire Chief. Compassionate Leave request shall be made to and approved by the City Administrator.

When an event would also qualify under the sick leave benefit, sick leave will be the leave of first resort.

In the event of a death of the listed below, a department head may grant an employee up to one work shift, with pay, to attend the funeral, wake or event related to the funeral.

Employee's	**Spouse's**
Aunts and Uncles	Brother and their spouse
Nieces and Nephews	Sister and their spouse
	Grandparents and Grandchildren
	Aunts and Uncles
	Nieces and Nephews

CHAPTER SIX

PROBLEM SOLVING AND DISCIPLINE

Sec. 6.10 Statement of Policy

This policy is intended to keep employees and management equally aware of each employee's responsibility of maintaining a positive and productive work environment. This policy applies to all city employees. The intention of this policy is to clarify the city's position concerning standards of conduct and performance, appropriate corrective action and discipline.

Sec. 6.15 All Employees Standards of Conduct

Timely and Regular Attendance: Planned use of leave time should be arranged with your supervisor in advance. Unexpected use of time should be reported as promptly as possible to your supervisor prior to the beginning of the employee's work schedule. Employees are expected to work any assigned overtime, unless excused by the appropriate manager.

Dependable Application of Time: Employees are expected to apply themselves to their assigned duties during the full schedule for which they are being compensated, except for reasonable time provided for meals and personal needs.

Satisfactory Work Performance: Employees are expected to meet established performance standards. Conditions or circumstances, as they become known, which will prevent employees from performing normally or completing their assigned task, should be reported to the appropriate manager. Likewise, unclear instructions or procedures should be brought to the attention of your supervisor.

Use of City Equipment, Facilities, and Information: City equipment (all property owned, leased, or controlled by the city, including but not limited to vehicles, computers, tools, devices, and materials), facilities, and information, are to be used only for work-related purposes, unless otherwise authorized. Theft of city property of any kind may result in criminal prosecution in addition to disciplinary action.

Conflict of Interest: Employees shall conduct city business with the highest standards of integrity and shall not officially act in regards to any contract, transaction, or other matter in which the employee may have a personal interest, individually or through a family member. Refer to section 7.70 for the entire policy on Conflict of Interest.

Safety: The city and certain departments have established safety rules, regulations, and procedures. Employees are required to know and observe all such rules, regulations, and procedures. Employees

are required to observe all traffic laws. Employees are required to adhere to chapter 10 of this manual and any other Department specific policies and procedures.

Off-duty Conduct: The city does not prescribe employee conduct off the job. However, any conduct on or off-the-job which affects the employee's credibility, effectiveness, performance, or ability to fully carry out the responsibilities of city employment and any conduct which is prejudicial to the interests, reputation, or operations of the City of Columbus are subject to disciplinary action.

Sec. 6.20 Supervisory Employees Standards of Conduct

This policy is intended to keep employees who supervise and management aware of their responsibility of setting clear expectations through open communication to enable a positive and productive work environment. This policy applies to all city employees who supervise others.

Professionalism and Integrity: Supervisors are expected to uphold the highest standards of professionalism, honesty, and integrity. They should act as role models and promote ethical behavior within the organization.

Fairness and Equality: Supervisors should treat all employees with fairness, respect, and equality, regardless of their race, gender, age, religion, sexual orientation, or any other protected characteristic. Discrimination, harassment, and favoritism will not be tolerated.

Communication and Transparency: Supervisors should maintain open and transparent communication with their team members. They should listen attentively, provide clear instructions, and encourage open dialogue. Information should be shared promptly and accurately, ensuring employees are informed about matters affecting their work.

Accountability and Responsibility: Supervisors should take responsibility for their actions and decisions. They should be accountable for meeting their commitments, honoring deadlines, and delivering results. Managers should also hold their team members accountable for their performance and conduct.

Confidentiality and Privacy: Supervisors must respect the confidentiality and privacy of employee information, including personal and sensitive data. Confidential information should be handled with utmost care and disclosed only on a need-to-know basis and within the bounds of legal requirements.
Conflict Resolution: Supervisors should proactively address conflicts and disagreements in a fair and constructive manner. They should encourage open dialogue, actively listen to all perspectives, and strive to find mutually beneficial solutions. Escalation procedures should be followed when necessary.

Employee Development and Support: Supervisors should foster the professional growth and development of their team members. They should provide regular feedback, guidance, and support to help employees enhance their skills, knowledge, and performance. Supervisors should also promote a positive work environment that values well-being and work-life balance.

Compliance with Policies and Laws: Supervisors must comply with all applicable laws, regulations, and internal policies. They should be familiar with and ensure their team's adherence to these policies, including those related to safety, diversity and inclusion, data protection, and other relevant areas.

Conflict of Interest: Supervisors shall conduct city business with the highest standards of integrity and shall not officially act in regards to any contract, transaction, or other matter in which the employee may have a personal interest, individually or through a family member. Refer to section 7.70 for the entire policy on Conflict of Interest.

Continuous Improvement: Supervisors should strive for personal and professional growth. They should actively seek opportunities to enhance their leadership skills, stay updated on industry trends, and contribute to the overall improvement of the organization.

By adhering to this Code of Conduct, supervisors will contribute to a positive work environment, foster employee engagement, and uphold the organization's values and reputation. Failure to comply with this policy may result in disciplinary action, up to and including termination of employment.

Sec. 6.25 Coaching

Coaching is an essential part of employee development and performance improvement. The purpose of these guidelines is to provide all supervisors with a framework and best practices for effectively coaching employees to achieve their full potential and enhance their performance.

Establishing a Coaching Culture:

- Create an environment that promotes coaching as a positive and ongoing process for employee growth and development.
- Encourage managers to view coaching as a collaborative and supportive approach to help employees succeed.

Coach's Mindset:

- Approach coaching with a positive and constructive mindset, focusing on employee strengths and growth opportunities.
- Be empathetic, supportive, and non-judgmental during coaching conversations.
- Foster a safe and trusting environment that encourages open dialogue and feedback.

Goal Setting and Performance Expectations:

- Set clear performance expectations and goals with employees, aligned with the Department or Divisions objectives.
- Help employees understand how their individual goals contribute to team and organizational success.
- Ensure goals are specific, measurable, attainable, relevant, and time-bound (SMART).

Active Listening and Effective Communication:

- Practice active listening during coaching sessions, allowing employees to express their thoughts, concerns, and ideas.
- Use open-ended questions to encourage employees to reflect, problem-solve, and generate solutions.
- Provide feedback effectively, focusing on specific behaviors and outcomes, and offering constructive suggestions for improvement.

Continuous Feedback:

- Provide regular and timely feedback to employees, both positive reinforcement and areas for improvement.
- Offer praise and recognition for achievements and efforts to motivate and encourage employees.
- Address performance issues promptly and constructively, offering guidance and support for improvement.

Development Planning:

- Collaborate with employees to create individual development plans that align with their career aspirations and organizational needs.
- Identify learning opportunities, training programs, and resources that can support employee growth and skill enhancement.
- Regularly review and revise development plans to ensure they remain relevant and achievable.

Monitoring and Progress Reviews:

- Schedule regular coaching sessions to review employee progress, discuss challenges, and provide ongoing support.

- Track employee performance against goals and provide feedback based on observed behaviors and outcomes.
- Offer guidance and resources to help employees overcome obstacles and develop strategies for improvement.

Recognition and Rewards:

- Recognize and celebrate employee achievements, milestones, and contributions to boost morale and motivation.
- Recommend employees for formal recognition and rewards programs based on their performance and growth.

Documentation:

- Maintain accurate and confidential documentation of coaching sessions, performance discussions and employee development plans.
- Document goals, action plans, milestones, and outcomes to track progress and support performance evaluations.

Manager Support and Training:

- Provide employees with training and resources on coaching techniques, active listening, effective feedback, and performance management.
- Offer ongoing support and guidance to employees in their coaching roles, including access to mentors or coaching circles.

Confidentiality and Trust:

- Respect employee privacy and maintain confidentiality of coaching conversations, unless disclosure is required by law or company policy.
- Build trust with employees by demonstrating integrity, transparency, and maintaining professional boundaries.
- Remember, coaching is an ongoing process, and managers should strive to create a culture of continuous learning and improvement. Regularly assess the effectiveness of coaching efforts and make necessary adjustments to ensure employee development and organizational success.

Sec. 6.30 Discipline

The Human Resources Director or designee shall be consulted prior to taking any formal disciplinary action. The City may administer any of the disciplinary measures listed below, or a combination of disciplinary measures, depending on the severity of the situation in the City's sole discretion. Although the City will attempt to administer progressive discipline, this policy does not create any guarantee that specific steps will be followed. In some cases, the City may terminate employees effective immediately. Nothing in this policy should be interpreted to alter the at-will nature of employment.

The implementation of this disciplinary policy occurred at the time the City Council adopted the 2024 Personnel Manual. Any written-verbal disciplinary action which occurred ~~more than six months~~ prior to the adoption of this policy shall be removed from the employee's personnel record(s)

Verbal or Written Counseling

The employee is advised and cautioned by a supervisor or department head about unsatisfactory work performance or misconduct. Verbal discussion may be reduced to writing in a counseling memorandum and will not be considered formal discipline. Counseling is generally the initial attempt to correct less severe performance or conduct violations; however, it is not a prerequisite to disciplinary action for subsequent offenses. All verbal and written letters of counseling are not grievable.

Suspensions

A suspension is temporarily prohibiting an employee from performing their duties as a result of the employee's unsatisfactory job performance or misconduct. A suspension seriously impacts departmental productivity and the employee's pay.

Duration

Disciplinary suspensions shall be without pay and shall not exceed ten (10) work days for a Group II violation or twenty (20) work days for suspensions in lieu of termination.

Overtime Exempt Employees

Overtime exempt employees may be suspended for any duration within the above limits for violations of written rules and policies governing workplace conduct applicable to all employees; otherwise, the suspension must be for a full work week. Also, overtime exempt employees cannot be suspended for less than a full work week for job performance issues.

Demotions

A disciplinary demotion can occur as an intermediate form of discipline or as an alternative to termination and in situations where other disciplinary measures haves been unsuccessful to correct

unsatisfactory job performance or misconduct. The employee's salary will be reduced to a level within the salary range of the city's Classification & Pay Plan.

Terminations
An involuntary separation for acts and/or behavior of such a serious nature that the first occurrence should justify termination or for unsatisfactory job performance or misconduct of a less serious nature which continues after other disciplinary ~~measures~~ measures have been imposed for prior poor work performance or misconduct.

Sec. 6.35 Types of Offenses & Specific Actions

The following procedures will set forth guidelines for determining the severity of the offenses of misconduct. The offenses listed in this policy are not intended to be all inclusive but instead serve as guidelines. It is expected that many, if not most, infractions will not be specifically listed in this policy. Failure to correct behavior, performance, or conduct after commission of a Group I or II offense will result in further disciplinary action.

Sec. 6.40 Group I Offenses

These offenses include misconduct that is less severe in nature, but which requires corrective action in the interest of maintaining a well-managed, respectful, and productive work environment. Examples of Group I offenses include:

- Unsatisfactory attendance or excessive tardiness as defined by the individual departments;
- Abuse of City time such as use of City time for non-work-related activity, personal business, or abuse of sick leave;
- Inappropriate or unauthorized use of City equipment, facilities, or information;
- Unsatisfactory job performance
- Disruptive behavior; including rudeness, inappropriate language or gestures, or uncooperativeness toward others;
- Refusal to work reasonable overtime;
- Failure to comply with the Fair Labor Standards Act (FLSA); and
- Improper use or operation of a city vehicle, equipment or facility

Corrective Action: The prescribed disciplinary action for each violation is five {5) disciplinary points and a written reprimand in the employee's personnel file. Supervisors must discuss a Group I offense with the employee and advise the employee of the need for correction. Depending upon the severity and nature of the offense, the employee may, in lieu of being cited for a Group I offense, be subject

to verbal or written counseling. If the condition is not resolved by verbal discussions, the employee must be given a written counseling to document the failure to correct the stated offense.

Sec. 6.45 Group II Offenses

Group II offenses constitute misconduct which is more severe in nature. Disciplinary actions for Exempt employees shall be in compliance with the Fair Labor Standards Act (FLSA). Examples of Group II offenses include:

- Continued unsatisfactory job performance;
- Failure to follow a supervisor's verbal or written instructions, perform assigned work, or otherwise comply with applicable city or departmental policy, rules, regulations, or directives, except for refusal to cooperate with respect to alcohol and drug testing which is a Group III Offense;
- Violating safety procedures (not a threat to life);
- Leaving the worksite without permission during work hours;
- Workplace harassment or other prohibited discriminatory conduct;
- Failure to report to work as scheduled without proper notification;
- Violating confidentiality when city and department policies, regulations, or rules have been published or which the employee is expected to know;
- Use of obscene or offensive language or gestures when dealing with other employees, supervisors, or the public;
- Negligence in the performance of job responsibilities including the negligent operation of a city vehicle or equipment; and
- Unauthorized use or misuse of city property or information;

Corrective Action: The prescribed disciplinary action for each violation is ten (10) disciplinary points and a written reprimand in the employee's personnel file, and may also include a suspension without pay for 1-10 days with the concurrence of the department head, Human Resources Director and City Administrator.

Sec. 6.50 Group III Offenses

The offenses included in this group are more serious in nature. Examples of Group III offenses include:

- ~~Accumulation of three (3) Group 1 offenses within a rolling twelve-monthperiod;~~
- Accumulation of 25 disciplinary points within a rolling twelve-month period;

- Accumulation of 30 disciplinary points within a rolling twenty-four month period;
- Unauthorized possession or use of firearms, dangerous weapons, or explosives while working or on any city property except in accordance with State or Federal laws;
- Absence or leave in excess of five (5) working days without prior authorization;
- Withholding information, or making false or misleading statements;
- Failing to fully cooperate during an administrative investigation, or interfering with an administrative investigation;
- Falsification, misuse, concealment, or alteration of records, including but not limited to vouchers, reports, time and leave records, or other city documents;
- Gross negligence in the performance of job responsibilities;
- Behavior which is considered unethical, or unprofessional conduct with clients, citizens, program participants, or other employees;
- Overt or implied threats or coercion of employees, supervisors, subordinates or the public, including but not limited to incidents of bodily contact;
- Unauthorized possession or use of alcohol or a controlled substance on the job; operating city equipment, including vehicles, while under the influence of alcohol or a controlled substance;
- Positive controlled substance or alcohol test; refusal to cooperate fully with respect to alcohol/substance abuse testing policy as defined by the city's Alcohol, Illegal
- Drugs and Controlled Substances policy will result in termination;
- Violating safety procedures where there is a threat to life;

Corrective Action: The prescribed corrective action for Group III offenses is termination. If the department head determines that extenuating circumstances exist and the employee otherwise has a satisfactory record of job performance and conduct, the department head with the concurrence of the Human Resources Director and the City Administrator, has the option to impose twenty (20) disciplinary points and a (20) day suspension without pay, and/or demotion, in lieu of termination.

Sec. 6.60 Corrective Action Guidelines

Disciplinary action will be taken to correct or discourage unsatisfactory behavior or performance. The following principles will be observed when considering disciplinary action:

- Management shall consider prior disciplinary actions taken against the employee, including the date, severity, and circumstances of the prior actions.
- The disciplinary action shall be situationally appropriate and shall be consistent with the expectations of the position.
- Management shall consider the special needs of the department, and the seriousness of the employee's behavior or performance.

- Employees are responsible and accountable for knowing the performance or behavioral expectations of the city and their department.
- In determining the severity of the disciplinary action, the supervisor should establish whether there has been repetition of the same or similar performance or behavior.

Sec. 6.65 Disciplinary Procedures

Any alleged violation of the city's or a department's Standards of Conduct, rules, policies, directives, or for continued failure to meet job performance standards or expectations shall be investigated. The employee shall be provided the opportunity to respond before disciplinary action is taken. Departments have flexibility in the investigation of disciplinary matters in a manner appropriate to the alleged misconduct.

Immediate Administrative Suspension with Pay Pending Departmental Investigation:

An employee may be immediately suspended from work with pay pending completion of a disciplinary investigation into misconduct (committed on or off duty) with the prior approval of the affected department head, ~~and the~~ Human Resources Director ~~or designee~~and City Administrator, if it is determined that the employee's continued presence on the job is deemed to be a substantial and immediate threat to the efficient operation of the city government or the employee's department, or to the welfare of the public, or to other city employees or to the administrative investigation.

When an employee is placed on administrative leave with pay and the department head, Human Resources Director or City Administrator has established one or more meeting dates related to the administrative investigation during the employee's regular work hours which the employee may reasonably be expected to attend, and the meeting date is postponed at the employee's request, the employee will not be paid past the original established date. Likewise, paid administrative leave will cease if an employee does not attend the meeting. If a meeting date is postponed by the department head, Human Resources Director or City Administrator, then the employee will remain on administrative leave with pay until the date of the meeting. If the meeting is commenced but is adjourned, the employee will remain on administrative leave with pay until the meeting is concluded. If subsequent termination action is taken, the effective date of the termination will be the determined by the investigating party with the concurrence of the Human Resources Director and City Administrator.

Immediate Suspension Without Pay Pending Departmental Investigation:

An employee may be immediately suspended from work without pay only when a finding of probable cause that a crime has been committed by the employee has been made by a judge, magistrate, or grand jury, AND the employee's continued presence on the job is deemed to be a substantial and immediate threat to the efficient operation of the city government or employee's department, or to the welfare of the public, or to other city employees. Such a suspension without pay may be imposed if the above conditions are met, and with the prior approval of the affected department head and the Human Resources Director or designee, after consultation with the City Administrator.

Duration: The administrative suspension without pay shall end if the above conditions cease to exist (e.g., the employee is no longer deemed to be a substantial and immediate danger to the aforementioned persons or entities) or until completion of the city's administrative investigation provided the employee is returned to work.

Grievability: The administrative suspension of an employee without pay under this subsection is immediately grievable. Steps I and II of the grievance procedures shall be waived. A meeting at step III within the required time period shall be limited to the issue of the continued suspension without back pay. At the employee's option, the issue of the suspension without pay may be combined in a timely grievance filed later by the employee concerning the underlying disciplinary action, if any.

Back Pay: If the employee is not subsequently terminated following the completion of the administrative investigation, the City Administrator or designee may order full, partial, or no back pay. The City Administrator or designee shall not be bound by the outcome of any criminal court case but may refer to such outcome and findings in making a final decision.

Sec. 6.70 Procedures for Taking Disciplinary Actions

Disciplinary action may be taken only by the department head or the department head's designated representative. This policy is intended to promote consistency in the application of discipline and to grant employees the opportunity to respond to allegations at a high level of management before action is taken. However, supervisors below the level of the department head or the designated representative have a major responsibility for administering the Standards of Conduct (and also performance issues) and disciplinary procedures. Supervisors monitor and enforce the Standards of Conduct and, in most instances, will determine if an action will be processed through the disciplinary process. Supervisors are often assigned responsibility for investigating alleged misconduct and performance issues. Supervisors are responsible for providing input and making recommendations to department heads and designated representatives and such recommendations are to be considered in the determination of what disciplinary action to take, if any.

In large departments, or those with several levels of management, the department head may designate lower levels of management to handle less severe misconduct and performance issues and to take

appropriate disciplinary or corrective action, if any. In cases involving alleged misconduct and unsatisfactory performance, which may result in suspension, demotion, or termination, the department head shall be personally involved in investigating or overseeing the investigation of the allegations of misconduct and unsatisfactory performance, and determining disciplinary action, if any.

When there is reason to believe misconduct may have occurred, the department head or the department head's designee shall initiate an appropriate investigation to determine the facts surrounding the alleged misconduct or unsatisfactory performance. The department head or designee may personally conduct the investigation or may assign the investigation to another person.

If after review of information developed in the investigation, the department head or designee determines that misconduct or unsatisfactory performance may have occurred and that disciplinary action may be pursued, he/she will inform the employee in writing in a formal written notice of allegations. The employee will be informed in the notice that the employee will be afforded an opportunity to meet with the department head or designated representative in order to respond to the allegations after five (5) work days after receipt of the notice, unless an earlier date has been agreed to by both parties. The allegations should cite the specific instance(s) of misconduct or unsatisfactory performance including the facts underlying the allegations but need not specify specific level(s) of misconduct. The employee shall also be informed in the notice that the employee has a right to present documents and give verbal or written statements at the meeting, and bring witnesses, if desired.

The meeting between the department head or designee and the employee shall be held as soon as practicable, preferably within ten (10) work days of the time the employee is given the notice of the allegations.

The meeting, at which the employee is provided the opportunity to respond to the allegations, is an informal administrative process. It is not a grievance proceeding. The meeting is not a trial and it is not intended that the department's evidence and witnesses be presented. The meeting is not bound by or conducted by court procedures or rules of evidence. The meeting is conducted by the department head or designee who shall determine the procedures by which the meeting will proceed to ensure that the employee has the opportunity to respond to all allegations. The following policies apply to the conduct of the meeting:

- The meeting shall be recorded.
- The meeting shall be between the department head or designee and the employee. A representative from Human Resources may also be present. Attorneys for the city and the employee shall not be present. Supervisors of the employee and other departmental management shall not be present except as necessary to provide information. The employee has the right to present documents, make statements, and present witnesses. If the employee brings witnesses, the witnesses shall be present only while presenting information.

- The department head or designee may continue the meeting if necessary and shall determine when the matter is concluded.

If the employee has waived the right to appear at the meeting, or does not appear, the department head or designee shall base the decision on the information available.

Upon conclusion of the meeting, the department head or if appropriate, designee, shall consider all available evidence, including the employee's work record, if appropriate and shall determine appropriate action.

If the department head or the designee determines that misconduct or unsatisfactory performance did not occur, or could not be substantiated, the reasons for the decision shall be documented and the matter shall be closed.

If the department head or designee determines that misconduct or unsatisfactory performance did occur, the department head or designee shall determine the specific instance(s) of misconduct or unsatisfactory performance, level of misconduct, and the disciplinary action to be taken. In cases in which several violations of the city's or a department's Standards of Conduct, rules, policies or directives arise from the same incident, the department head may assess the appropriate disciplinary action for each separate violation. The department head or designee shall not be bound by the outcome of any court action, but may refer to such outcome and findings in making a final decision.

If the employee was administratively suspended without back pay the City Administrator or designee may order full, partial, or no back pay as deemed appropriate under the circumstances.

If the meeting was held by a person other than the department head, the department head may review the case with the designee and may elect to meet with the employee before making the final determination of disciplinary action.

In cases involving termination, demotion, or suspension and in cases in which misconduct specifically assigned to a level by this policy is processed at a different level, and in cases in which a lesser action than termination is taken due to extenuating circumstances, the department head shall review the case with the Director of Human Resource Management or designee prior to determining disciplinary action.

The employee shall be notified in writing of the determination within ten (10) work days after the conclusion of the meeting. However, this time frame may be extended by the department head or designee when necessary to appropriately consider the information, review the case, and prepare a written response.

If the meeting was held by anyone other than the department head, the employee may request a meeting with the department head before disciplinary action is administered. The request must be in writing to the department head within seven (7) calendar days of notification of the disciplinary action. This meeting will be conducted as stated above. with the department head notifying the employee of his/her determination within ten (10) work days after the conclusion of the meeting.

Upon the final determination of disciplinary action, the employee shall be advised of his/her rights to appeal through the employee Grievance Procedure, if applicable.

~~**CHAPTER SIX**~~

~~**PROBLEM SOLVING AND DISCIPLINE**~~

~~**Sec. 6.10 Statement of Policy.**~~

~~**The City of Columbus is interested in the establishment of good employee relation practices and the promotion of sound personnel management. Circumstances may arise, apart from disciplinary actions, which cause employee concern or dissatisfaction. Therefore, the following procedures are established whereby employees are entitled to present their concerns without reprisal.**~~

~~**Sec. 6.15 Informal Procedure.**~~

~~**In keeping with the philosophy that employee problems should be resolved at the lowest possible level with a minimum of paperwork, it shall be the City policy to encourage employees to informally take any job-related concern to their immediate supervisors. Supervisors shall listen with care to employees, shall attempt to understand their points of view and shall provide clear and timely responses to their concern. An employee remaining dissatisfied with a working condition, reprimand, or other aspect of employment not subject to the disciplinary appeal procedure, may then use the formal grievance procedure.**~~

~~**Sec. 6.20 Chain of Command.**~~

~~**All requests from elected City officials requiring action by City personnel are to be channeled through the City Administrator.**~~

~~**Sec. 6.25 Formal Grievance Procedure.**~~

~~**An employee may submit a written grievance to his or her immediate supervisor within seven calendar days after the cause of the grievance arises or becomes known to the employee. The grievance shall clearly state the basis for the complaint and the relief requested. The supervisor shall discuss the grievance with the employee as necessary and shall provide a written response within seven calendar days after receipt. An employee remaining dissatisfied may then submit the grievance to the next higher supervisor within seven calendar days following receipt of the initial response, and so on up to the City Administrator if necessary. Time limits shall be strictly enforced. Late submission of a grievance at any stage of the procedure shall bar its consideration. Similarly, if a supervisor below the level of the City**~~

~~Administrator should fail to provide a written response within seven calendar days after receipt of the grievance, the employee shall be allowed to take the grievance to the next higher supervisor.~~

~~As the final authority for grievances the City Administrator shall conduct any necessary investigation and/or hearing. If the City Administrator determines that a hearing is necessary, the employee shall be afforded an opportunity to attend, to be represented by anyone of his or her choosing, and to present evidence and/or witnesses in his or her behalf. The City Administrator shall provide the final written response to a grievance within ten calendar days after receipt or, if a hearing is held, within ten calendar days following conclusion of the hearing.~~

~~In the event the grievance is made against the City Administrator, the Mayor or his/her designee shall perform the duties and act as final authority.~~

~~Sec. 6.30 Reprimands.~~

~~A form of guidance which may be oral or written, and which should be used not only to warn an employee, but also to guide, direct, and instruct the employee how to correct and avoid repeating a mistake, infraction, deficiency, or problem.~~

~~1. Verbal Reprimand: Verbal reprimands shall be considered the normal means of correcting the actions of a subordinate and shall be used in cases of mistakes, inefficiency, or other factors which adversely affect an employee's ability to efficiently carry out his/her duties and responsibilities. Any supervisor may reprimand their subordinate at any time for cause and shall inform the employee specifically of the problem and shall give them counsel and assistance. A reasonable period of time for improvement may be allowed before initiating further action. Verbal reprimands will normally be given in a private session.~~

~~A written record of the date and reason(s) why a verbal reprimand was issued shall be given to the Human Resource Director.~~

~~2. Written Reprimand: In situations where a verbal reprimand has not resulted in the expected improvement or when more severe initial action is warranted, a supervisor may issue a written reprimand to the employee clearly stating the reasons for the reprimand and indicating what further action may be taken if the problem is not corrected. The employee will acknowledge receipts of the reprimand with their signature and may respond in writing stating the reasons why they feel the reprimand is unjust.~~

~~A copy of the reprimand, along with the employee's acknowledgment of receipt and any written response, will be placed in the employee's personnel file.~~

~~3. Appeals of Reprimands: Verbal or written reprimands may be appealed through the grievance procedure provided for in Section 6.25 of these rules.~~

~~Sec. 6.35 Disciplinary Actions.~~

~~Whenever an employee's performance, attitude, work habits, or personal conduct fall below a~~

~~desirable level, supervisors shall take prompt action, appropriate to the seriousness of the situation. Disciplinary action shall be divided into two classes as follows:~~

~~Class ILoss of vacation, benefits, compensation or other privileges, except pension benefits.~~

~~Class II Suspension, demotions, and termination.~~

~~Sec. 6.40 Causes for Class I and Class II Disciplinary Action - Civil Service Employees.~~

~~Civil Service employees employed by the City of Columbus shall be designated by the definition in Revised Statutes of Nebraska, Sec. 19-1829; "The Civil Service Act shall only apply to full-time firefighters or full-time police officers of each municipality, including any paid full-time police or fire chief of such department."~~

~~Class I and Class II disciplinary actions may be applied to civil service employees for the following reasons:~~

~~1. Incompetency, inefficiency, or inattention to or dereliction of duty.~~

~~2. Dishonesty, prejudicial conduct, immoral conduct, insubordination of a lawful order, discourteous treatment of the public or a fellow employee, any act of omission or commission tending to injure the public service, and willful failure on the part of the employee to properly conduct themselves, or any willful violation of the Civil Service Act or the rules and regulations adopted pursuant to such act.~~

~~3. Mental or physical unfitness for the position which the employee holds.~~

~~4. Drunkenness or the use of intoxicating liquors, narcotics, or any other habit-forming drug, liquid or preparation to such an extent that the use interferes with the efficiency or mental or physical fitness of the employee or precludes the employee from properly performing the functions and duties of their position.~~

~~5. Conviction of a felony or misdemeanor tending to injure the employee's ability to effectively perform the duties of their position.~~

~~6. Any other act or failure to act which, in the judgment of the Civil Service Commissioners, is sufficient to justify the offender to be an unsuitable and unfit person to be employed in the public service.~~

~~Sec. 6.45 Causes for Class I and Class II Disciplinary Action - Non-Civil Service Employees.~~

~~Class I and Class II disciplinary action (6.35) may be applied to non-civil service employees for any of the following reasons:~~

~~1. The employee has been incompetent, negligent, or inefficient to such an extent that their job performance falls below a reasonable minimum standard.~~

2. The employee has willfully violated any of the provisions of the City Code or of these rules; or has attempted to, or does commit any act or acts intended to nullify or mitigate any of the provisions thereof.

3. The employee has been convicted and sentenced in any court of competent jurisdiction for a felony or a crime involving moral turpitude under the laws of this state, or any other state, or of the United States, provided such conviction is deemed to be detrimental to the effective performance of the duties and responsibilities of the position.

4. The employee has been offensive or brutal in their treatment of public charges, fellow employees, or other persons.

5. The employee has some permanent or chronic physical or mental ailment or defect which incapacitates the employee from the proper performance of the employee's essential duties or which creates an undue risk to the employee or others.

6. The employee has violated any lawful official regulation or order or failed to obey any lawful and reasonable directions given by their superior when such violation or failure to obey amounts to insubordination or serious breach of discipline which may reasonably be expected to result in lower morale in the organization or to result in loss or injury to the City or to the public.

7. The employee has been on duty or reported to duty while under the influence of intoxicating liquors or beverages, narcotic drugs not prescribed for their use by a licensed physician, or who had indulged in the use of the same while on duty.

8. The employee has taken for personal use a fee, gift, or other valuable thing in the course of the employee's work or in connection with it when such a fee, gift, or other valuable thing is given the employee by any person in the hope or expectation of receiving a favor or better treatment than accorded other persons.

9. The employee is careless or negligent of the property of the City, or steals, misplaces, or misuses equipment, materials, property, or any other thing of value belonging to the City.

10. The employee is engaged in outside employment or private business or in a trade or occupation in violation of Rule 7.40.

11. The employee has been guilty of using, threatening to use, or attempting to use political influence or to exert unethical pressure on any City employee or officer in securing promotion, transfer, leave of absence, increased pay, or other favors.

12. The employee has intentionally falsified time records or given false information on his application for employment. This falsification includes swapping of time and time not recorded properly.

13. The employee has been absent from duty without leave or contrary to department policies; or has failed to report after such a leave of absence has expired or within a reasonable time after such leave of absence has been revoked.

~~14. The employee has failed to call their superior according to department policy to let the superior know when the employee will be tardy or absent because of sickness or other causes so that it affects the efficient performance of the employee's duties or the morale of fellow employees.~~

~~15. The employee has been habitually tardy or absent from duty without sufficient cause.~~

~~16. The employee has claimed to be sick when physically fit for duty.~~

~~17. The employee has participated in any political campaign or activity prohibited under Rule 7.60 of these rules and regulations.~~

~~18. The employee has been antagonistic in their attitude toward their superiors or fellow employees, criticizing orders or rules issued and policies adopted by their superiors; or so conduct themselves to interfere with the proper coordination of the employees of the City to the detriment of efficient public service.~~

~~19. The employee used a City vehicle or equipment for personal use, or allowed unauthorized persons to ride in City vehicles, or used emergency or standby vehicles for transportation to and from residence other than when serving standby duty.~~

~~20. The employee has engaged in the harassment or unfair treatment of any person because of political or religious opinions, or affiliations, or because of race, color, national origin, marital status, veteran status, age, sex, or physical disability.~~

~~21. The employee has engaged in the unauthorized disclosure of official information.~~

~~22. The employee has failed to observe rules relating to the health and safety of employees or of the rules relating to the direction of personnel in the department.~~

~~23. The employee has committed acts detrimental to the good order, discipline, and repute of the City service.~~

~~24. The employee has acted in a manner not aforementioned specified which tends to lower discipline or morale within the City service or adversely affects the rendering of prompt, courteous, and efficient service by the City and its employees to the public.~~

~~**Sec. 6.50 Procedure for Class I Disciplinary Action (Section 6.35).**~~

~~When a department head deems such action is necessary, appropriate, and in the best interest of City service, a department head may recommend to the City Administrator that an employee be subject to a Class I Disciplinary Action. The recommendation shall be in writing and shall contain the reasons why it is necessary for the department head to recommend disciplinary action, the type of, and recommended duration of the disciplinary action. The City Administrator, after reviewing all the facts, shall either approve, reject, or modify the recommendations of the department head. In the case of those employees over which the City Administrator is not the appointing authority, the City Administrator shall forward both recommendations to the appropriate appointing authority. The appointing authority, after~~

~~reviewing all the facts shall either approve, reject, or modify the recommendations of the City Administrator. After the appointing authority has taken the appropriate action, the employee shall be notified in writing of the disciplinary actions and the reasons therefore. The employee shall have the right to appeal any Class I disciplinary action to the appropriate appointing authority within ten (10) calendar days after such notification.~~

~~Sec. 6.55 Procedure for Class II Disciplinary Action – Civil Service Employees (Section 6.35).~~

~~1. No employee in the civil service who shall have been permanently appointed or inducted into the civil service shall be removed, suspended, demoted, or terminated except for cause, and then only upon the written accusation of the Police or Fire Chief, City Administrator, Mayor, or any citizen or taxpayer. The written accusation shall set forth the alleged misconduct, charges, or grounds for investigation against the employee.~~

~~2. If the written accusation is made by a citizen or taxpayer, it shall be filed with the Mayor, or the City Administrator, or the Secretary of the Civil Service Commission who shall cause a copy of such written accusation to be delivered within 24 hours (excluding weekends and holidays) after the filing to the Police Chief or Fire Chief, and to the City Administrator if filed with the Mayor or the Commission Secretary.~~

~~3. A temporary and immediate suspension may be affected when there is need to remove the employee from the work place promptly because of a possibility of violence, disruption of work, insubordination of a lawful order under the apparent influence of intoxicants or drugs, or for any other reason which requires prompt removal. A temporary and immediate suspension may be imposed by the City Administrator, department head, or immediate supervisor. A temporary and immediate suspension shall be with pay until such time as there is compliance with procedures established herein.~~

~~4. The Police or Fire Chief shall, within 10 business days, investigate the alleged misconduct, charges, or grounds against the employee and explain the basis of the employer's evidence to the employee and provide the employee an opportunity to present their version of the circumstances which resulted in the filing of the written accusation. If the Chief's investigation reveals other misconduct or charges, the Chief shall file an additional written accusation to include the other misconduct, charges, or grounds in accordance with the above procedure. Upon completion of this procedure, the Police or Fire Chief shall recommend in writing to the City Administrator that the alleged misconduct, charges, or grounds set forth in the written accusation or accusations be deemed:~~

~~a) To be without merit.~~

~~b) To not warrant disciplinary action.~~

~~c) To warrant disciplinary action less severe than removal, demotion, termination, or suspension, with or without pay such as an oral or written reprimand.~~

~~d) To warrant removal, demotion, termination, or suspension with or without pay.~~

5. Within five working days after receiving the written recommendation of the Police or Fire Chief, the City Administrator shall decide to accept the recommendation of the Police or Fire Chief, or shall decide that alleged misconduct, charges, or grounds for investigation against the employee set forth in the written accusation be deemed:

a) To be without merit.

b) To not warrant disciplinary action.

c) To warrant disciplinary action less severe than removal, demotion, termination, or suspension, with or without pay, such as an oral or written reprimand.

d) To warrant removal, demotion, termination, or suspension with or without pay.

e) To recommend stronger discipline.

The City Administrator shall forward a copy of the City Administrator's recommendation with the Chief's recommendation to the Mayor.

6. Within five working days after receiving the written recommendation of the City Administrator and the Chief, the Mayor shall decide to accept the recommendation of the City Administrator and/or Police or Fire Chief, or shall decide that the alleged misconduct, charges, or grounds for investigation against the employee set forth in the written accusation be deemed:

a) To be without merit.

b) To not warrant disciplinary action.

c) To warrant disciplinary action less severe than removal, demotion, termination, or suspension, with or without pay such as an oral or written reprimand.

d) To warrant removal, demotion, termination, or suspension with or without pay.

e) To recommend stronger discipline.

The Mayor shall, within 21 working days of having received the City Administrator's statement, submit his decision to the City Council for its approval. After approval of the City Council, the Mayor shall cause a copy of such decision to be filed, within 24 hours after the action of the City Council, with the Secretary of the Civil Service Commission, the Police or Fire Chief, and employee, personally or by certified mail, addressed to the employee at the residence address of the employee shown in the personnel records. The Secretary of the Commission shall cause a return showing such delivery or mailing to be executed and filed in the Secretary's office.

7. In the event the Police or Fire Chief is being disciplined, the City Administrator or Mayor shall follow the same procedures as are followed by the Police or Fire Chief in disciplining employees under this procedure.

8. Any employee so removed, suspended, demoted, or terminated may, within ten calendar days after receiving written notice of the Mayor's decision, file a written demand for an investigation and a hearing by the Civil Service Commission. The employee shall file the request for the hearing with the secretary of the Commission and simultaneously send a copy of the request to the City Administrator and Mayor. The failure to file such a request with the secretary of the Commission within ten calendar days of receipt of notice of the action by the Mayor, shall constitute a waiver of the employee's right to review by the Civil Service Commission, and the Mayor's decision shall become final.

9. Within five calendar days of receipt of the employee's notice of appeal, the City Administrator shall cause to be mailed or delivered the following notice to the employee and secretary of the Civil Service Commission:

a) A statement of the charge(s).

b) The names of the witnesses who will be called on behalf of the Mayor and general statement of the nature of their testimony.

c) Copies of the documents to be introduced.

10. Within five calendar days of the filing of the written demand for an investigation and a hearing by the Commission, the employee shall mail or deliver the following to the City Administrator and Commission:

a) A response to the statement of the charge(s).

b) The names of the witnesses who will be called on behalf of the employee and a general statement of the nature of their testimony.

c) Copies of the documents to be introduced.

11. Upon receipt of a written demand, the Commission shall conduct an investigation. The Commission may be represented in such investigation and a hearing by the City Attorney if authorized by the Mayor. If the City Attorney does not represent the Commission, the Commission may be represented by special counsel appointed by the Commission for any such investigation and hearing.

The investigation shall consist solely of a review of the written submissions of the Mayor and employee to determine whether any individuals or documents should be subpoenaed by the Commission for the subsequent public hearing before the Commission ultimately to determine whether the Mayor acted in good faith for cause. Good faith for cause shall mean that the action was not arbitrary or capricious and was not made for political or religious reasons.

12. The Commission shall schedule a hearing no less than ten, nor more than twenty, calendar days from the date of filing of the employee's written demand for an investigation. The Commission shall notify the City Administrator, the Mayor, and the employee, in writing, at least ten calendar days prior to the date of the hearing, of the date, time, and place of the hearing.

13. The Commission may affirm the action taken by the Mayor if such action is supported by a preponderance of the evidence. If the Commission finds that the removal, suspension, demotion, or termination was made for political or religious reasons, or for unjust cause, it shall order the immediate reinstatement or reemployment of such employee in the position or employment from which such employee was removed, suspended, demoted, or terminated, which reinstatement shall, if the Commission in its discretion so provides, be retroactive and entitle such person to compensation and restoration of benefits and privileges from the time of such removal, suspension, demotion or termination.

14. After the hearing, in lieu of affirming the removal, suspension, demotion, or termination, the Commission may modify the order of removal, suspension, demotion, or termination by directing a suspension, with or without pay, for a given period and the subsequent restoration to duty or demotion in position or pay. No later than ten calendar days after the hearing the Commission shall certify its findings in writing to the employee, City Administrator, and Mayor who shall enforce them.

Sec. 6.60 Procedure for Class II Disciplinary Action – Non-Civil Service Employees (Section 6.35).

No employee in the City service who shall have been permanently appointed or inducted into City service shall be removed, suspended, demoted, or terminated, except upon the written accusation of their department head, City Administrator, any citizen, or taxpayer.

1. Suspensions of Two Days or Less.

A department head, or the City Administrator, may suspend, without pay, any employee (other than one covered by Civil Service) for two days or less for cause, refer to 6.45. Prior to imposing the suspension, the department head shall meet with the employee to discuss the proposed action.

2. Temporary and Immediate Suspension.

A temporary and immediate suspension may be affected when there is need to remove the employee from the work place promptly because of a possibility of violence, disruption of work, insubordination, damage to property or persons, or if any employee is under the apparent influence of intoxicants or drugs, or for any other reason which requires prompt removal. A temporary and immediate suspension may be imposed by the City Administrator, department head, or immediate supervisor. A temporary and immediate suspension shall be with pay until such time as there is compliance with procedures established herein.

3. Suspension of More than Two Days and Demotions.

When a department head deems such action is necessary, appropriate, and in the best interest of the City service, a department head may recommend to the City Administrator an employee be suspended or demoted. The recommendation shall be in writing and shall contain the reasons why it is necessary for the department head to recommend suspension or demotion, and the type, plus the recommended duration of the suspension or demotion. The City Administrator, after reviewing all the facts, shall either approve, reject, or modify the

~~recommendations of the department head. In the case of those employees over which the City Administrator is not the appointing authority, the City Administrator will forward both the City Administrator's and the department head's recommendations to the appropriate appointing authority. The appointing authority, after reviewing all the facts, shall either approve, reject, or modify the recommendations of the City Administrator. After the appointing authority has taken the appropriate action, the employee shall be notified in writing of the disciplinary actions and the reasons therefore. An employee may be suspended or demoted with or without pay for:~~

~~a) A reasonable period of time, not to exceed 30 days when alternative personnel actions (demotions, dismissal, etc.) may not be warranted, appropriate, or deemed in the best interest of the City service.~~

~~b) An indefinite period pending the investigation of charges leading to possible termination or where the employee is charged with and awaiting trial for a criminal offense. An employee may use a combination of up to 80 hours of accrued vacation or compensatory time per the approval of the City Administrator.~~

~~4. Dismissal.~~

~~Dismissal is the removal from the City service of a City employee. Either department heads or the appointing authority may initiate dismissals.~~

~~A City employee may be dismissed when alternative personnel actions, (i.e. verbal warning, written reprimand, demotion, or suspension) would not be considered sufficient or in the best interest of the City. All recommendations by department heads for dismissals shall be submitted to the City Administrator, who in turn will forward them, with the City Administrator's recommendation, to the appropriate appointing authority. All dismissals shall be made by the appointing authority who may modify a dismissal recommendation and impose an alternative disciplinary action other than a dismissal. The employee shall be given a written notice, at least one calendar week in advance, of the proposed effective date of the dismissal. The notice of dismissal shall contain the reasons, statement on employee's rights, including the right to answer all charges in writing, and the right to a hearing.~~

~~5. Appeals.~~

~~Any employee suspended, demoted, or terminated may, within ten calendar days after such action or after receiving written notice of such proposed action, request in writing, a hearing by the appointing authority.~~

~~If the employee fails to respond within ten calendar days, the proposed action shall be effective on the date specified with no need for further action. If the employee requests a hearing, the appointing authority shall promptly set a date and time for the hearing and give the employee reasonable written notice. The employee shall be informed in the written notice of the employee's rights at such hearing, including the right to be represented. The appointing authority may conduct the hearing personally or may appoint a hearing officer for this purpose.~~

~~The hearing afforded by this section shall be informal in nature. The rules of evidence shall not apply. At the hearing, the appointing authority may consider and give such weight as he or she deems appropriate to written statements and reports which are offered in evidence, whether such statements are sworn or unsworn. The persons giving the statements need not be called as witnesses at the hearing unless otherwise ordered by appointing authority or the designated hearing officer. The appointing authority may permit, prohibit, or limit cross-examination of witnesses as he or she determines appropriate in his or her sole discretion, or may require that questions be put to witnesses through the hearing officer. There shall be no prehearing discovery unless the appointing authority or designated hearing officer determines in his or her sole discretion that good cause exists for permitting limited discovery. The employee shall be permitted to appear at the hearing and give testimony concerning the reasons given for the possible termination of his or her employment. The employee shall also have the right to be represented at the hearing.~~

~~After such hearing, the appointing authority shall carefully consider all evidence presented at the hearing before making a final decision and may reverse, modify, or confirm any disciplinary action taken or proposed. The employee will be informed in writing of such decision.~~

~~Sec. 6.87 Performance Appraisals.~~

~~It is the policy of the City that the job performance of each employee should be evaluated periodically by the employee's supervisor. However, it is the responsibility of the employee to speak up and request such appraisal from the supervisor if it is delayed at all. If prompt action is not taken by the supervisor, the employee is responsible to promptly request from their department head that the appraisal be completed.~~

~~1. Supervisors should complete performance appraisals upon the following types of occasions:~~

~~a) Prior to the annual salary review or on the anniversary date of employment.~~

~~b) Requiring terminating supervisor to do evaluations of all employees whose evaluations are due within 90 days.~~

~~If a performance appraisal has been completed within one month prior to one of the above occasions, a new appraisal need not be completed, except in cases involving discipline or termination. Between scheduled appraisals, supervisors should discuss with employees, on an informal basis, any performance issues (negative or exemplary) which warrant attention and should keep records of any significant incidents. Employees should retain a copy of all appraisals for appropriate later review.~~

~~2. Supervisors, in evaluating employees, should consider such factors as the experience and training of the employee, the job description, and the employee's attainment of previously set objectives and goals. Other factors that normally should be considered include, but are not limited to, knowledge of the job, quantity and quality of work, promptness in completing assignments, cooperation, initiative, reliability, attendance, judgment, conduct, and acceptance of responsibility.~~

~~3. Supervisors, in completing evaluations, should prepare a written appraisal of each employee's job performance, using a City Administrator approved form. Such an appraisal should include the supervisor's comments, recommendations, and performance goals for the next evaluation period. In an atypical evaluation, an alternate type of appraisal form may be more appropriate.~~

~~4. Department heads should review each supervisor's written evaluation to help assure the evaluation function has been properly completed in as fair and objective a manner as possible.~~

~~5. After the written evaluation has been reviewed by the department head, the supervisor and employee should meet and discuss the evaluation, assess the employee's strengths and weaknesses in a constructive manner, and set objectives and goals for the period ahead. The employee should be given the opportunity to examine the evaluation and make written comments about any aspect of it. The employee and supervisor should then sign and date the evaluation and forward it to the department head for review and approval. The form will then be forwarded to the Human Resources Director who reviews the appraisal form with the City Administrator before placing it in the employee's personnel file.~~

~~6. Employees, who have added written comments to their performance appraisal, but feel an additional communication is necessary, may request an interview with their department head or the Human Resources Director or implement the grievance procedure.~~

~~7. Information derived from the performance appraisal may be considered when making decisions affecting an employee including, but not limited to, decisions concerning training needs and opportunities, pay, promotion, transfer, or continued employment.~~

~~8. The procedures discussed in this policy are only guidelines. The City may unilaterally modify or revoke them in whole or in part from time to time. Accordingly, these procedures are not a promise or contract, express or implied, that they will be used in every instance.~~

~~The Human Resources Director shall then review the performance appraisal form and transmit it, with the appropriate comments, to the City Administrator for whatever action may be deemed necessary.~~

~~Should the employee receive an unsatisfactory performance rating, any pay increases the employee may be eligible to receive will be withheld until the employee receives a satisfactory performance rating, the employee will be reviewed again within three months. Any pay increase will only become effective after a satisfactory performance appraisal.~~

CHAPTER SEVEN

EMPLOYEE RESPONSIBILITIES AND CONDUCT

Sec. 7.10 Behavior of Employees.

It is the policy of the City that certain rules and regulations regarding employee behavior are necessary for the efficient operation of the City and for the benefit and safety of all employees. Conduct which interferes with operations, discredits the City, or is offensive to customers or fellow employees will not be tolerated.

1. Employees are expected at all times to conduct themselves in a positive manner so as to promote the best interests of the City. Such conduct includes:

    a) Reporting to work punctually as scheduled and being at the proper work station, ready for work, at the assigned starting time.

    b) Giving proper advance notice whenever unable to work or report on time.

    c) Complying with all City safety and security regulations.

    d) Wearing clothing appropriate for the work being performed.

    e) Maintaining work place and work area cleanliness and orderliness.

    f) Treating all citizens and fellow employees in a courteous manner.

    g) Refraining from behavior or conduct deemed offensive or undesirable, or which is contrary to the City's best interests.

    h) Performing assigned tasks efficiently and in accord with established quality standards.

    i) Reporting to department heads, or in those cases where a department head is involved, to the Human Resources Director or City Administrator any suspicious, unethical, or illegal conduct by fellow employees, suppliers, or contracting organizations.

    j) Treating their supervisors with respect and carrying out instructions to the best of their ability without delay or quarrel.

2. The following conduct is prohibited and will normally subject the individual involved to disciplinary action, up to and including termination.

    a) Reporting to work with alcohol on their breath or under the influence of alcoholic beverages and/or illegal drugs and narcotics, or the use, sale, dispensing, or possession of alcoholic beverages and/or illegal drugs and narcotics on City premises unless such possession is a necessary part of the job assignment.

b) Use of profanity or abusive language.

c) Possession of firearms or other weapons on City property unless authorized by the City Administrator or department head.

d) Insubordination of a lawful order or the refusal by an employee to follow management's instructions concerning a job-related matter.

e) Physical assault on a fellow employee or citizen.

f) Theft, intentional destruction, defacement, or misuse of City property or resources or of another employee's property.

g) Gambling on City property.

h) Falsifying or altering any City record or report, such as an application for employment, a medical report, a production record, a time record, an expense account, an absentee report, or shipping and receiving records.

i) Threatening or intimidating management, supervisors, security personnel, or fellow workers.

j) Use of tobacco products, if prohibited by local ordinance or City rules.

k) Horseplay, pranks, or practical jokes of a malicious nature.

l) Unauthorized sleeping on the job.

m) Failure to wear assigned safety equipment or failure to abide by safety rules and policies.

n) Improper attire or inappropriate personal appearance.

o) Engaging in any form of harassment.

p) Violation of City policies on solicitation or distribution.

q) Improper disclosure of confidential information.

3. The examples in part (2) of 7.10 are illustrative of the type of behavior that will not be permitted, but are not intended to be an all-inclusive listing. Any questions in connection with this policy should be directed to your supervisor or the Human Resources Director.

Sec. 7.20 City Property.

Employees shall be responsible for the proper care and use of all City property entrusted or available to them. Employees damaging or losing City property through negligence or abuse shall be subject to disciplinary action and may be required to reimburse the City for such damage or loss. City equipment, keys, materials, and supplies shall not be used for private purposes and shall not be

removed from authorized locations without proper supervisory approval. Employees leaving the City service shall return any tools, uniforms, or other City property issued to them before receiving their final pay.

Sec. 7.25 Absenteeism.

1. Unnecessary absences should be absolutely avoided. Employees are hired because they are needed to carry out the department workload, so unexpected and unnecessary absences disrupt the normal work routine. Often, other department employees will have to carry your workload in your absence.

2. Any absence, for any reason, should be reported immediately to the supervisor or the department head and the following information reported:

    a) Specific reason for absence.

    b) Expected time or date of return.

    c) Always report any change in the time of return to the department head or supervisor.

3. Absence due to illness or injury must be reported each day, unless the employee and department head or immediate supervisor have personally agreed to a more extended period of time.

4. Chronic absenteeism will result in disciplinary action, including possible termination.

Sec. 7.30 Assigned Vehicles.

The City Administrator may assign City vehicles to department heads, and certain other employees for use during normal duty hours and for transportation between home and work. Such vehicles shall otherwise be used only for official purposes as determined by the City Administrator.

Sec. 7.40 Secondary Employment.

Employees may engage in outside employment which does not involve the use of City time, equipment, supplies, uniforms (in whole or part) and which does not create a conflict of interest with their City position, or which does not so fatigue the employee that it adversely affects their job performance. Before engaging in such employment, the employee shall notify their department head and annually thereafter on their anniversary date. The first such notification, which shall be in writing, shall include the place of employment, phone number of employer, a brief job description, hours of employment, and such additional information the department head may require. Annually thereafter, the disclosure is to be written into the annual employee appraisal form.

If the department head believes any present or proposed outside employment violates Section 7.70, the department head may, after consultation with the City Administrator, require the employee to modify, not accept, or terminate such employment.

Sec. 7.45 Private Business Activities.

Employees shall not engage in private business activities during their scheduled working hours and shall not use City property or facilities for such activities.

Sec. 7.50 Workplace Violence.

The City is concerned about the increased levels of violence prevalent in our society and has taken affirmative steps to prevent incidents of violence from occurring in the workplace. All acts or threats of violence by any City employee against any other employee, client, contractor, vendor or visitor, on or off City property, is strictly prohibited. Violation of this policy can lead to disciplinary action, up to and including immediate termination.

If you observe or are aware of any workplace violence, threats of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks, or other suspicious activity or incidents that have or could lead to violence in the workplace, you shall immediately bring the incident to the attention of your supervisor. If that is not feasible, would prove to be uncomfortable, or you are not satisfied with your supervisor's handling of the complaint, bring the matter to the attention of the department head. If none of these alternatives are feasible or do not address the problem, contact the Human Resources Director or City Administrator.

The City will promptly investigate all reports of actual or threatened workplace violence in as confidential of a manner as possible and take appropriate corrective action if warranted.

Under no circumstances will a department head or supervisor be allowed to intimidate or retaliate against an employee for making a report under this policy.

Sec. 7.55 Weapon-Free Workplace Policy.

To ensure that the City maintains a workplace safe and free of violence for all employees and visitors, the City prohibits the possession or use of Dangerous Weapons on City Property or while performing City business except for sworn officers. A license or permit to carry or possess any weapon does not supersede City policy.

"City Property" is defined to include all City-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways, green spaces and parking lots under the City's ownership or control. It also includes all City-owned or leased vehicles and all vehicles that come onto City Property.

"Dangerous Weapons" includes, but is not limited to, firearms, explosives, knives (other than those used to perform your duties at the City), swords and other weapons or objects that might be considered dangerous by the City or that are capable of being used to inflict severe bodily injury upon another. Employees are responsible for making sure that any item possessed by the employee is not a Dangerous Weapon.

Because employees do not have a reasonable expectation of privacy with respect to their work at the City, the City reserves the right to monitor City Property and those present on City

Property at any time. This includes the right to conduct reasonable searches of all City Property, and all vehicles including such things as packages, containers, briefcases, purses, coats, bags, lockers, desks, computers, cell phones and enclosures present on City Property as well as persons entering upon City Property. As a condition of employment and as a condition for entering upon City Property, all employees and visitors are required to promptly submit to a reasonable search upon request as provided in this policy.

Any employee who violates this policy is subject to disciplinary action, up to and including termination. Any visitor who violates this policy will be denied access to the City Property.

Sec. 7.60 Political Activity.

Employees are free to vote and support candidates for public office as they may desire; provided they do not engage in political activities during their working hours or use City property to do so, City uniforms or facilities for such activities. All non-City political campaign buttons shall not be worn while an employee is on duty. No supervisor or other person in authority shall require an employee to support a candidate or political activity.

Sec. 7.70 Conflicts of Interest.

No employee shall engage in any activity or enterprise which conflicts or creates the appearance of conflicting with the employee's City duties or with the duties, function, or responsibilities of the City. The City Administrator or the Human Resources Director may prohibit particular activities which would create conflicts of interest in their specific organizational environments. Employees shall be encouraged to seek advance determinations regarding possible conflict of interest situations. The following employee activities shall generally constitute conflicts of interest and may in some cases also be criminal acts:

~~1. Engaging in any activity or enterprise involving the use of City time, facilities, equipment, materials, supplies, badge or other identification other than for City purposes.~~

~~2. Receiving or accepting money or other consideration from any person or entity other than the City for the performance of any service which the employee of the City would normally be required or expected to render or for preferential or favorable treatment in relation to others.~~

~~3. Having a direct financial interest in any contract with the City or a direct financial interest in the provision of equipment, materials, supplies, or services to the City, except as may be disclosed to and approved by the Mayor and City Council.~~

1. Public employees may not have an interest in a contract with the governmental entity which they serve, without proper disclosure.
2. Employees must properly disclose prior to taking any official action or making an official decision which may result in a financial benefit or detriment to the public official or public employee, a member of his or her immediate family, or business with which he or she is associated.

3. Employees may not use, or authorize the use of public resources, personnel, property or funds under their official care and control for personal financial gain.

Sec. 7.75 Family and Friends in the Workplace.

Employee's family and friends are welcome to visit the workplace, provided the visits are infrequent, brief and take place in a fashion that limits disruption to the workplace.

Sec. 7.80 Solicitation.

It is the policy of the City to prohibit solicitation and distribution on its premises by non-employees and to permit solicitation and distribution by employees only as outlined below.

1. The City limits solicitation and distribution on its premises because, when left unrestricted, such activities can interfere with the provision of City services, can be detrimental to employee efficiency, can be annoying to citizens (who are the customers of City services), and can pose a threat to security.

2. Department heads are responsible for administering this policy and for enforcing its provisions. Employees will be subject to disciplinary action for violations of this policy (See Chapter 6).

3. Persons who are not employed by the City are prohibited from soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services (except by representatives of suppliers approved by the Human Resources Director), or engaging in any other solicitation or similar activity on City premises.

4. The City Administrator may authorize a few fund drives by employees on behalf of charitable organizations or for employee gifts. Employees are encouraged to volunteer to assist in these drives. However, employees are not to be discriminated against because of their willingness or unwillingness to participate.

5. Employees are permitted to engage in solicitation or distribution of literature for any group or organization, including charitable organizations, only in accordance with the following restrictions:

    a) The sale of merchandise is prohibited on City premises unless approved by the affected department head.

    b) Solicitation and distribution of literature are prohibited during the working time of either the employee making the solicitation or distribution, or the targeted employee. The term "working time" does not include an employee's authorized lunch or rest periods or other time when the employee is not required to be working. All solicitation materials shall be provided in the breakroom for employees to review, during breaks or outside of working hours.

c) Distribution of literature is prohibited in work areas at all times.

d) The distribution of literature in such a manner as to cause litter on City property is prohibited.

e) Off-duty employees are requested not to return for the purposes of solicitation.

6. The City maintains bulletin boards to communicate City information to employees and to post notices required by law. These bulletin boards are for the posting of City information and notices only, and only persons designated by the department heads may place notices on or take down material from the bulletin boards.

Sec. 7.81 Email

The City provides employees with electronic business communication tools, including an email system. This policy will govern acceptable use of this system, regardless of where such use occurs.

The policy applies to employees' use of desktop computers, laptops, smartphones, and other hand-held devices, whether provided by the City, owned by the employee or a third party. It applies to employees, independent contractors, interns, volunteers, consultants, agents and third parties including but not limited to suppliers and vendors.

Any employee who violates the email policy is subject to disciplinary action up to and including termination.

The email system is provided primarily for business purposes. Employees may use the City email system for limited personal use strictly in accordance with this policy.

Employees may use the email system to communicate with family, school, and other minimal personal dealings outside of City business. The time involvement should be short and require little more time needed than is available on breaks. Spending more than minimal time or sending a substantial volume of personal or private business email would be considered a violation of this policy. Other types of activities which would violate this policy would include soliciting money for causes or personal gain and campaigning for political causes or candidates.

The email system is the property of the City. All passwords, user IDs and messages created and transmitted are the property of the City. The City reserves the right to monitor all email transmissions conducted via the City computer system.

Employees have no reasonable expectation of privacy when it comes to the business and personal use of the City email system. All employee email messages (incoming, outgoing, and internal) can be monitored. The City reserves the right to monitor, inspect, copy, review, and store at any time and without notice any and all usage of the City's email system, and any and all files, information, software, and other content created, sent, received, downloaded, uploaded, accessed, or stored in connection with employee usage. The City reserves the right to disclose email text and images to regulators, the courts, law enforcement, and other third parties without the employee's consent.

Employees are prohibited from using the email system to engage in activities or transmit content that

is harassing, discriminatory, menacing, threatening, obscene, defamatory or offensive. Therefore, it will be considered a policy violation to send, solicit, print, copy or reply to text or images that contain these types of offensive, harassing or discriminatory material.

Confidential, proprietary, and personal information must be protected. Unless so authorized, employees are prohibited from using the email system to transmit confidential information to outside parties. Confidential information includes but is not limited to, credit card numbers, social security numbers, employee performance reviews, employee medical information, passwords, and information expressly exempted from the Nebraska public records law.

If an employee receives email containing inappropriate or offensive material the following procedure should be used:

a. If you know the sender, contact them immediately and instruct the sender to stop sending this type of material.

b. If you do not know the sender, block the sender. If the blocking is not effective, contact the Computer Network Technician.

Passwords are the property of the City. Employees are expected to share current passwords and user IDs when requested. Unauthorized sharing of passwords and user IDs will be a violation of policy.

Email messages should be treated as business documents and created with care. Since these documents are not in your control, once they are sent, they can reflect positively or negatively upon the employee and the City.

Organization wide email messages must be approved by the appropriate department head before being sent. Employees are prohibited from sending email blasts (mass mailings) to external parties without appropriate department head approval. Employees are prohibited from requesting email replies to organization-wide email or external email blasts without permission from the appropriate department head and the Computer Network Technician.

Sec. 7.82 Internet Usage

The City provides specified employees with a network connection and internet access. This internet usage policy governs all use of the City's network, regardless of where such use occurs.

The City network and internet access are intended for business use. Employees may access the internet for personal use only during breaks and non-working hours, and strictly in compliance with this policy.

All information created, transmitted, acquired, downloaded, or uploaded via the City network and internet system is the property of the City. Employees should have no expectation of privacy regarding this information. The City reserves the right to access, read, review, monitor, and copy all messages and files on its computer system at any time and without notice. When deemed necessary, the City

may disclose text or images to law enforcement agencies, regulatory bodies, courts and other third

parties without the employees' consent.

Upon legal order, an employee shall share passwords used on City computer systems.

Alternate internet service provider connections to the City internal network are not permitted unless expressly authorized by the City and properly protected by a firewall or other appropriate security device(s).

Files downloaded from the web may not be viewed or opened until scanned with virus detection technology. Employees are reminded that information obtained from the web is not always reliable and should be verified for accuracy before it is used.

Employees are prohibited from misusing the City network or internet access for activities such as:

a. Downloading software without the express authority of the appropriate department head.

b. Operating a business, usurping business opportunities, soliciting money for personal gain, or searching for jobs outside the City organization structure.

c. Making offensive or harassing statements and/or disparaging others based on race, color, religion, national origin, veteran status, ancestry, disability, age, or sex.

d. Visiting websites featuring pornography, terrorism, espionage, theft, racially offensive material or drugs unless authorized by the respective department head as a part of specifically ordered duties.

e. Gambling or engaging in unethical activities or content.

f. Participating in activities, viewing, or writing content with the intent to purposely harm the City organizational structure or malign an individual employee.

Department heads and supervisors are responsible for ensuring employee compliance with this policy. Employees who learn of policy violations should notify the appropriate Department Head or the Human Resources Director. Employees who violate this policy or use the City network or internet system for improper purposes will be subject to discipline, up to and including termination.

Sec. 7.83 Social Networking

1. Generally

The City of Columbus takes no position on an employee's decision to start or maintain a blog or to participate in other social networking activities. However, it is the right and duty of the City to protect itself from unauthorized disclosure of confidential information and information expressly exempted from Nebraska's public records laws. The City's social networking policy includes rules and guidelines for City-authorized social networking and personal social networking and applies to employees, committee members and elected officials.

Blogging or other forms of social media or technology includes but is not limited to video or wiki

postings, sites such as Facebook and Twitter, chat rooms, personal blogs or other similar forms of online journals, diaries or personal newsletters not affiliated with the City.

Unless specifically instructed, employees are not authorized and therefore are restricted from speaking on behalf of the City. Employees may not publicly discuss confidential information or information expressly exempted from Nebraska's public records laws outside of City-authorized communications. Employees are expected to protect privileged data. For example, employees, vendors or clients are prohibited from disclosing personal employee and nonemployee information and any other proprietary and nonpublic information to which employees have access. Such information includes but is not limited to citizen financial information, legal process information, and personnel issues.

Employees are cautioned that they should have no expectation of privacy while using the internet. Postings can be reviewed by anyone, including City staff. The City reserves the right to monitor comments or discussions about the City, its employees, vendors and contractors posted on the internet by anyone, including employees and non-employees. The City may use blog-search tools and software to monitor forums such as blogs and other types of personal journals, diaries, personal and business discussion forum, and social networking sites.

Employees are cautioned that they should have no expectation of privacy while using City equipment or facilities for any purpose, including authorized blogging. The City reserves the right to use content management tools to monitor, review or block content on City blogs that violate City blogging rules and guidelines.

2. Authorized Social Media on behalf of the City.

The following rules and guidelines apply to social networking and blogging when authorized by the City and completed on paid work time. The rules and guidelines apply to all employer-related blogs and social networking entries.

Only authorized employees can prepare and modify content for the City of Columbus website and/or the social networking entries located on the web. Content must be relevant, add value and meet at least one of the specific goals or purposes developed by the City. If uncertain about any information, material or conversation, discuss the content with the respective department head.

Any copyrighted information where written reprint information has not been obtained in advance cannot be posted by an authorized employee.

City departments are responsible for ensuring all blogging and social networking information complies with City policies and regulations. Department heads are authorized to remove any content that does not meet the rules and guidelines of this policy or that may be illegal or offensive. Removal of such content may be done without permission of the blogger or advance warning.

The City expects all guest bloggers to abide by all rules and guidelines of this policy. The City reserves the right to remove, without advance notice or permission, all guest bloggers' content considered inaccurate or offensive. The City also reserves the right to take legal action against guests or employees who engage in prohibited or unlawful conduct.

3. Social Media—Personal/Non-City

The City respects the right of employees to write blogs and use social networking sites and does not want to discourage employees from self-publishing and self-expression. Employees are expected to follow the guidelines and policies set forth to provide a clear guideline to you as an individual and to you as the employee.

The City respects the right of employees to use blogs and social networking sites as a medium of self-expression and public conversation and does not discriminate against employees who use these media for personal interests, affiliations or other lawful purposes.

Bloggers and commenters are personally responsible for their commentary on blogs and social networking sites.

Employees are not to use City-owned equipment, including computers, company licensed software, or other electronic equipment, or productive work time to conduct personal blogging or social networking activities.

If an employee chooses to identify themselves as or is known to be a City of Columbus employee, then readers may view this employee as one who speaks for the City of Columbus. Therefore, it must then be stated that the views being expressed are personal and not those of the City of Columbus or of any person or organization affiliated or doing business with the City of Columbus.

Employees cannot post on personal blogs or other sites the name or logo of the City of Columbus or any organization with a connection to the City of Columbus. Nor may they post City documents or pictures which would lend the impression of official approval of these personal postings.

If contacted by the media about anything that relates to their employment or duties with the City, employees shall direct all such media inquiries to the respective department head.

Sec. 7.84 Cell Phone/Electronic Devices.

While at work, employees are expected to exercise the same discretion in using personal cell phones and electronic devices as is expected for the use of City phones. Excessive texting and personal calls during the work day, regardless of the phone or device used, can interfere with employee and department productivity and can be distracting to others. Employees are encouraged to text and make any other personal calls on non-work time where possible and to ensure that friends and family members are aware of this policy.

Where workload needs demand immediate access to an employee, the City may issue a cell phone or other electronic device for work related communications or a fee arrangement may be made to have the employee carry their own cell phone on an agreed upon schedule. As requested, the employee may be asked to produce this cell phone or electronic device for immediate return or inspection.

All employees are expected to follow applicable state or federal laws or regulations regarding the use of cell phones or other electronic devices. Employees whose jobs responsibilities include regular or occasional driving as a part of the work day shall refrain from texting or using the keypad while driving. Safety must come before all other concerns. Bring the vehicle to a safe stop before texting

or using the keypad of the cell phone or electronic device.

Where possible, hands-free equipment will be provided with City issued phones and other electronic devices to facilitate the provisions of this policy.

Sec. 7.85 Offices and Locker Facilities.

Offices and locker facilities are provided for designated employees as a place to keep personal items while on duty and to have supplies readily available to perform necessary tasks.

Employees should check with their supervisor for the availability of lockers. Where lockers are not available, your supervisor will point out areas approved for keeping personal items while on duty.

To guard against insects and rodents, please do not store food or other material which may mildew or spoil in lockers, desks, or file cabinets.

Since the above described facilities are public and not private property, they can be subject to a search at any time. Employee should therefore have no expectation of privacy concerning the material stored in/on this City property.

Sec. 7.90 Change of Status.

All employees shall report changes of address, telephone number, name and similar information to their respective department head and on to the Human Resources Department, as these changes occur. Municipal emergencies can occur at any time and this data can be crucial to efficient operations. At the time of the annual appraisal, employees are to correct their changes of status mentioned above as a part of the appraisal process.

Sec. 7.95 Tobacco Use.

The City desires to encourage all employees to abandon the use of tobacco products while serving the public. Therefore, tobacco use and vaping devices are restricted from all City owned buildings and vehicles. Employees may use tobacco products outside of City owned buildings and vehicles while they are on approved breaks, meal times and before and after the work shift. Tobacco use areas outside of each City building will be designated by the appropriate department head. Violation of this policy can lead to disciplinary action.

Sec. 7.96 Drug and Alcohol Policy.

The City has committed to the maintenance of a safe and productive work environment for its employees and to provide a drug free workplace. The City, therefore, has enacted the following Drug and Alcohol Policy.

1. Drug and Alcohol Policy Definitions:

    a) "Alcohol" - Any beverage that has an alcoholic content in excess of .5% by volume.

b) "Drug" - Any substance, other than alcohol, capable of altering the user's judgment, perception, or mood, or of impairing the user's physical reactions.

c) "Legal Drug" - Includes prescribed drugs and over-the-counter drugs which have been legally obtained, and are being used for the purpose for which they were prescribed or manufactured.

d) "Illegal Drugs" means any drug which (a) is not legally obtainable; or (b) is legally obtainable but has not been legally obtained. The term includes controlled substances including, but not limited to, marijuana, cocaine, PCP, LSD, heroin and other narcotics. The term also includes prescribed drugs, legally obtained, but not being used for prescribed purposes or prescribed drugs which were illegally obtained.

e) "Reasonable Suspicion" means reasonable grounds to suspect that the employee is in possession of illegal drugs or alcohol, or that the employee is under the influence of or impaired by illegal drugs or alcohol. Reasonable suspicion is to be based upon specific observations concerning such things as appearance, behavior, or speech of the employee in question.

f) "Under the Influence" means that the employee is affected by an illegal drug or alcohol or a combination of drugs and/or alcohol at any detectable level. The symptoms of influence may include, but are not limited to, impairment of physical or mental ability such as slurred speech, problems in maintaining balance, poor work performance, sudden mood swing, or radical change in behavior. A determination of influence may be established by a professional opinion or a scientifically accepted testing procedure.

2. Drug and Alcohol Policy Application

a) The sale, purchase, transfer, distribution, manufacture, dispensation or unauthorized possession or consumption of alcohol on City property, or while performing City business is prohibited. This policy is not intended to preclude the consumption of alcohol at City-sponsored or authorized social functions, such as holiday parties, picnics, and the like.

b) The manufacture, distribution, dispensation, sale, purchase, transfer, use, or possession of an illegal drug while performing City business, while on City premises or at a City job site is prohibited. Reporting to work or working under the influence of illegal drugs or alcohol is prohibited.

c) It is the responsibility of the employee to notify their supervisor if they are under the influence of a drug. Except as provided below, the use or being under the influence of any legally obtained drug by any employee while performing City business or while on City property is prohibited to the extent such use or influence may affect the safety of co-workers or members of the public, the employee's job performance, or the safe or efficient operation of the City. An employee may continue to work even though under the influence of a legal drug, if City

management has determined, after consulting with a physician or pharmacist, that the employee does not pose a threat to his or her own safety or the safety of co-workers and that the employee's job performance is not significantly affected by the legal drug. Otherwise, the employee may be required to take a leave of absence or comply with other appropriate action, including assignment to another job position, as determined by City management.

d) Any violation of these rules may result in discipline up to and including termination.

e) This Drug and Alcohol Policy is applicable to employees of vendors and subcontractors as well. Violation of these rules or refusal to cooperate with implementation of this Policy by such persons may result in being barred from City property.

f) Compliance with the City's Drug and Alcohol Policy is a condition of employment. All new regular employees will be required to submit to the scheduled "post offer" drug and alcohol test.

3. Searches

a) The City reserves the right to conduct reasonable searches of employees and employees of vendors and subcontractors for illegal drugs or alcohol on City premises and job sites, including, but not limited to, vehicles, desks, bags and work areas.

b) Illegal drugs or alcohol discovered in the course of a search will be confiscated until ownership is determined. Where warranted, confiscated items will be turned over to appropriate law enforcement authorities.

c) Refusal to cooperate in a search may result in immediate suspension, pending investigation, and may result in further disciplinary action, up to and including termination. Refusal to surrender contraband may also result in discipline, up to and including termination.

4. Testing of Current Employees

a) Where the City has documented reasonable suspicion that an employee possesses or is under the influence of illegal drugs or alcohol, the employee may be required to take a urinalysis test. The employee may also be suspended without pay pending the receipt of test results and the completion of any investigation conducted by the City.

b) The City may request or require current employees to undergo testing for drugs and/or alcohol without reasonable suspicion if the employee:

(1) has sustained a personal injury, even a minor injury where medical treatment was sought, or has been involved in an accident where another

individual has sustained such a personal injury and accident; or

(2) has been involved in a work-related accident or exposure to bloodborne pathogens or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident where the accident results in property damage.

The Supervisor on duty at the time is responsible for contacting the Occupational Health Department to set up the testing and for transporting the employee to the Occupational Health Department for testing.

c) Refusal of a request to take a urinalysis test may result in immediate suspension without pay pending investigation, and may also result in further disciplinary action, up to and including termination.

d) If the initial test is positive, the laboratory will be instructed to retest the specimen for the substance indicated using a testing method approved by the Nebraska Department of Health before reporting a positive result to the City.

e) A confirmed positive test will subject the employee to disciplinary action up to and including termination.

f) In all cases of confirmed positive test results, employees will have the opportunity to explain the result, and to substantiate the explanation with medical evidence, which could include an additional confirmatory test of the same specimen.

5. Additional Testing Procedures

a) All employees who agree to take a urinalysis test will be required to sign a form consenting to the test and authorizing disclosure of the results to the City.

b) Specimen collection and urinalysis will be performed only by a qualified independent testing laboratory or health care provider designated by the City.

c) The City will pay the full cost of any testing that is requested of any employee, as well as any confirmatory test requested by the employee, including the reasonable cost of any transportation to and from the designated testing facility.

6. Confidentiality

a) Information obtained on an individual as part of a drug and/or alcohol test is strictly confidential and will be disclosed to only those persons within the City having a legitimate need-to-know. Such information will not be released to any individual or organization outside the City, without written permission of the employee, except as required or allowed by law.

b) Other information developed in investigating possible violations of this policy will be communicated to City personnel only on a need-to-know basis.

7. Rehabilitation

   a) Current employees testing positive will be suspended from work and, if termination is not undertaken, may be referred to a care unit/treatment facility. Refusal of treatment or failure to complete treatment will result in termination.

   b) Employees who undergo treatment will be retested within 45 to 60 days of the initial test. A positive test and confirmation at that time will result in termination of employment.

   c) Should the retest be negative, the employee will be allowed to return to work subject to periodic retesting during the duration of employment with the City. Any additional positive test and confirmation at any time will result in termination.

   d) This policy of encouraging rehabilitation is not to be interpreted as conflicting with the rule above prohibiting manufacture, distribution, dispensation, use, or possession of illegal drugs or alcohol on City premises or while performing City business. In addition, if the City deems the circumstances warrant termination, without first offering rehabilitation, it reserves the right to take such action.

Employees are prohibited from the use, sale, dispensing, distribution, possession, or manufacture of illegal drugs and narcotics or alcoholic beverages on City premises, work sites, in City vehicles, or in personal vehicles parked on City property. However, there may be an occasional event that allows the dispensing of alcohol at specific City buildings with City Council approval. In addition, employees are prohibited from the off-premises use of alcohol and possession, use, or sale of illegal drugs when such activities adversely affect job performance, job safety, or the City's reputation in the community. Employees shall not use alcohol while on duty or within 8 hours of a regularly scheduled shift. Undercover officers are exempt when performing their assigned duties.

Sec. 7.97 Personal Finances of Employees.

It is the policy of the City to require employees to meet and discharge their financial obligations in a timely manner.

1. Employees should manage their personal finances so they do not adversely impact job performance or the City's image in the community. The failure of employees to meet financial obligations may impose an administrative and financial burden on the City in terms of extra bookkeeping and the need to respond to and comply with court processes.

2. The City must disclose employee financial data as obligated under statutory requirements. Employees who become financially obligated to the City will be expected to enter into a written acknowledgment of the obligation at the time it is incurred. Such obligations could arise from pay or expense advances, breakage or shortages.

3. The Finance Department is authorized to receive a writ of garnishment or attachment, a notice of levy by any taxing authority, or any other similar order requiring payment of a portion of an employee's compensation to someone other than the employee. The Finance Department is to notify the affected employee immediately, and then deduct the required

amount from the employee's earning. The amount deducted, however, should not exceed that permitted by law.

4. No employee will be terminated because of the fact that their earnings have been subjected to garnishment for one indebtedness.

5. The City will not deny employment to, or terminate the employment of, any person solely because that person has filed a petition for bankruptcy.

Sec. 7.98 Zero Tolerance for Unlawful Harassment.

The City is committed to offering employment opportunity based on ability and performance, in a productive climate, free of discrimination. Accordingly, harassment of any kind by supervisors or co-workers will not be tolerated. In addition, the City will protect employees, to the extent possible, from reported harassment by non-employees in the work place.

In general, ethnic or racial slurs, jokes and other verbal or physical conduct relating to a person's race, color, age, sex, national origin, religion, disability, marital status, marital status, AIDS/HIV status, genetic information, or other class protected by applicable law constitute harassment when they unreasonably interfere with the person's work performance or create an intimidating work environment.

Sexual harassment has been defined by federal and state regulations as a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual favors, or other physical and verbal conduct of a sexual nature by supervisors or others of the same or opposite sex in the work place. Sexual harassment exists when:

1. Supervisors or managers make submission to such conduct either an explicit or implicit term or condition of employment (including hiring, compensation, promotion, or retention); or

2. Submission to or rejection of such conduct is used by supervisors or managers as a basis for employment-related decisions such as promotion, performance evaluation, pay adjustment, discipline, or work assignments.

Sexual harassment may also exist when co-workers (or non-employees, such as vendors, citizens) engage in such conduct, when the conduct unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

If you believe that you are being harassed by another employee, supervisor or any other person in connection with your employment with the City, you should bring the incident to the attention of your supervisor. If that would prove to be uncomfortable or you are not satisfied with your supervisor's handling of the complaint, bring the matter to the attention of your department head, the Human Resources Director and/or the City Administrator.

If you still are not satisfied with the handling or outcome of your complaint, or if you feel more comfortable bypassing the other steps, take the matter to the Human Resources Director. The City will promptly investigate all allegations of discrimination and/or harassment in as confidential a

manner as possible and take appropriate corrective action if warranted.

Under no circumstances will a manager or supervisor be allowed to threaten or retaliate against an employee who alleges harassment.

CHAPTER EIGHT

SEPARATION AND REINSTATEMENT

Sec. 8.10 Separation.

All separations of employees from positions in the Classified Service shall be one of the following:

1. Reduction in force.
2. Death.
3. Dismissal.
4. Disability.
5. Retirement.
6. Resignation.

Any employee who is separated for any of the above reasons will receive their final paycheck on the next regular payday following the effective date of their separation or by the end of the month of separation. In the event of the death of an employee, the final payment will be issued as soon as the legal beneficiary or beneficiaries are determined. Prior to final payment of any money due, all records, assets, and other items of City property in the employee's custody shall be transferred to the department head and certification to this effect shall be executed.

Department heads shall secure from each employee who is issued City equipment, or who has possession of City records or keys to City equipment or buildings, the following release:

> "In the event of my separation from City employment, I hereby authorize the City of Columbus to withhold my final paycheck until such time as I have returned to the City all equipment, keys, and records issued to me and owned by the City. In the event any such equipment is damaged, I also authorize the City to deduct from my final paycheck the cost of repairs of such equipment."

In the event an employee has signed such a release and fails to return all City equipment, keys, and records, their paycheck may be withheld as allowed by Nebraska law and the employee's signed acknowledgment.

Sec. 8.20 Resignation.

An employee may leave the City service in good standing by submitting their resignation at least two weeks in advance of the effective date. Department heads must give four weeks' notice to leave in good standing. The City Administrator, for good cause, may waive any portion of the notice period.

An employee resigning without the required notice may have the act recorded as a part of their personnel records. The Human Resources Director or the City Administrator shall endeavor to

conduct an exit interview with each resigning regular full time or part time employee to determine the reasons for the resignation, to solicit suggestions for improving operations and personnel management, and to determine whether prohibited discrimination was a factor in the decision to resign.

Sec. 8.30 Reduction in Force Policy.

It is the policy of the City of Columbus to avoid, insofar as possible, reductions in force which might unduly impact any of its employees. However, it is recognized that financial constraints or changes in service requirements may require such reductions in force.

Therefore, in order to ensure optimum notice to the City's employees in the event of a reduction in force, the following policy is hereby established for all regular employees in positions in the classified service:

1. An employee will be considered to be in the position to which he was most recently appointed, promoted or demoted.

2. Those employees in training in positions in which reductions are mandated will be the first to be removed. An employee in training due to promotion has the right to request to be reassigned to their previous position, if such position is available and currently a part of the classified service. An employee must notify the City Administrator of their desire to be considered for reassignment to their previous position as provided in paragraph 6.

3. An employee who has successfully fulfilled the training period for their position will only be removed from the classified service after any employees in training in the same position have been removed and after being considered for reassignment, if promptly requested in writing, to a previous position. Such employee may also make a prompt request, in writing, to be considered for reassignment to a position for which they are qualified and which position is being held by an employee in training or is vacant.

4. The decision as to who will be removed from the classified service shall be based on factors, including, but not limited to, the following:

    a) The employment policies and staffing needs of the City, together with contracts, ordinances, and statutes related thereto.

    b) The multiple job skills possessed and recently or currently being performed by the employee.

    c) The knowledge, skills, and abilities of the employee.

    d) Efficiency of the employee as demonstrated on the job.

    e) The performance appraisals of the employee, including any recent, pending, or recurring disciplinary actions involving the employee.

    f) Required federal, state, or local certifications or licenses.

g) Seniority.

These factors may be documented by employee evaluations, disciplinary actions, commendations, documented training, citizen reports, and other verifiable comments or data or a recommendation from the employee's department head.

5. An employee whose services are terminated under this Reduction in Force Policy will be entitled to two weeks written notice from the City. Such notice shall be delivered by the United States Postal Service, registered return receipt requested, to the employee's address on file with the Human Resources Department of the City, or personally served on such employee. If the employee is in a position subject to the Civil Service provisions of the State Statutes and City Ordinances, the City Administrator shall also give written notice to the Civil Service Commission by contacting the Secretary of the Commission.

6. An employee whose position has been eliminated or who is being replaced as the result of the reassignment of a regular employee whose position has been eliminated by such reduction in force in a classified position, may request to be considered for reassignment to a lesser classification. Such request shall be submitted in writing to the City Administrator within five working days of the notice of the elimination of the employee's position or the reassignment of such other employee. If such a request is made, the employee will be considered for such classification using the criteria provided in paragraph 4.

Sec. 8.40 Ability to Perform Essential Duties.

Employees who cannot perform the essential duties of their job, with or without reasonable accommodation, may be separated from employment. The City reserves the right to require medical examinations that are job-related and consistent with a business necessity.

Sec. 8.50 Retirement.

Whenever an employee meets the conditions set forth in the City's Pension Retirement Plan, the employee may elect to retire and receive all benefits of the plan.

Sec. 8.60 Reinstatement.

Eligibility for benefits such as vacation and service awards is figured from the hire date of continuous employment. It is recognized that due to personal or business reasons an employee may terminate their employment with the City. As an incentive to encourage these employees to consider reemployment with the City rather than another organization, procedures have been created for recognizing the past service accumulated before separation.

Those employees with less than a two-year break in service, who resigned in good standing, may be reinstated, provided the person is qualified to perform the duties of the position and such reinstatement would be in the best interest of the City.

The pay rate will be at the same step in the pay range at which the employee left unless they are returning to a different job, in which case the Demotion or Promotion Policy would then apply.

Benefit accumulation would resume according to the restored years of service; i.e., vacation rate. Those employees who were under the provisions of the 2006 reinstatement personnel policy, will retain their ability to the “five year” reinstatement provisions.

CHAPTER NINE

EXPENSE REIMBURSEMENT POLICIES AND REPORTING PROCEDURES

Sec. 9.00 Expense Reimbursement Policies and Reporting Procedures.

1. The City of Columbus shall reimburse actual and necessary expenses incurred by elected and appointed officials, employees, or volunteers of the City at educational workshops, conferences, training programs, official functions, hearings, or meetings, whether incurred within or outside the City limits, after attendance has been approved by the department head or City Administrator and is in the parameters of the Personnel Policy and the annual City budget. The reimbursement of expenditures shall be limited to:

    a) Registration or tuition costs, fees, or charges.

    b) Transportation as specified below.

    c) Meals as specified in 9.30.

    d) Lodging.

    These expenses will be reimbursable up to the federal per diem rates for the locality of travel. The per diem rates for the national and the state are available in both the Human Resources and Finance Departments.

    Expense vouchers must be completed in order to be reimbursed.

2. Authorized expenditures shall not include any expenses incurred by spouse of an elected or appointed official, employee, or volunteer unless the spouse is also an elected or appointed official, employee, or volunteer of the City of Columbus and the expenses for the spouse are also preapproved.

Sec. 9.10 Lodging.

Except as otherwise provided herein, all hotel and motel reservations shall be made on a single-room basis only. Suites or similar accommodations shall not be used. When making reservations and at the time of registering, commercial or government rates, if available, shall be requested.

Sec. 9.20 Transportation.

For air travel, reservations shall be for coach class. If possible, an attempt should be made to arrange a commercial flight on a discounted basis. The employee will not be reimbursed for more than the actual cost of the flight ticket. Any special discount coupon or voucher received in connection with municipal trips for which the fare was paid or reimbursed by the City of Columbus, shall be returned to the City of Columbus for use, as applicable, in reducing cost of future trips paid or reimbursed by the City of Columbus.

Automobile transportation shall be arranged, whenever possible, to use City-owned vehicles.

Personal vehicles may be used on City business only when there is no City vehicle available for the trip or when the use of a personal vehicle is approved by the department head.

If an employee elects to drive their personal vehicle when a City vehicle is available, the City will not reimburse mileage.

Mileage for the required use of personal vehicles will be reimbursed at the specified Federal rate, as it may be amended from time to time, computed by the most direct highway route or an amount equal to the cost of regular, not discounted, coach air fare, whichever is less.

Rental cars shall be utilized on business trips only when transportation fares (taxi, bus, etc.) in that locale are less economical or pose a serious inconvenience. There shall not be more than one rental car for each four individuals on the same business trip. At all times an attempt shall be made to lease compact cars rather than larger sedans.

Sec. 9.30 Meal Expense.

Daily meal expenses incurred by an employee, Mayor, or City Council member in the process of performing duties for the City of Columbus are reimbursable with the following documentations:

1. Dates.
2. Amounts spent.
3. Business reason.
4. Names of persons or firms represented.
5. Name of City where meals occurred.

Reimbursement for alcoholic beverages is not allowed.

Employees may be reimbursed for meals incurred for only that employee's single meals. The employee shall be provided payment for individual meals based on Federal per diem rates.

The City Finance Director will announce future meal price adjustments as Federal Travel Regulations change.

When traveling out of state overnight, reimbursement will be made for all reasonable meal expenses provided receipts are presented for all meals.

For payment of the meal on overnight trips, the following guidelines apply:

1. In order to be reimbursed for breakfast, the claimant must leave Columbus before 7 a.m.
2. In order to be reimbursed for dinner, the claimant must return to Columbus after 6 p.m.

The above policy does not include meals which are served as part of the seminar, conference, or meetings.

Reimbursement will be made for meals which are a part of a seminar, conference, approved meeting; however, reimbursement will not be made in the event an employee elects to obtain a meal elsewhere when the meal is included in the registration fee for a meeting or seminar.

Sec. 9.40 Expense Reports.

Expense reports should be submitted at least monthly and be in compliance with the policies of the City of Columbus. Expenses shall be shown on the dates incurred. Each expense report shall be approved by a designated supervisor. Such approval shall be given by the supervisor after being satisfied the expense is City related, they are reasonable expenses, and the necessary documentation and supporting data are included. The Finance Department will audit to determine if the necessary documentation and supporting data are a part of the expense report and all information is correctly reported.

Expense reports without adequate documentation will not be paid in full. Only the expense report items with proper documentation will be paid. Items with insufficient support shall be deleted for payment later, after the needed documentation or written explanation is obtained. Correspondence regarding requests for additional documentation and all responses will be attached to the original expense report or resubmitted expense report.

Sec. 9.50 Receipts.

Receipts for expenses should be obtained to support a reimbursement request. Loss of a meal receipt or two will not endanger reimbursement. Receipts are required for the following items before expense reimbursement will be allowed:

1. All lodging expenses.
2. Rental cars (actual copy of rental agreement).
3. Registration fees at meetings or seminars.
4. Meals.

A receipt shall be the actual paid receipt received when paying for an expense incurred, a copy of a credit card charge, a copy of a customer receipt given to the employee by a firm providing services or goods to such employee, or a copy of a canceled check drawn payable to a specific payee. If a receipt covers a combination of personal and business expenses, the business items must be clearly identified.

There are a few items that do not require receipts, such as tips associated with meals (no more than 18% of meal cost), taxi, limousine, local bus fares, parking expense in the course of a business trip, and telephone calls of a business nature when not placed via a City of Columbus telephone.

CHAPTER TEN

RISK MANAGEMENT

The City has appointed a Risk Manager and Risk Management Committee. They are responsible for the Risk Management Program as described in Resolution No. R90-20. It is the intent of the City that this group of employees help the City make a good faith effort to maintain a safe working environment by establishing programs and policies which encourage safety in the work environment and to abide by applicable laws and regulations.

Sec. 10.00 Risk Management Responsibilities.

Risk Manager

The Risk Manager is responsible for the development, organization, coordination and implementation of safety programs and safety education. Responsibilities also include work-site inspections, hazard reduction and/or elimination and accident/injury investigation, reporting and management. Other assignments and responsibilities related to disaster response and risk management complete the role of the Risk Manager.

The Risk Manager will advise the City Administrator as well as department heads, supervisors and employees of unsafe conditions, problems related to accident prevention and recommendations for loss control. The Risk Manager will not fulfill obligations of department heads or supervisors relative to providing safe work environments, necessary equipment, training, or inspections in the interest of accident prevention.

Department Head

The department head is responsible for fulfillment of departmental goals and objectives as well as health and welfare of each employee in the department. In the adopted safety policy, the highest priority has been placed on employee safety which becomes the responsibility of the respective department head. It is normal practice for department heads to delegate the authority to carry out safety policy in their department, but the responsibility for meeting objectives and the protection of employees in performance of their assignments cannot be transferred.

Supervisors

Supervisors will assume the responsibility of thoroughly instructing their personnel in the safe practices to be observed in their work situations. They will consistently enforce safety standards and requirements to the utmost of their ability and authority. Supervisors will act positively to eliminate any potential hazards within the activities under their jurisdiction and they will set the example of good safety practice in all phases of their endeavors. The principal duties of supervisors in discharging responsibilities for safety are as follows:

1. Enforce all safety regulations in effect and make employees aware that violations of safety rules will not be tolerated.

2. Make sure all injuries are reported promptly and treated properly and all accidents or

unusual incidents are reported (preferably on the same work day) even if injury is not apparent.

3. Conduct thorough investigations of all accidents or incidents and take necessary steps to prevent recurrence, if possible, through employee safety education, operating procedures, or modification of equipment, facilities, or environment.

4. Provide employees with adequate safety instructions regarding their duties prior to the employees actually starting to work.

5. Make sure regular safety checks, including a careful examination of all new and relocated equipment are accomplished before it is placed in operation.

6. Assure equipment is properly maintained and issue instruction for the elimination of fire and safety hazards.

7. Continuously inspect for unsafe practices and conditions and promptly undertake any necessary corrective actions.

8. Develop and administer an effective program of good housekeeping and maintain high standards of personal and operational cleanliness throughout all operations.

9. Provide safety equipment and protective devices for each job based on knowledge of applicable standards.

10. Conduct safety briefings at organizational meetings and encourage the use of employee safety suggestions.

11. Give full support to all safety procedures, activities, and programs.

Employee

Each employee, as a part of the comprehensive City of Columbus Risk Management Program, is expected to place safe work practices and identification of unsafe conditions as the highest priority while performing daily tasks. Each employee's safety commitment must include, but is not limited to, the following:

1. Using the safety equipment which has been provided for use in performing daily work assignments.

2. Wearing the prescribed uniform and safety shoes as required.

3. Only operating equipment for which training or orientation has been received.

4. Warning co-workers of unsafe conditions or practices they are engaged in which could lead to or cause an accident.

5. Reporting defective equipment immediately to their supervisor.

6. Reporting dangerous or unsafe conditions that exist in the work place as well as throughout the municipality. This would include defective sidewalks, broken curbs, hanging tree limbs, loose handrails, open manholes, sunken basins and sewers, missing or damaged traffic signs or signals.

7. The employee or if appropriate, the supervisor records all injuries, accidents or incidents immediately, completing the incident report, on the same work day, regardless of severity. If due to severity of injury or illness the employee is unable to complete the form, it is the supervisor's responsibility to complete the form.

8. Record on an incident report form any unusual occurrences or incidents observed on the day they occur, as it may later pose a liability risk to the City, its workers, or the public.

9. Protection of unsafe conditions resulting from municipal work which could present a hazard to the public.

10. Taking care not to abuse tools and equipment so these items will be in usable condition for as long as possible, as well as to ensure that the tools and equipment are in the best possible operating condition while being used.

11. When required, the employee will maintain a commercial driver's license. The City will pay the amount of the license fee in excess of the cost of a normal driver's license fee.

Sec. 10.04 Incident Reports.

Incident Reports shall be filled out whenever a near injury, an accidental injury or exposure occurs including possible bloodborne pathogens. This report shall be sent to the Human Resource office as with all other incidents reports, normally within the same work day. These reports will be kept as a permanent part of the safety record.

Sec. 10.05 The Cost of Accidents.

Another area of major concern to supervisors is the cost of accidents. Many people fail to realize how much accidents really cost. Accidents are expensive in ways that are not obvious; therefore, attention to loss control can improve your department performance.

Accidents can cause obvious and direct costs, such as medical, hospital, rehabilitation expenses, worker's compensation payments, and higher insurance premiums or even loss of insurability. But there are other indirect costs that are less obvious, and usually uninsured. These include the various disruptions of normal work procedures, such as employees being witnesses or helping the injured, or even the reduction in production.

If the return on the investment is not sufficient, it may be necessary to defer the procurement of new equipment and facilities. Insurance covers only a portion of the total accident cost and as accident loss experience increases, so will a company's insurance premiums. It is clear that directly and indirectly, accidents reduce the funds available for salaries, employee benefits, new equipment, etc. Actually, the total cost of accidents is greater than many of us realize.

Items in Indirect Cost:

1. Time lost by others.
2. Cost of hiring and training a replacement.
3. Lost efficiency.
4. Overtime premium.
5. Cost to investigate the accident.
6. Report time.
7. Tools/equipment damage.
8. Lost equipment utilization.
9. Lost production time.

All of these reduce efficiency and represent another cost. There are many hidden costs due to accidents. Conversely there are hidden savings in accident prevention, which is the reason the phrase "Loss Control" is often used. Every accident you prevent saves direct-indirect accident costs and this money will remain in money available for wages and City services.

Other benefits of accident prevention efforts include:

1. People will not be injured or killed.
2. Property and materials will not be destroyed.
3. Production will flow more smoothly.
4. You will have more time for the other major parts of your job.

All employees will include "Loss Control" as a regular part of their job and expect to have this part of performance measured. Employees are expected to perform periodic safety inspections of the work areas for which they are responsible.

Safety and housekeeping inspections, and the problems you discover, are important but what you do about them is more important. If a problem can be rectified by your department, work to complete the appropriate task as soon as possible so the problem can be solved. Be sure to follow up, as needed, to see that the job is done. You may even find it necessary to have your supervisor help expedite the work by getting help from other departments. Completing an Incident Report provides a written record as a basis for determining the best way to solve hazards that are observed in your City department or another department.

Sec. 10.10 Driving Rules and Regulations.

All drivers of municipal vehicles, and those using their personal vehicles in pursuit of municipal business, will comply with all applicable laws of the state as well as any additional regulations of the municipality. Emergency vehicles under pressing emergency situations are exempted from the usual motor vehicle laws and rules but are required to exercise due caution and care in travel.

Parking

1. Municipal vehicles are not to park in "NO PARKING" zones except in emergency situations or in required performance of official duties. At those times a vehicle is parked in a "NO PARKING" zone, emergency blinkers will be turned on.

2. All municipal vehicles should be locked when not in use at a remote location.

3. Before initial use of any vehicle each day, the driver will walk around and inspect the vehicle for damage, inoperable lights, loose hardware, underinflated tires, or any other condition which may create an unsafe situation.

4. Any deficiency encountered will be reported to their supervisor immediately. It will be the supervisor's responsibility to ensure that appropriate action is taken to correct the problem.

Equipment

1. All employees will wear seat belts as required by state law.

2. Portable or detachable doors may not be removed from vehicles unless:

   a) It is a necessity in order to perform the job.

   b) Mirrors remain usable when the doors are off. Similarly, vehicle doors are not to be tied open.

3. Turn signals will be utilized by all drivers at all times in ample time to warn oncoming or following vehicles of their intent.

4. Drivers will ensure windows, headlights, taillights, and windshield wipers are clean and operational at all times.

5. Tailgates will be up and locked when vehicles so equipped are in motion. If a vehicle's function requires that the tailgate remain in the open position, red flags will be attached to the materials being carried if they meet or exceed the length specified by State Law. (State Law requires flags on anything that extends over 4 feet from the taillight).

6. In any case, the driver of the vehicle is responsible to see that all necessary conditions are met on the vehicle before the driver operates it.

7. If the vehicle does not have a tailgate, but is loaded, the driver of the vehicle will ensure

the load is secure on the truck and that overhangs are properly marked in accordance with applicable state and local laws.

Special Equipment

1. Special equipment such as tractors, hi-lifts, high rangers, graders, plows, cranes, or any unit which has special devices added for specific types of work will require formal instruction prior to use by a driver. This special training will include the following:

   a) Explanation and demonstration of all control devices.

   b) Explanation and demonstration of all safety equipment.

   c) Knowledge of maintenance items such as fuel, water, oil and other minimum operating needs of the unit.

   d) Demonstration of operation.

   e) New driver operation under supervision with testing.

   f) Instruction in driving to and from, or on and off a trailer, parking procedures and method for securing.

2. Passengers will ride only in seats so designed for passengers on special equipment.

3. Triangular, orange-colored slow moving vehicle signs will be required to be displayed as per state law and, if sign is deployed, said vehicle will not exceed 25 mph.

General.

1. Backing up vehicles without a clear view of the area back of the rear end will be done only with the assistance of a guide. If a second person is in the vehicle, that person will get out and guide the vehicle back using the appropriate hand signal and voice signal. If the driver is alone, the driver will get out of the vehicle and inspect the area behind the vehicle before backing. Again, strict caution is to be observed.

2. Riding on the sides, toolboxes, tailgates, or roof of any truck is prohibited. Further, standing in the back of any truck is not permitted.

3. Drivers will carry their state driver's license at all times. Loss of driving privileges may result in full-time drivers being temporarily reclassified if a position is available until such time as their driving privileges are reinstated or a temporary restricted permit is issued.

4. Employees who operate a City vehicle as a part of their job are required to report any suspension or revocation of their license to their supervisor who will in turn determine the future responsibilities of the employee. Failure of an employee to report a change in license status will result in disciplinary action.

5. Riding on running boards of trucks is strictly prohibited.

6. Except in authorized emergencies, posted speed limits will be strictly adhered.

7. Drivers should direct their full attention to driving. Inspections of streets, trees, signs, etc. may be made by a second person, other than the driver, wherever possible.

8. During periods of limited visibility, vehicle headlights will be turned on.

9. Trailers are to be fastened securely to hitches. Safety pins in pintle locks will be used. Safety chains will be crossed under the hitch and securely fastened before moving the vehicle.

10. All items to be transported either in a truck or trailer, which may move around during transport, will be secured.

11. No more than three (3) persons will ride in the front seat of any vehicle. Where only two single seats exist, there is to be only one rider per seat.

These rules may be updated periodically and may be amended as necessary.

Sec. 10.15 Procedures for Reporting Accidents and/or Breakdowns of Municipal Vehicles.

In the event an operator of a municipal vehicle is involved in an accident, the municipal Police Department should be called to the scene and required to prepare a report. If the accident should take place in another jurisdiction, the law enforcement agency of that jurisdiction should be called to the scene to make a report. The operator of the municipal vehicle involved in the accident should provide all the necessary identification and insurance information to the other party involved.

If a municipal vehicle is disabled as the result of an accident, or if a municipal vehicle breaks down and becomes inoperable, it shall be reported in accordance with department policy. When employees are covered by D.O.T. regulations, these federal policies should be obeyed, including steps for mandated drug testing.

Operators of municipal vehicles should be sure whenever a serious incident occurs, whether a breakdown, traffic accident, or vandalism, the responsible municipal department head should be immediately notified and an Accident Report be completed by the operator. Copies of all Accident Reports will be sent to the City Clerk’s office, preferably during the same work shift.

Sec. 10.20 Safety Equipment.

It is the municipality's intent to provide all necessary personal protective equipment required in performing routine operations. Protective equipment is provided to employees on an "as needed" basis. Each division sets protective equipment requirements depending on the activities of the jobs performed.

Requests for equipment not immediately available should be directed to the responsible supervisor. Failure to use available and required personal protective equipment is the employee's responsibility and ignoring this requirement can lead to the employee being subject to disciplinary action.

Additional Safety Equipment

Other protective equipment is provided in order to protect employees from unnecessary exposures. This includes barricades, cones, warning signs, warning lights, and many other specialty items. Consult with a supervisor or the Risk Manager for more information.

When working with power take-off shafts or chipping machines, no loose clothing should be worn. Reflective vests or cross straps are not required.

Sec. 10.25 Training.

Each department has the responsibility of providing on-the-job training to each employee on the topics which will enable the employee to do their job safely and efficiently. This training shall include:

1. Orientation of departmental and overall municipal safety and health rules.

2. Procedure for reporting on-the-job injuries or unusual incidents.

3. Procedures for processing hospital/medical bills related to job-related injuries.

4. Worker's Compensation claims process.

5. Requirements for use of vehicles.

6. Reporting of unsafe conditions.

In addition, specialized training must be offered in the use of tools and equipment in order to maximize the capabilities of the equipment as well as to prolong its usable life and to prevent accidents.

All employees are expected to request instructions in those tasks or for any equipment with which they are not familiar.

Sec. 10.30 Hard Hats.

Hard hats will be worn by municipal personnel when involved in the following situations:

1. Present, for any reason, on construction sites where hard hat signs are posted.

2. In locations damaged by disaster, fire, flood or other cause which could result in structural damage or falling material.

3. Persons working near high-voltage electrical hazards.

4. All supervisors involved in the above-types of work.

Sec. 10.35 Operations in the Public Way.

Whenever operations are taking place in streets, parkways, sidewalks, or other places where citizens, as well as employees, may be endangered, the supervisor or crew leader on the work site is as responsible for the safety of the public in this type of operation as for getting the job done. The supervisor must spend ample time before, during, and after the work to protect employees and the public from the hazards created by this work. The following procedures are to be followed:

1. If street construction or repair work is to be done, preparations will be made to assure vehicle and pedestrian safety before such work is allowed to begin.

2. If traffic is affected by the operation, proper signing must be used to warn in advance of the work area. Traffic control signs, in and around the affected area, are to be correctly placed and maintained through the period when work is being performed and traffic obstructions exist.

3. Where barricades and signs are used overnight, supervisors will examine the work area for proper placement at the end of the workday.

4. Lighted barricades will be used whenever possible for overnight protection.

5. Where traffic must be periodically stopped or obstructed by workers or equipment in the traveled portion of a roadway, protective cones will be stationed.

6. All City employees in or near the roadway will wear regulation safety green clothing, vests, or cross straps on their clothing while at the work site.

7. If a construction site is barricaded where no traffic can pass into the work area, vests need not be worn.

8. Flagmen will be used to slow or direct traffic where the approach to the work area does not provide adequate visibility to drivers.

9. In any case where streets are significantly obstructed or closed for any period of time, the Police Department and Fire Department will be notified of the situation and told approximately how long the closure will be in effect. Police and Fire operations may vary significantly due to the nature of the services they provide.

Pedestrian Safety

1. If pedestrian traffic is impeded by official municipal barricades, then restrictive tape, rope, or other restraint will be used to keep the public from the work site.

2. If pedestrian traffic must be routed off sidewalks and into the street, then protection will be provided by cones, barricades, and signs to guard from vehicular traffic.

3. Holes in the sidewalk or parkway which must be left open will be covered whenever possible along with perimeter protection. Every possible means of preventing accidental

entry into the hole should be used. Keep in mind that darkness and snow can complicate this situation.

4. Where an unusual situation exists which cannot be easily resolved, or when personal injury or damage to equipment or property occurs as a result of operations, contact the responsible supervisor and the Risk Manager immediately.

Sec. 10.40 Office Safety.

Office work is more dangerous than is commonly supposed and many accidents occur during ordinary office routine.

1. Every employee shall be responsible to see that their own desk and work area is clean and orderly. Pick up items such as pencils or paper clips that are strewn around. Good housekeeping is the key to a safe office environment.

2. Keep an eye open for loose or threadbare floor coverings.

3. Be extra cautious when you come up to a door that can be opened in your direction. Take it easy when pushing open such a door and slow down when coming to a "blind" corner.

4. Haste when walking between desks can result in bruises and falls. Keep electrical cords out of aisles.

5. All file, desk, and table drawers shall be kept closed when not in use. As soon as you leave them, close them. Never open more than one file drawer at a time.

6. Overloading the top drawer of unsecured file cabinets has caused many an injury. If unfamiliar with file cabinets, test the drawers and be careful not to pull them out to full extension. There may be no locking device on inexpensive or older models.

7. Office tables, desks, and chairs must be maintained in good condition and free from sharp corners, projecting edges, wobbly legs, etc.

8. Tilting chairs can be hazardous when improperly used. Care should be taken to assure that they are in good working condition.

9. Never use chairs, desks, or other office furniture as a makeshift ladder. Always use a stepladder. Don't overreach and lose your balance.

10. Message spindles can all too frequently cause puncture wounds to hands and arms. When used, the point shall be protected by a suitable blunt cover or, preferably, the point should be bent to a horizontal angle.

11. Keep the blades of paper cutters closed when not in use.

12. Scissors, paper cutters, and similar office devices can easily cause minor, but painful injuries. Report such injuries at once and take precautions to avoid infection.

13. Keep your hands clear of electric typewriter carriages.

14. Paper cuts hurt. Use a sponge or wetting devices for envelopes. Use rubber finger guards when working with stacks of paper.

15. Keep paper clips, thumb tacks, and pins in a place where they can't injure you. Keep razor blades and "exacto" blades covered; even a little scratch can get infected.

16. Be sure all electrical equipment is grounded and the cord is in good condition. If a machine gives you a shock or starts smoking, unplug it and report the defective device immediately to the supervisor.

Sec. 10.45 Ladders and Scaffolding.

Mishaps involving electricity and falls from high places result in the two most critical types of injuries involving ladders and scaffolding. Other hazards include: splinters, slivers, and slips which can cause sprains, strains, bruises, and abrasions.

The following safety procedures will prevent accidents and possible injury:

Ladders

1. Metal ladders shall not be used in the vicinity of electrical circuits.

2. Periodically inspect wooden ladders. They shrink over a period of time. In a stepladder, this may cause steps or back bar members to become loose. Hold the rods beneath the steps with pliers and tighten the nut at the end with a wrench to maintain strength and keep the ladder steady.

3. Wooden ladders or scaffold planks should not be painted because defects may be covered up. Use a good grade of spar varnish or a mixture of linseed oil and turpentine to preserve the wood.

4. Nonskid feet should be used on all straight and extension ladders.

5. When properly placed, the feet of the ladder should be about one-fourth as long as the vertical (i.e., if the ladder is leaned against a wall eight feet high, the feet should be set two feet from the wall.)

6. When using a straight ladder, it should be long enough to extend at least three rungs above the level to which the user is climbing. Step ladders must not be used in lieu of straight ladders. They are not designed for this purpose.

7. If the feet of a straight ladder are to rest on an unsecured surface, secure the ladder in position by the use of hooks, ropes, spikes, cleats or other anti-slip devices or by stationing an employee at the base of the ladder to hold it in position during use.

8. Never stand on the top step of a step ladder.

9. Only one person shall be on a ladder at a time.

10. Never carry articles in hand while climbing. Use a hand line to raise and lower tools and materials or suspend them suitably in a tool belt.

11. Always face a ladder when ascending or descending and always use both hands.

12. Clean muddy or slippery shoes before beginning to climb the ladder.

13. Keep the rungs clean and free of grease, oil, and caked-on dirt.

14. If it is necessary to place a ladder near a door or where there is potential foot traffic, set up warning signals or take other precautions to prevent accidental contact which might upset the ladder.

Scaffolding

1. Proper supervision is required to erect scaffolding.

2. Planks and other material used in building scaffolding must be sound and free from knots. Keep planks in good condition. Never paint the planks.

3. Planking should be adequately cleated; scaffolding used for work over 10 feet off the ground should have toe boards, mid-rails and handrails.

4. Tools left on top of the scaffolding can easily fall to the ground and injure a passerby. Keep tools in a bucket or box lashed to the scaffolding.

Sec. 10.50 Use of Head Sets or Earbuds.

As a general policy, the employee use of personal headsets or earbuds while operating machinery will not be permitted. Hearing protection devices will be provided as needed.

Sec. 10.55 Working in Cold and Hot Weather.

This should serve as a guideline for assessing whether or not non-vital services should continue to be performed during periods of extremely cold or hot weather. While this information may not be relevant to all municipal departments, the data provides good personal information and should be shared with employees for their use.

Wind chill factors were developed by the military to determine the effects of combining wind and temperature as they affect exposed skin surfaces. Wind chill effect does not cause liquids to freeze when the air temperature is above the freezing point. However, when the air temperature is below freezing, wind effect will speed up the freezing process.

The National Weather Service has devised the "Heat Index", which is an accurate measure of how hot it really feels when relative humidity is added to the actual air temperature.

There are going to be situations where no condition of weather will force work to be stopped. These

situations include police and fire service, sanitation services, and emergency responses by any personnel to situations which arise as a result of this severe weather. Bear in mind, however, that nonessential services within emergency response departments should be considered for curtailment during extreme temperature or wind chill periods. The procedure for evaluation of particular jobs will be as follows:

1. Assess the necessity of performing the particular task at the time.

2. Assuming the task must be done, determine if the employees are properly dressed and protected from the elements.

3. Determine what method the employee will have available to get warm or cool periodically while the task is being performed.

4. Consult a Wind Chill Chart and determine the wind chill equivalent. If the chill factor is in the "Danger" zone, special clothing is required and protection from the effects of the chill must be considered and used. Likewise, check with the National Weather Service to determine the heat index.

5. If the chill factor is in the "Great Danger" zone, or the heat index is at an extremely “High" level, only life and health safety tasks will be considered.

6. In the "Danger" zone, certain tasks may be impossible due to wind or temperature alone. However, the general policy for non-life safety tasks will be that cold weather considerations will be implemented anytime the reported wind chill falls below -25 degrees or the heat index is above 130 degrees.

7. Individual municipal departments may establish separate conditions, based on wind chill or heat index factors as they affect specific tasks.

8. Any questions or circumstances that arise regarding this policy should be directed to the Risk Manager.

Sec. 10.60 Hazardous Communications Policy.

The City of Columbus wants employees to be able to work safely and effectively on their jobs.

As a part of this goal, the City wants employees in each department to know the chemical products in their department and how to best work with these chemicals. Each department should assemble an information file on those chemicals used, and especially those chemicals that might be designated as hazardous. Each department should also make sure the chemicals in their department remain properly labeled.

These records will be reviewed at least annually by our insurance company Loss Control Specialist and/or a Risk Management team member and then reported annually at the first Risk Management meeting of the year.

Whenever employees are using a chemical agent for the first time, they should review their proposed

handling of the product with their supervisor to assure proper procedures will be followed.

As new chemicals are added to a department's inventory, the department should obtain information (Safety Data Sheets) from its supplier and make sure the new product has complete labeling on each storage container. If the SDS sheet requires protective equipment for safe handling, each department is to have the necessary equipment available.

Should an accident or unusual reaction occur with a department chemical, report it to your supervisor and complete an Accident/Incident Report.

A supplementary publication, "**Hazards in the Workplace: YOUR RIGHT TO KNOW"** booklet, is available in each department to help employees learn how labels and SDS information can help them to work with knowledge and sensitivity.

Sec. 10.65 Bloodborne Pathogen Policy.

The purpose of the Bloodborne Pathogen Policy is to limit occupational exposure to blood and other potentially infectious materials. This policy will provide a review on infection control. It is the City's intent, as far as is possible, and within the scope of current knowledge, to protect all concerned parties from accidental exposure to the viruses that cause Hepatitis B, Acquired Immune Deficiency Syndrome (AIDS) and other blood communicable diseases.

Infectious Materials

1. Blood products (plasma).
2. Vaginal secretions.
3. Fluids surrounding the spine, brain, heart, lungs, abdomen and joints.
4. Amniotic fluid.
5. Semen.
6. Any other body fluid containing visible blood.
7. Body tissue.

Hepatitis B virus attacks the liver and is the major infectious bloodborne hazard faced on the job.

HIV attacks the immune system, making the body less able to fight off infections, causing the disease known as AIDS.

Universal Barrier Precautions

These devices and procedures should be used by anyone coming in contact with blood or bodily fluids, whether it be direct contact, splashing, clothing exposure, or working with medical instruments.

1. Waterproof gloves should be worn when handling items soiled with blood, body fluids, tissues or equipment contaminated with blood or other body fluids.

2. Waterproof gowns or plastic aprons shall be worn when performing procedures that may bring contact with body fluids.

3. Hands shall be washed thoroughly and immediately if they accidentally become contaminated with blood or potentially infective body fluids. Hands should be washed even when gloves have been used.

4. Masks and/or protective eyewear should be worn if aerosolization or splattering is likely.

5. Contaminated materials should be double bagged and marked as containing biohazardous material and then transported to the Fire Department for disposal.

Clean Up

When an area is possibly contaminated by blood or body fluid containing blood such as emesis, care should be taken to sop up the liquid with paper toweling (using universal precautions). The area should then be cleaned with a disinfectant such as Clorox (one part Clorox to ten parts water). Secondary cleaning may then be conducted as needed. Double bag and tag all such sopped materials.

Hepatitis Vaccination

For employees who are expected to come in contact with blood and body fluids containing blood, as a part of their job duties, vaccinations for Hepatitis B may be required at City expense. The determination of which employees fit this category is decided on a department-by-department basis.

Workplace Infections

People infected with a bloodborne pathogen like AIDS or Hepatitis can sometimes appear to be in good health. Therefore, it is better to assume blood or blood-contained body fluids are infected than to act carelessly.

Fortunately, AIDS and Hepatitis B aren't spread through the air like cold or flu germs. You won't get either disease from working alongside someone who is infected or from casual contact.

You can become infected at work by:

1. Accidentally cutting yourself with a sharp object that is contaminated with infected blood or body fluids.

2. Getting infected blood or body fluids on your skin, especially if your skin has open sores, nicks or cuts.

3. Getting contaminated blood or body fluids in the mucous membranes of your eyes, nose or mouth.

Normally, your skin acts as a protective barrier to keep viruses out. But even tiny breaks or cracks in

the skin from common conditions like dermatitis, acne, chapping and broken cuticles can be doorways for these bloodborne viruses to enter your body. More restrictive or less restrictive guidelines may be adopted within specific departments to accommodate unique work situations.

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16. **ORDINANCES ON SECOND READING**

16.A. Ordinance No. 24-19 approving Text Amendments to Columbus Land Development Ordinance.

ORDINANCE NO. 24-19

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA TO AMEND CHAPTER 1, ARTICLE 4: ZONING REGULATIONS, TABLE 4-3, TRANSPORTATION USES, AND TO ADD SECTION 6-13 TO CHAPTER 1, ARTICLE 6, SUPPLEMENTAL USE REGULATIONS, OF THE COLUMBUS LAND DEVELOPMENT ORDINANCE OF THE CITY OF COLUMBUS IN ORDER TO ALLOW FOR TRUCK TERMINALS AS A PERMITTED USE IN A GENERAL INDUSTRIAL DISTRICT (MH) AND BY SPECIAL PERMIT IN A GENERAL COMMERCIAL DISTRICT (B-2) AND TO PROVIDE SUPPLEMENTAL USE REGULATIONS FOR SUCH USE; REPEALING ALL ORDINANCES OR PORTIONS THEROF IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM AS AUTHORIZED BY SECTION 16-405 OF NEBRASKA REVISED STATUTES.

WHEREAS, the City of Columbus, Nebraska, on May 20, 2024, under Ordinance No. 24-10, adopted the Columbus Land Development Ordinance for the City of Columbus; and,

WHEREAS, since this adoption the City has had multiple inquiries regarding the use of Truck Terminals and whether they are allowed in specific use areas under the Columbus Land Development Ordinance; and,

WHEREAS, the City desires to authorize Truck Terminals as a permitted use in those districts that are zoned as General Industrial, and by special use permit in those districts that are zoned as General Commercial; and,

WHEREAS, the Columbus Land Development Ordinance of the Columbus Land Development Ordinance for the City of Columbus is hereby amended and revised as hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA:

Section 1. That Chapter 1, Article 4: Zoning District Regulations, Table 4-3, Transportation Uses, of the Columbus Land Development Ordinance is hereby amended and revised to allow a “Truck Terminal” as a permitted use in a “MH” zone or with a Special Use Permit in a “B-2” zone, said table to read as follows:

Table 4-3: Permitted Uses by Zoning District

P = Uses permitted by Right S = Uses permitted by Special Permit

Use Types	AG	RR	R-1	R-2	R-3	NTR	O	LC	UC	B-1	B-2	ML/C-1	MH	Supplementary Regulation

Use Types	AG	RR	R-1	R-2	R-3	NTR	O	LC	UC	B-1	B-2	ML/C-1	MH	Supplementary Regulation
Agricultural Uses														
Horticulture	P	P												6-2(a)
Crop Production	P	P												6-2(a)
Animal Production	P	S												6-8(a) (6)
Commercial Feedlots	S													6-2(b)
Livestock Sales	P												S	
Residential Uses														
Single-Family	P	P	P	P	P	P	S	S	P	S	S			
Two Family				P	P		P	S	P	S	S			6-3(a)
Townhouse				P**	P		P	S	P	S	S			6-3(b)
Mixed-Use Residential							P	S	P	P*	P*			
Multiple-Family					P		P	S	P	P	P			6-3(e)
Group Residential					S		P	P	P	P				6-3(e)
Non-Traditional Residential						P								
Retirement Residential				S	P		P	S	P	P	S			
Civic Uses														
Administration		S					P	P	P	P	P	P	P	
Cemetery	P	P	S		S									
Clubs	S	S	S	S	S	S	P	P	P	P	P			6-4(a)
College / University		S	S	S	P	S	S	P	P		P			
Convalescent Services					P		P	P	P					
Cultural Services		P	P	P	P	P	P	P	P	P	P	P		
Day Care (Limited)	P	P	P	P	P	P	P	P	P	P	P	S		
Day Care (General)		S/P*	S/P*	S/P*	P	S/P*	P	P	P	P	P	S	S	6-4(b)

* Only above street level ** Two-unit townhouse only

Detention Facilities	S									S	S	S		
Emergency Residential	P	P	P	P	P	P	P	P	P	P	S	S		
Group Care Facility	S	S	S	S	S	S	P	P	P	P	P	S		6-4(c)
Group Home	P	P	P	P	P	P	P	P	P	P	P			6-4(c)
Guidance Services					P		P	P	P	P	P	P	P	6-8(b)
Hospitals					S		P	S	S	S	P			
Health Care	S				P		P	P	P	P	P	P	P	6-8(b)
Maintenance Facilities	S	S									P	P	P	

Use Types	**AG**	**RR**	**R-1**	**R-2**	**R-3**	**NTR**	**O**	**LC**	**UC**	**B-1**	**B-2**	**ML/C-1**	**MH**	**Supplementary Regulation**
Civic Uses														
Non-commercial Shelters										S	S		S	
Park and Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	
Postal Facilities					S		P	P	P	P	P	P	P	
Primary Education		P	P	P	P	P	S	P	P	P	S			
Public Assembly							S	S	S	P	P			
Religious Assembly	P	P	P	P	P	P	P	P	P	P	P	P	S	
Safety Services	P	P	P	P	P	P	P	P	P	P	P	P	P	
Secondary Education		S	S	S	P	S	S	S	S	S	S			
Stormwater Treatment Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	

S/P* - P* is hereby defined as permitted if in compliance with Neb. Rev. Stat. § 43-2616. Neb. Rev. Stat. § 43-2616 provides that any family child care home licensed by the Department of Health and Human Services pursuant to Neb. Rev. Stat.

§ 71-1911 or by the City or County pursuant to Neb. Rev. Stat.

§ 71-1914(2) may be established and operated in any residential zone within the exercised zoning jurisdiction.

Use Types	**AG**	**RR**	**R-1**	**R-2**	**R-3**	**NTR**	**O**	**LC**	**UC**	**B-1**	**B-2**	**ML/C-1**	**MH**	**Supplementary Regulation**
Office Uses														
General Offices					S		P	P	P	P	P	P	P	

Medical Offices							P	S	P	P	P	P		
Commercial Uses														
Agricultural Sales/Service	S										P	P	P	
Automotive Rental/Sales										P	P	S		
Auto Services								S	S	P	P	P	P	6-5(a), 6-5(b)
Body Repair											S	P	P	6-5(a)
Crematory											S	S	P	6-5(f)
Equipment Rental/Sales										S	P	P	P	
Equipment Repair											P	P	P	6-5(a)
Vehicle Storage											S	P	P	
Bed & Breakfast			S	S	P		P	P	P	P	P			6-5(c) * Note 1

Use Types	**AG**	**RR**	**R-1**	**R-2**	**R-3**	**NTR**	**O**	**LC**	**UC**	**B-1**	**B-2**	**ML/C-1**	**MH**	**Supplementary Regulation**
Business Support Services							P	P	P	P	P	P	P	
Business/Trade Schools							S			P	P	P		
Camp Ground	P	S									S			6-5(d)
Cocktail Lounge										P	P	S		
Commercial Recreation	S								S	P	P	P		
Communication Services							S	P	P	P	P	P	P	
Construction Sales and Service										P	P	P	P	
Consumer Services							S	P	P	P	P	P		
Convenience Storage	S	S									S	P	P	6-5(e)
Food Sales (Limited)					S			P	P	P	P	S		
Food Sales (General)								S	P	P	P	S		
Funeral Services							P	P	P	P	P			

General Retail Services							S	P	P	P	P	S		
Kennels	P	S									S	P		
Laundry Services										S	P	P	P	
Liquor Sales		S								P	P	S		
Lodging					S		S	S	P	P	P			
Note 1 – Exception: Short term rental of residential property in compliance with LB57 approved by the Governor on March 7, 2019.														

Use Types	**AG**	**RR**	**R-1**	**R-2**	**R-3**	**NTR**	**O**	**LC**	**UC**	**B-1**	**B-2**	**ML/C-1**	**MH**	**Supplementary Regulation**
Commercial Uses														
Personal Services					S		P	P	P	P	P	P		
Personal Improvement Services					S		P	P	P	P	P	P		
Pet Services								P	P	P	P	P		
Research Services	S							P	P	P	P	P		
Restaurants (Drive-In)									S		P	S		
Restaurants (General)							P	P	P	P	P	S		
Sexually Oriented Business												S		6-5(g)
Stables	P	S												
Surplus Sales										P	P	P	P	
Veterinary Services	S	S									P	P		
Gaming Facility										P	P			

Use Types	**AG**	**RR**	**R-1**	**R-2**	**R-3**	**NTR**	**O**	**LC**	**UC**	**B-1**	**B-2**	**ML/C-1**	**MH**	**Supplementary Regulation**
Parking Uses														
Off-Street Parking			*S	*S	*S		S	S	S	P	P	P	P	Article 9
Parking Structure							S			P	P	P		

*Off-Street Parking in the R-1, R-2 and R-3 Zoning Districts must be in conjunction with Use Types permitted by right and/or in conjunction with Non-Parking Use Types that have been approved by a Special Use Permit.

Use Types	AG	RR	R-1	R-2	R-3	NTR	O	LC	UC	B-1	B-2	ML/C-1	MH	Supplementary Regulation
Industrial Uses														
Custom Manufacturing									P	P	P	P	P	
Light Industry										S	S	P	P	
General Industry												P	P	
Heavy Industry													P	
Resource Extraction	S	S											P	6-6(a)
Salvage Services													P	6-6(b)
Warehousing												P	P	
Construction Yards												P	P	
Recycling Collection											P	P	P	
Recycling Processing												P	P	
Transportation Uses														
Aviation	P												P	
Railroad Facilities										S	S	P	P	
Truck Terminal											S (Note 2)	P	P	6-13
Transportation Terminal	S									P	P	P	P	
Note 2 – See Section 6-13 governing the Special Use Permit for Truck Terminals within B-2 Zoning District.														

Use Types	AG	RR	R-1	R-2	R-3	NTR	O	LC	UC	B-1	B-2	ML/C-1	MH	Supplementary Regulation
Miscellaneous Uses														
Broadcasting Tower	*S	*S	*S	*S	*S	*S		*S	*S		*S	*S	*S	
Construction Batch Plant	**S	**S										**S	P	
WECS (Wind Energy Conservation System)	P	P			S			S	S		S	P	P	

Landfill (Non-Putrescible)	S												S	
Landfill (Putrescible)	S												S	
Major Alternative Energy Production Devices	P	P	S	S	S	S		S	S		S	P	P	
Minor Alternative Energy Production Devices	P	P	P	P	P	P	P	P	P	P	P	P	P	

* See Chapter 13 of the Zoning Code. Towers permitted under Section 5 of Chapter 13 or towers that are eligible for administrative approval under Section 6 of Chapter 13 are exempt from the Special Use Permit requirement. For all other towers, Special Use Permits shall be governed by Chapter 13 of the Zoning Code and, particularly, the procedures and criteria set forth in Section 7 thereof.

**** Temporary Construction Batch Plants Only.**

Section 2. That Section 6-13 is hereby created and added to Chapter 1, Article 6: Supplemental Regulations, of the Columbus Land Development Ordinance and shall read as follows:

6-13 Supplemental Use Regulations: Truck Terminals

Truck Terminals that are desired to be located in B-2 Districts may be approved pursuant to a Special Use Permit and must comply with the following requirements:

a. The total maximum floor area of all buildings combined is limited to 75,000 square feet or less per site.

b. A landscape bufferyard and screening is required around the perimeter of the site as set forth below, but in no event shall said bufferyard and screening requirement be less than 20-foot:

   1. Bufferyards shall comply when appropriate with Article 8, Section 8-4, and Table 8-2 of the Columbus Land Development Ordinance. Each bufferyard must be fully landscaped and maintained as set forth in the Columbus Land Development Ordinance and be free from paved areas, storage, or other disturbances.

   2. Screening shall comply with Section 8-5 of the Columbus Land Development Ordinance.

Section 3. This Ordinance shall repeal all Ordinances or portions thereof and in conflict herewith.

Section 4. This Ordinance shall be in full force and effect after its passage, approval, and publication according to law. Publication shall be in pamphlet form as authorized by §16-405 of Nebraska Revised Statutes with distribution to be made by making copies available to the public upon request at the City office.

INTRODUCED BY COUNCIL MEMBER_____

PASSED AND ADOPTED THIS ____ DAY OF _____, 2024.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

CITY OF COLUMBUS
MEMORANDUM

DATE: August 1, 2024

FROM: Andy Woehrer, Chief Building and Code Official

TO: Tara Vasicek, City Administrator

RE: Columbus Land Development Ordinance Text Amendments

RECOMMENDATION:

Staff and I recommend approval of the text amendments made to the Columbus Land Development Ordinance.

DISCUSSION:

We have recently received inquiries from several customers interested in establishing truck terminals in various parts of Columbus. Upon review, we noted that the current zoning regulations permit truck terminals exclusively in the Light Industrial Zoning District (ML/C-1).

Given the growing demand and the potential benefits to our community, we propose an amendment to allow truck terminals in the following districts:

1. General Industrial District (MH) - Permitted Use
2. General Commercial District (B-2) - Special Use Permit with specific requirements

We believe this amendment will better accommodate the needs of our customers and support the development of our city's infrastructure.

FISCAL IMPACT:

None

ALTERNATIVE:

Do not approve or revise text amendments

SIGNATURE:

By: Andrew J Woehrer

Approved By: 

The Columbus Land Development Ordinance for the City of Columbus

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CHAPTER 1: ZONING

1 ARTICLE ONE: GENERAL PROVISIONS

1-1 Title

Chapter 1 of this Ordinance shall be known as the Zoning Chapter of the Columbus Land Development Ordinance of the City of Columbus, Nebraska (CLDO), and shall be incorporated into the Columbus City Code as Title XV, Chapter 151.

1-2 Jurisdiction

The provisions of this Chapter shall be applicable to all property within the corporate limits of the City of Columbus and its extra-territorial jurisdiction as authorized by Section 16-901, Revised Statutes of Nebraska, 1943. Except as limited by §16-901 of Nebraska Revised Statutes, 1943, all existing or future zoning regulations, property use regulations, building ordinances, electrical ordinances, plumbing ordinances and ordinances authorized by §16-240 of Nebraska Revised Statutes, 1943, shall apply to the area two miles beyond and adjacent to the City's corporate boundaries to the extent shown on the Extra-Territorial Jurisdiction Map, the City's official map, with the same force and effect as of is such outlying area were within the corporate limits of the City of Columbus. Boundaries of the Extra-Territorial Jurisdiction established by this ordinance shall be shown on the Extra-Territorial Jurisdiction Map maintained by the City Engineer. This map, together with all legends, references, symbols, boundaries, and other information, shall be adopted as a part of and concurrent with this ordinance. The Extra-Territorial Jurisdiction may be changed from time to time following the extension of City boundaries either by annexation or by additions brought into the City pursuant to the Subdivision Code. Such changes shall be reflected on the Extra-Territorial Map. The City Clerk and Engineer shall keep a complete record of all changes to the Extra-Territorial Jurisdiction Map.

1-3 Purpose

The purposes of the Columbus Land Development Ordinance of the City of Columbus are to:

a. Serve the public health, safety, and general welfare of the city and its jurisdiction.

b. Classify property in a manner that reflects its suitability for specific uses.

c. Provide for sound, attractive development within the city and its jurisdiction.

d. Encourage compatibility of adjacent land uses.

e. Protect environmentally sensitive areas.

f. Further the objectives of the Comprehensive Development Plan and Long-Range Transportation Plan of the City of Columbus.

1-4 Consistency with Comprehensive Development Plan and Long-Range Transportation Plan

The City of Columbus intends that this Columbus Land Development Ordinance and any amendments to it shall be consistent with the City's Comprehensive Development Plan and Long-Range Transportation Plan. Should this Ordinance become inconsistent with the adopted Comprehensive Development Plan or Long-Range Transportation Plan because of subsequent amendments to that plan, it is the City's intent to amend this Ordinance to bring it into conformance with the plans.

1-5 Conflicting Provisions

The Columbus Land Development Ordinance shall be held to provide the minimum requirements necessary for the promotion of the public health, safety, and welfare. If any provision of the Columbus Land Development Ordinance conflicts with any other provision of the Columbus Land Development Ordinance, any other Ordinance of the City of Columbus, or any applicable State or Federal law, the more restrictive provision shall apply.

1-6 Relief from Other Provisions

Nothing in these provisions shall relieve any property owner or user from satisfying any condition or requirement associated with a previous approval, special permit, variance, development permit, or other permit issued under any local, State, or Federal ordinance or statute.

1-7 Severability of Provisions

If any chapter, section, subsection, clause, or phrase of this Columbus Land Development Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

2 ARTICLE TWO: DEFINITIONS

2-1 Purpose

Article Two shall be known as the Definitions. The purpose of these provisions is to promote consistency and precision in the interpretation of the Zoning Ordinance. The meaning and construction of words as set forth shall apply throughout the Zoning Ordinance, unless where modified in a specific section or where the context of such words or phrases clearly indicates a different meaning or construction.

2-2 General Construction of Language

The following general rules of construction apply to the text of the Zoning Ordinance.

Headings

Section and subsection headings contained herein are provided for illustrative purposes only and shall not be deemed to limit, govern, modify, or otherwise affect the scope, meaning, intent of any provision of the Zoning Ordinance.

Illustration

In the case of any real or apparent conflict between the text of this Ordinance and any illustration explaining the text, the text shall apply.

a. Shall and May

"Shall" is always mandatory. "May" is discretionary.

b. Tenses and Numbers

Words used in the present tense include the future tense. Words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.

c. Conjunctions

Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:

1. "And" indicates that all connected items or provisions apply.
2. "Or" indicates that the connected items or provisions may apply singly or in any combination.
3. "Either...or" indicates that the connected items or provisions shall apply singly but not in combination.

d. Referenced Agencies

Unless otherwise indicated, all public officials, bodies, and agencies referred to in this Chapter are those of the City of Columbus.

2-3 Definitions of Terms

For the purposes of this Zoning Ordinance, certain terms and words are hereby defined. Certain sections contain definitions which are additional to those listed here. Where terms are not specifically defined, their ordinarily accepted meanings or meanings implied by their context shall apply.

2-4 A

1. Abutting: Having lot lines or district boundaries in common, including property separated by a public street or alley. Used interchangeably with adjacent.
2. Accessory Structure: A structure, which is incidental to and customarily associated with a specific principal use or building on the same site.
3. Accessory Use: A use, which is incidental to and customarily associated with a specific principal use on the same site.
4. Addition: Any construction, which increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.
5. Aerial Map: An orthoimage with a scale of not less than 1 inch to 600 feet showing the location of a development project or subdivision in reference to surrounding property. The map shall show existing lots, streets, public facilities, flood plain and floodway zones, natural features, city limit or extra territorial jurisdiction lines. The area shown shall be sufficient to show how the proposed project or subdivision will fit into existing developments.
6. Agent of Owner: Any person showing written verification that he/she is acting for, and with the knowledge and consent of, a property owner.
7. Alley: A public right of way, which is used as a secondary means of access to abutting property.
8. Alteration: Any construction or physical change in the internal arrangement of spaces, the supporting members, the positioning on a site, or the appearance of a building or structure.
9. Apartment: A housing unit within a building designed for and suitable for occupancy by only one family.
10. Attached: Having one or more walls in common with a principal building or connected to a principal building by an integral architectural element, such as a covered passageway; facade wall extension; or archway.

2-5 B

1. Base District: A district established by this Ordinance to prescribe basic regulations governing use and site development. No more than one base district shall apply to the same portion of a site.

2. Basement: A level of a building below street level that has at least one-half of its height below the surface of adjacent ground. A basement used for independent dwelling or business purposes shall be considered a story for the purposes of height measurement.

3. Beginning of Construction: At the time the site is disturbed or altered for the project.

4. Blockface: The property abutting one side of a street and lying between the two nearest intersection streets, or between the one nearest intersecting street or a major physical barrier, including, but not limited to, railroads, streams, lakes, the corporate limits of Columbus, or the Extra-territorial Jurisdiction of the City of Columbus.

5. Bufferyard: A landscaped area intended to separate and partially obstruct the view of two adjacent land uses or properties from one another.

6. Building: A structure having a roof and built to provide shelter, support, or enclosure for persons or property.

7. Building Coverage: The area of a site covered by buildings or roofed areas, excluding allowed projecting eaves, balconies, and similar features.

8. Building Line: The outer boundary of a building established by the location of its exterior walls.

9. Building Official: The Chief Building and Code Official is responsible for supervision and operation of the building and land use regulations of the City of Columbus.

10. Business: Activities that include the exchange or manufacture of goods or services on a site.

11. Business Center: A building containing more than one commercial business, or any group of non-residential buildings within a common development, characterized by shared parking and access.

2-6 C

1. Certificate of Occupancy: An official certificate issued by the Building Official or his/her designee, indicating conformance with the zoning regulations and other applicable ordinances of the city and authorizing legal use of the premises for which it is issued.
2. Change of Use: The replacement of an existing use by a new use.
3. Cluster: A development design technique that concentrates buildings in specific areas on a site to allow remaining land to be used for recreation, common area, or the preservation of historically or environmentally sensitive features.
4. City: The City of Columbus, Nebraska.
5. City Council: The City Council of Columbus, Nebraska.
6. Collector Street: A street connecting neighborhoods within Columbus and its Extra-territorial jurisdiction, designed to carry traffic from local to arterial streets.
7. Common Area: An area held, designed, and designated for common or cooperative use within a development.
8. Common Development: A development proposed and planned as one unified project not separated by a public street or alley.
9. Compatibility: The degree to which two or more different land use types are able to exist together in close proximity, with no one use having significant negative effects on any other use.
10. Comprehensive Plan: The duly adopted Comprehensive Development Plan of the City of Columbus.

11. Condominium: A real estate ownership arrangement that combines fee simple title to a specific unit and joint ownership in common elements shared with other unit owners. Types of units may include dwelling units, parking spaces, office spaces, or commercial spaces.
12. County: Platte County, Nebraska.
13. Courtyard: An open, unoccupied space, bounded on two or more sides by the walls of the building.
14. Creative Subdivision: A wholly or principally residential subdivision that permits a reduction in lot area, setback, or other site development regulations, provided the remaining land area is used for common area.

2-7 D

1. Density: The amount of development per specific unit of a site.
2. Drive-in-Services: Uses which involve the sale of products or provision of services to occupants in vehicles.
3. Detached: Fully separated from any other building or attached to another building in such a manner as not to constitute an enclosed or covered connection.
4. Driveway: A permanently surfaced area providing vehicular access between a street and an off- street parking or loading area.
5. Downtown Business District: Area bounded by 10th Street and 15th Street and 21st Avenue and 32nd Avenue, all public rights-of-way or portions thereof located within these boundaries, and all buildings or structures abutting, adjoining, or bordering the same.
6. Dwelling Unit: A single unit providing complete independent living facilities for one or more persons; including permanent provisions for living, sleeping, eating, cooking, and sanitation. The minimal dwelling size is 400 square feet.

2-8 E

1. Easement: A privilege or right of use granted on, above, under, or across a particular tract of land by one owner to others.
2. Enclosed: A roofed or covered space fully surrounded by walls.

2-9 F

1. Family: One (1) or more related persons living together and occupying a single dwelling unit with shared common living, sleeping, cooking, and eating facilities; or a group of non-related persons living together by joint agreement and occupying a single dwelling unit with shared common living, sleeping, cooking, and eating facilities on a non-profit, cost-sharing basis. A group of non-related persons shall consist of not more than three (3) persons in a dwelling unit containing two (2) bedrooms or less or a group of not more than four (4) persons living in a dwelling unit containing three (3) bedrooms or more. The following person shall be considered related for the purpose of this Ordinance:

(a) Persons related by blood, marriage, or adoption;

(b) Persons residing with a family for the purpose of adoption;

(c) Not more than eight (8) persons under 19 years of age, residing in a foster house licensed or approved by the State of Nebraska;

(d) Not more than eight (8) persons 19 years of age or older residing with a family for the purpose of receiving foster care licensed or approved by the State of Nebraska;

(e) Person(s) living with a family at the direction of a court.

2. Federal: Pertaining to the Government of the United States of America.
3. Floor Area Ratio: The quotient of gross floor area divided by gross site area.
4. Frontage: The length of a property line of any one lot abutting and parallel to a public street or private access.

2-10 G

1. Grade: The elevation of the finished surface of ground, paving, or sidewalk adjacent to any building line.
2. Gross Floor Area: The total enclosed area of all floors of a building, measured to the inside surfaces of the exterior walls. This definition excludes the areas of basements, elevator shafts, air spaces above atriums, and enclosed off-street parking and loading areas serving a principal use.

2-11 H

1. Height: The vertical distance from the established grade to the highest point of the coping of a flat roof, the deck line of a mansard roof, or to the average height between eaves and ridge for gable, hip, shed, or gambrel roofs. Where a building is located on a slope, height shall be measured from the average grade level adjacent to the building.
2. Home Occupation: An accessory occupational use conducted entirely within a dwelling unit by its inhabitants, which is clearly incidental to the residential use of the dwelling unit or residential structure and does not change the residential character of its site.
3. Housing Unit or Dwelling Unit: A building or portion of a building arranged for and intended for occupancy as an independent living facility for one family, including permanent provisions for cooking.

2-12 I

1. Impervious Coverage: The total horizontal area of all buildings, roofed or covered spaces, paved surface areas, walkways and driveways, and any other site improvements that decrease the ability of the surface of the site to absorb water, expressed as a percent of site area. The surface water area of pools is excluded from this definition.

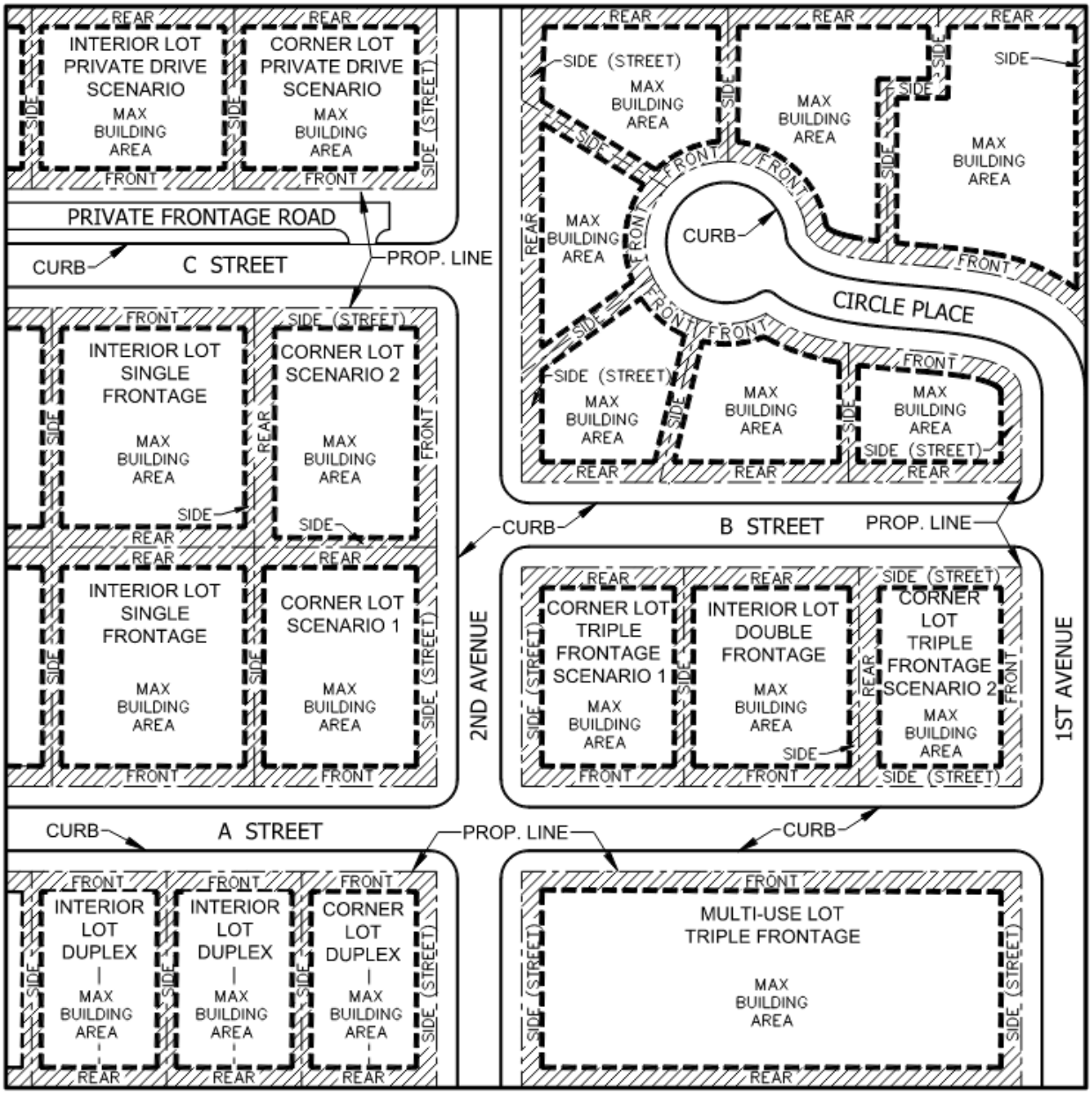
2-13 J

2-14 K

2-15 L

1. Landscaped Area: The area within the boundaries of a given lot, site or common development consisting primarily of plant material, including but not limited to grass, trees, shrubs, vines, groundcover, and other organic plant materials; or grass paver masonry units installed such that the appearance of the area is primarily living landscape.
    (a) Perimeter Landscaped Area: Any required landscaped area that adjoins the exterior boundary of a lot, site, or common development.
    (b) Interior Landscaped Area: Any landscaped area within a site exclusive of required perimeter landscaping.
2. Loading Area: An off-street area used for the loading or unloading of goods from a vehicle in connection with the use of the site on which such area is located.
3. Long Range Transportation Plan: Transportation Planning Document that discusses how Columbus will grow over the next two decades and identified transportation strategies to enable a more resilient and economically vibrant future.
4. Lot: A parcel of real property with a separate and distinct number or other designation shown on a plat, record or survey, parcel map, or subdivision map recorded in the office of the Platte County Register of Deeds. When a lot is used together with one or more contiguous lots in a common development, all of the lots used, including any lots used for off-street parking shall be considered a single lot for purposes of these Zoning Regulations. A lot shall have a minimum frontage of 20 feet, except as provided in an approved Planned Unit Development and/or Creative Subdivision. See Figure 2-15.
    (a) Corner Lot: A lot located at the intersection of two streets, private street access or on two segments of a curved street or private street access forming an angle of no more than 135 degrees.
    (b) Double Frontage Lot: A lot, other than a corner lot, having frontage on two streets or private access easements.
    (c) Interior Lot: A lot other than a corner lot.

Figure 2-15: Lot Definitions



Lot Area: The total horizontal area within the lot lines of a lot.

5. Lot Depth: The average horizontal distance between the front and rear lot lines.
6. Lot Line: The lines bounding a lot as herein defined.
   (a) Front Lot Line: For an interior lot, the lot line separating the lot from the street or private access. For a residential corner lot, the building official may determine which lot line abutting a street or private access shall be the front lot line, or the front lot line may be designated as the front lot line on a subdivision plat or parcel map. For a non-residential corner lot, the lot line abutting a street or private access to which the principal building is oriented, or the line designated as the front lot line on a subdivision plat or parcel map.
7. Rear Lot Line: The lot line which is opposite and most distant from the front lot line.
   (a) Side Lot Line: Any lot line that is neither a front or rear lot line. A side lot line separating a lot from a street or private access easement is a street side lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.
8. Lot Width: The horizontal distance between the side lot lines, measured at the two points of intersection between the front yard setback line and the side lot lines.

2-16 M

1. Manufactured Home Dwelling: A factory built structure which is to be used as a place for human habitation, which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site; does not have permanently attached to its body or frame any wheels or axles; bears a label certifying that it was built in compliance with the National Manufactured Home Construction and Safety Standards promulgated by the U.S. Department of Housing and Urban Development; and which complies with the following architectural and aesthetic standards:
   (a) The home shall have at least 900 square feet of floor area;
   (b) The home shall have an exterior width of at least 18 feet;
   (c) The roof shall be pitched with a maximum vertical rise of 2.5 inches for each 12 inches of horizontal run;
   (d) The exterior material is of a color, material, and scale comparable with those existing in the residential site on which the manufactured home dwelling is being permanently installed;
   (e) The home shall have a non-reflective roof material which is or simulates asphalt or wood shingles, tile, or rock;
   (f) Permanent utility connections shall be installed in accordance with local regulations;
   (g) The home shall have all wheels, axles, transporting lights, and towing apparatus removed; and
   (h) The home shall be installed upon a permanent foundation that is constructed and built-in accordance with local regulations.

2. Mixed Use Building: A building or structure that incorporates two or more use types within it.
3. Mixed Use Development: A single development which incorporates two or more use types within its site boundaries.
4. Mobile Homes: A building type designed to be transportable in one or more sections, constructed on a permanent chassis or undercarriage, and designed to be used as a dwelling unit or other use with or without a permanent foundation when connected to the required utilities, but not bearing a seal attesting to the approval and issuance of the Nebraska Department of Health or conformance to the manufactured home procedural and enforcement regulations, as adopted by the U.S. Department of Housing and Urban Development; or not otherwise satisfying the definition of Manufactured Home Dwellings. Tiny Homes constructed on a permanent chassis or undercarriage shall be considered a mobile home.

2-17 N

1. Nonconforming Development: A building, structure, or improvement which does not comply with the regulations for its zoning district set forth by this Zoning Ordinance but which complied with applicable regulations at the time of construction.
2. Nonconforming Use: A lawful use of land, other than a sign, which does not comply with the use regulations for its zoning district set forth by this Zoning Ordinance but which complied with applicable regulations at the time the use was established.
3. Non-Traditional Residential Park: A unified development in which the development is under single ownership, developed, subdivided, planned, and improved for the placement of mobile and/or tiny home units for non-transient use. Mobile or Tiny Home Parks include common areas and facilities for management, recreation, laundry, utility services, storage, storm shelter, and other services; but do not include mobile home sales lots on which unoccupied mobile homes are parked for the purposes of display, inspection, sale, or storage.
4. Non-Traditional Residential Subdivision: A unified development in which the development is under common or split ownership, subdivided, planned, and improved for the placement of housing units on lots. Mobile Non-Traditional Residential Subdivisions shall include common areas and facilities for parking, recreation, utility services, enclosed shelter; and may include facilities for management, laundry, storage and other services. Non-Traditional Residential Subdivisions may not include mobile home sales lots on which unoccupied mobile homes are parked for the purposes of display, inspection, sale, or storage.
5. Nuisance: An unreasonable and continuous invasion of the use and enjoyment of a property right which a reasonable person would find annoying, unpleasant, obnoxious, or offensive.

2-18 O

1. Off-Street Parking: Parking which must be provided on a site, but not within public right-of-way or property.
2. Open Space: Area included on any site, subdivision or lot that is open and unobstructed to the sky, except for allowed projections of cornices, overhangs, porches, balconies, or plant materials.
3. Outdoor Storage: The storage of materials, parts, or products that are related to the primary use of a site for a period exceeding three days.
4. Overlay District: A district established by this Ordinance to prescribe special regulations to be applied to a site or subdivision only in combination with a base district.
5. Owner: An individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land.

2-19 P

1. Parking Facility: An area on a lot and/or within a building, including one or more parking spaces, along with provision for access circulation, maneuvering, and landscaping meeting the requirements of this Zoning Ordinance. Parking facilities include parking lots, private garages, and parking structures.
2. Parking Spaces: An area on a lot and/or within a building, intended for the use of temporary parking of a personal vehicle. This term is used interchangeably with "parking stall". Each parking space must have a means of access to a public street. Tandem parking stalls in single-family detached, single-family attached, and townhome residential uses shall be considered to have a means of access to a public street.
3. Permitted Use: A land use type allowed as a matter of right in a zoning district, subject only to special requirements of this Zoning Ordinance.
4. Personal Vehicles: This term includes passenger cars, vans, motorcycles, trucks, pick-up trucks, camper trailers, recreational vehicles, trailers under 40 feet in length and boats, which can be classified as personally owned.
5. Planned Unit Development: A development of land which is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements.
6. Porch, Unenclosed: A roofed or unroofed open structure projecting from an exterior wall of a building and having no enclosed features more than thirty inches above its floor other than wire screening and a roof with supporting structure.
7. Premises: A tract of land consisting of one or more lots or sites which are contiguous and under common ownership or control.
8. Private Drive: Access which is privately owned by one or more person, which has not been dedicated to the public but rather established by the property owner(s) for access to and from the drive connecting to the public street.

9. Private Street Access: An approved private street access with easement which provides access to residential properties and meets the following conditions:
    (a) Serves twelve or fewer housing units or platted lots.
    (b) Does not function as a public street because of its alignment, design, or location.
    (c) Is completely internal to a development.
    (d) Provides approved emergency access to all properties.
    (e) Follow naming requirements (lane/court)
10. Private Garage: A building for the storage of motor vehicles where no repair or service facilities are maintained and where no motor vehicles are kept for rental or sale.
11. Private Street: Privately owned and maintained access to a lot or parcel and shall have a public easement for utility and fire access.
12. Property Line: The line separating parcels.

2-20 Q

2-21 R

1. Recreational Vehicle: A vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational, or sporting purposes. Recreational vehicles include, but are not limited to, travel trailers; campers; motor coach homes; converted buses and trucks, boats, and boat trailers; and van conversions.
2. Residential convenience services: Uses that are accessory to the primary residential use in the multi-family or Non-Traditional Residential District such as laundry services, solid waste, open recreational space, shared parking, etc.
3. Regulation: A specific requirement set forth by this Zoning Ordinance which must be followed.

2-22 S

1. Screening: The method by which a view of one site from another adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls, hedges, berms, or other features.
2. Setback: A line within a lot parallel to and measured from a corresponding lot line, forming the boundary of a required yard and setting forth the nearest that a building face may come to that lot line.
3. Sign: A symbolic, visual device fixed upon a building, vehicle, structure, or parcel of land, which is intended to convey information about a product, business, activity, place, person, institution, candidate, or political idea.
4. Site: The parcel of land to be developed or built upon. A site may encompass a single lot, portion of a lot, or a group of lots developed as a common development. A site must be in one base district, and cannot be separated by a public street or alley. One

structure or building may not be divided into more than one site for the purpose of zoning.

5. Site Plan: A plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries and topography of a site and the location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land.

6. Special Permit Use: use with operating and/or physical characteristics different from those of permitted uses in a given zoning district which may, nonetheless, be compatible with those uses under special conditions and with adequate public review. Special permit uses are allowed in a zoning district only at the discretion of and with the explicit permission of the City Council, upon the recommendation of the Planning Commission.

7. State: The State of Nebraska.

8. Street: A right of way, dedicated to public use, which affords a primary means of access to the abutting property.

9. Street Level: First floor, which the floor elevation is at or above sidewalk elevation or adjacent ground.

10. Street, Local: A street which is used primarily for access to the abutting properties.

11. Street, Major: A street carrying traffic between neighborhoods, connecting neighborhoods with major activity centers, or accommodating major through traffic. Major streets are designated as collectors, arterials, or highways by the Comprehensive Development Plan and Long-Range Transportation Plan.

12. Structure: That which is built or constructed above or below grade.

2-23 T

1. Tiny Home: A dwelling unit that is 400 square feet or less in floor area excluding lofts.

2. Townhouse: A dwelling unit having a common wall with or abutting one or more adjacent dwelling units in a townhouse structure, with its own front and rear access to the outside, and neither above nor below any other dwelling unit. In addition, no more than twelve contiguous townhouses with common or abutting walls.

2-24 U

1. Use: The conduct of an activity, or the performance of a function or operation, on a site or in a building or facility.
2. Utilities: Installations, either above or below ground, necessary for the production, generation, transmission, delivery, collection, treatments, or storage of water, solid or fluid wastes, stormwater, energy media, gas, electronic or electromagnetic signals, or other services which are precedent to development and use of land.

2-25 V

1. Value: The estimated cost to construct or replace a structure in kind, based on current costs.
2. Vehicle: Includes personal vehicles and recreational vehicles.

2-26 W

2-27 X

2-28 Y

1. Yard: A required open space on a lot adjoining a lot line, containing only landscaping or other uses as provided by this Zoning Ordinance.
    (a) Front Yard: A required yard extending the full width of a lot, between the front lot line and the front setback line.
    (b) Rear Yard: A required yard extending the full width of a lot, between the rear lot line and the rear setback line.
    (c) Interior Side Yard: A required yard extending the depth of a lot from the front to rear lot lines, between the interior side lot line and the side setback line.
    (d) Street Side Yard: On a corner lot, a required yard extending the depth of a lot from the front to rear lot lines, between the street side lot line and the street side setback line.

2-29 Z

1. Zoning District: A designated specified land classification, within which all sites are subject to a unified group of use and site development regulations set forth in this Zoning Ordinance.

3 ARTICLE THREE: USE TYPES

3-1 Purpose

Article Three shall be known as the Use Types. The purpose of the Use Types is to establish a classification system for land uses and a consistent set of terms defining uses permitted or conditionally permitted within various zoning districts. The Use Types section also provides a procedure for determining the applicable use type of any activity not clearly within any defined use type.

3-2 Determinations

a. Classification of Uses: In the event of any question as to the appropriate use types of any existing or proposed use or activity, the Building Official of the City of Columbus shall have the authority to determine the appropriate use type. A determination of the Building Official may be appealed to the Board of Adjustment. In making such determinations, the Building Official and the Board of Adjustment shall consider the operational and physical characteristics of the use in question and shall consider such characteristics or specific requirements of the use in common with those included as examples of use types. Those examples, when included in use type descriptions, are intended to be illustrative, as opposed to exclusive lists.

b. Records: The Building Official shall make all such determinations of appropriate use types in writing. The record of the determination shall contain a report explaining the reasons for the determination.

3-3 Agricultural Use Types

Agricultural use types include the on-site production and sale of plant and animal products by agricultural methods.

a. Horticulture: The growing of horticultural and floricultural specialties, such as flowers, shrubs, or trees intended for ornamental or landscaping purposes. This definition may include accessory retail sales under certain conditions. Typical uses include wholesale plant nurseries and greenhouses.

b. Crop Production: The raising and harvesting of tree crops, row crops, or field crops on an agricultural or commercial basis. This definition may include accessory retail sales under certain conditions.

c. Animal Production: The raising of animals or production of animal products, such as eggs or dairy products on an agricultural or commercial basis on a site which is also used for crop production or where grazing of natural vegetation is the major feed source; or the raising or maintaining of animals for recreational use. Typical uses include grazing, ranching, dairy farming, and poultry farming.

d. Commercial Feedlots: The use of a site of more than 15,000 square feet for the confined feeding or holding of livestock or poultry which is not normally used for crop production or where grazing of natural vegetation is not the major feed source.

e. Livestock Sales: Use of a site for the temporary confinement and exchange or sale of livestock. Typical uses include sale barns.

3-4 Residential Use Types

Residential use types include uses providing wholly or primarily non-transient living accommodations. They exclude institutional living arrangements providing 24-hour skilled nursing or medical care, forced residence, or therapeutic settings.

a. Single-Family Residential: The use of a site for one dwelling unit, occupied by one family, excluding a mobile home unit. A single-family residential use in which one dwelling unit is located on one or more lots, with no physical or structural connection to any other dwelling unit. This includes manufactured homes, as defined in Section 2-16.

b. Two-Family Residential: Any residential use that serves two families, including but not limited to a 2-unit townhome, two detached single-family units on a single lot or duplex.

c. Mixed-Use Residential: Attached residential living unit(s) within a building which includes non-residential use types. Example: Downtown apartments.

d. Multiple-Family Residential: The use of a site for three or more dwelling units within one or more buildings.

e. Group Residential: The use of a site for a residence by more than four unrelated persons, not defined as a family, on a weekly or longer basis.

f. Non-Traditional Residential: Attached or Detached residential living units, such as: mobile homes, modular homes, tiny homes, container homes, etc.

g. Retirement Residential: A building or group of buildings which provide residential facilities for more than four residents of at least fifty-five years of age, or households headed by a householder of at least fifty-five years of age. A retirement residence may provide a range of residential building types, and may also provide support services to residents, including but not limited to food service, general health supervision, medication services, housekeeping services, personal services, recreation facilities, and transportation services. The retirement residence may accommodate food preparation in independent units or meal service in one or more common areas. Retirement residences with more than 100 units may include additional health care supervision or nursing care, provided that the number of beds for such residences shall not exceed 25% of the total number of individual living units.

3-5 Office Use Types

Office use types include uses providing for administration, professional services, and allied activities. These uses often invite public clientele but are more limited in external effects than commercial uses.

a. General Offices: Use of a site for business, professional, or administrative offices. Typical uses include real estate, insurance, management, travel, or other business offices; organization and association offices; banks or financial offices; or professional offices.

b. Medical Offices: Use of a site for facilities which provide diagnoses and outpatient care on a routine basis, but which does not provide prolonged, in-house medical or surgical care. Medical offices are operated by doctors, dentists, or similar practitioners licensed for practice in the State of Nebraska.

3-6 Civic Use Types

Civic use types include the performance of utility, educational, recreational, cultural, medical, protective, governmental, and other uses.

a. Administration: Governmental offices providing administrative, clerical or public contact services that deal directly with the citizen, together with incidental storage and maintenance of necessary vehicles. Typical uses include federal, state, county, and city offices.

b. Cemetery: Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbarium, crematoria, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.

c. Clubs: Uses providing meeting, recreational, or social facilities for a private, non-profit or non-commercial association, primarily for use by members and guests.

d. College and University Facilities: An educational institution of higher learning which offers a course of study designed to culminate in the issuance of a degree certified by a generally recognized accrediting organization.

e. Convalescent Services: A use providing bed care and in-patient services for persons requiring regular medical attention but excluding a facility providing surgical or emergency medical services and excluding a facility providing care for alcoholism, drug addiction, mental disease, or communicable disease.

f. Cultural Services: A library, museum, or similar registered non-profit organizational use displaying, preserving and exhibiting objects of community and cultural interest in one or more of the arts and sciences.

g. Day Care Services (Limited): A facility, or use of a building or portion thereof, for day care of twelve (12) or less individuals and licensed by the State of Nebraska as a family child care home may be established and operated in any residential zone within the exercised zoning jurisdiction. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities.

h. Day Care Services (General): A facility licensed by the State of Nebraska, or use of a building or portion thereof, for day care of more than twelve (12) individuals. This term includes nursery schools, preschools, day care centers for children or adults, and similar uses but excludes public and private primary and secondary educational facilities and non-commercial day shelters.

i. Detention Facilities: A publicly operated or contracted use providing housing and care for individuals legally confined, designed to isolate those individuals from the community; or supervision while under program alternative to imprisonment, including but not limited to pre-release, work-release, and probationary programs.

j. Emergency Residential: A facility or use of a building to provide a protective sanctuary for victims of crime or abuse, including emergency housing during crisis intervention for victims of rape, abuse, or physical beatings.

k. Group Care Facility: A facility licensed or approved by the State of Nebraska or other appropriate agency, which provides for the care and short or long-term, continuous multi-day/night occupancy of more than four unrelated persons who require and receive therapy or counseling on site as part of an organized and therapeutic ongoing program for any of the purposes listed below. Such facilities shall exclude those uses defined as group homes. Group Care Facilities include facilities which provide for the following:

   1. Adaptation to living with, or rehabilitation from, the handicaps of physical disability;
   2. Adaptation to living with, or rehabilitation from, the handicaps of emotional or mental disorder, or of intellectual disability if such facility has an overnight occupancy of more than eight persons;
   3. Rehabilitation from the effects of drug or alcohol abuse.

l. Group Home: A facility licensed by the State of Nebraska in which at least four but no more than eight persons, not including resident managers or house parents, who are unrelated by blood, marriage, or adoption reside while receiving therapy, training, or counseling for the purpose of adaptation to living with or rehabilitation from cerebral palsy, autism, or a disability.

m. Guidance Services: A use providing counseling, guidance, recuperative, or similar services to persons requiring rehabilitation assistance as a result of mental illness, alcoholism, detention, drug addiction, or similar condition on a daytime care basis.

n. Health Care: A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an out-patient basis including emergency treatment, diagnostic services, training, administration and services to out-patients, employees, or visitors.

o. Hospital: A facility providing medical, psychiatric, or surgical service for sick or injured persons including on an in-patient basis, including, but not limited to emergency treatment, air medical services, diagnostic services, training, administration, and services to patients, employees, or visitors.

p. Maintenance Facilities: A public facility supporting maintenance, repair, vehicular or equipment servicing, material storage, and similar activities including street or utility yards, equipment service centers, and similar uses having characteristics of commercial services or contracting or industrial activities.

q. Non-Commercial Shelters: Facilities which are operated by non-profit organizations and which provide emergency or temporary services and accommodations for people who lack access to permanent housing.

   Non-commercial shelters may provide accommodations on a daytime and/or overnight basis. Typical uses include urban missions and shelters for homeless people.

r. Park and Recreation Services: Publicly-owned and operated parks, playgrounds, recreation facilities, and open spaces.

s. Postal Facilities: Postal services, including post offices, bulk mail processing or sorting centers. Does not include distribution or shipping

t. Primary Educational Facilities: A public, private, or parochial school offering instruction at the elementary school level in the branches of learning study required to be taught in schools within the State of Nebraska.

u. Public Assembly: Facilities owned and operated by a public agency or a charitable non-profit organization accommodating major public assembly for recreation, sports, amusement, or entertainment purposes. Typical uses include civic or community auditoriums, sports stadiums, convention facilities, fairgrounds, incidental sales, and exhibition facilities.

v. Religious Assembly: A use located in a permanent building and providing regular organized religious worship and religious education incidental thereto but excluding private primary or private secondary educational facilities, community recreational facilities, day-care facilities, and incidental parking facilities. A property tax exemption obtained pursuant to Property Tax Code of the State of Nebraska shall constitute *prima facie* evidence of religious assembly use.

w. Safety Services: Facilities for conduct of public safety and emergency services including police and fire protection services and emergency medical and ambulance services.

x. Secondary Educational Facilities: A public, private, or parochial school offering instruction at the junior high or high school level in the branches of learning and study required to be taught in the schools of the State of Nebraska.

y. Storm Water Treatment Facilities: Drainage and Detention Facilities required at the time of development, such as ditches, wetlands, ponds or similar facilities utilized or constructed to meet requirements established by the City's Storm Water Management Plan.

z. Utilities: Any above ground structures or facilities, used for the production, generation, transmission, delivery, collection or storage of water, sewage, electricity, gas, oil, energy media, communications, electronic or electromagnetic signals, or other services which are precedent to development and/or use of land.

3-7 Commercial Use Types

Commercial uses include the sale, rental, service, and distribution of goods; and the provision of services other than those classified under other use types.

a. Agricultural Sales and Service: Establishments or places of business engaged in sale from the premises of feed, grain, fertilizers, farm equipment, pesticides and similar goods or in the provision of agriculturally-related services with incidental storage on lots other than where the service is rendered. Typical uses include garden or tree nurseries, farm implement dealerships, feed and grain stores, and tree service firms.

b. Automotive and Equipment Services: Establishments or places of business primarily engaged in sale and/or service of automobiles, trucks, or heavy equipment. The following are considered automotive and equipment use types:

   1. Automotive Rental and Sales: Sale or rental of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles or boats, including incidental storage, maintenance, and servicing. Typical uses include new and used car dealerships; motorcycle dealerships; and boat, trailer, and recreational vehicle dealerships.

   2. Auto Services: Provision of fuel, lubricants, parts and accessories, and incidental services to motor vehicles; and washing and cleaning and/or repair of automobiles, non-commercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. Typical uses include service stations, car washes, muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, and similar repair and service activities but exclude dismantling, salvage, or body and fender repair services.

   3. Body Repair: Repair, painting, or refinishing of the body, fender, or frame of automobiles, trucks, motorcycles, motor homes, recreational vehicles, boats, tractors, construction equipment, agricultural implements, and similar vehicles or equipment. Typical uses include body and fender shops, painting shops, and other similar repair or refinishing garages.

   4. Equipment Rental and Sales: Sale or rental of trucks, tractors, construction equipment, agricultural implements, mobile homes, and similar heavy equipment, including incidental storage, maintenance, and servicing. Typical uses include truck dealerships, construction equipment dealerships, and mobile home sales establishments.

   5. Equipment Repair Services: Repair of trucks, tractors, construction equipment, agricultural implements, and similar heavy equipment. Typical uses include truck repair garages, tractor and farm implement repair services, and machine shops, but exclude dismantling, salvage, or body and fender repair services.

   6. Vehicle Storage: Long-term storage of operating or non-operating vehicles. Typical uses include storage of private parking towaways or impound yards but exclude dismantling or salvage.

c. Bed and Breakfast: A lodging service that provides overnight or short-term accommodations to guests or visitors, usually including provision of breakfast. Bed and breakfasts are usually located in large residential structures that have been adapted for this use. For the purpose of this definition, bed and breakfasts are always owned and operated by the resident owner or resident manager of the structure, include no more than eight (8) units, and accommodate each guest or visitor for no more than seven (7) consecutive days during any one (1) month.

   Exception: Short term rental of residential property in compliance with LB57 approved by the Governor on March 7, 2019. See Note #1, Table 4-3 (Bed & Breakfast)

d. Business Support Services: Establishments or places of business primarily engaged in the sale, rental or repair of equipment, supplies and materials or the provision of services used by office, professional and service establishments to the firms themselves but excluding automotive, construction and farm equipment; or engaged in the provision of maintenance or custodial services to businesses. Typical uses include office equipment and supply firms, small business machine repair shops or hotel equipment and supply firms, janitorial services, photography studios, and convenience printing and copying.

e. Business or Trade Schools: A use providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a home occupation, college or university, or public or private educational facility.

f. Campground: Facilities providing camping or parking areas and incidental services for recreational use for travelers in recreational vehicles or tents for 30 consecutive days or less. No permanent features, such as skirting, permanent hookup, etc., are allowed.

g. Cocktail Lounge: A use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, cocktail lounges, and similar uses other than a restaurant.

h. Commercial Recreation: Private businesses or organizations, which may or may not be commercial in nature, primarily engaged in the provision of sports, entertainment, or recreation for participants and/or spectators. Typical uses include sports and recreation facilities, driving ranges, theaters, private dance halls, or private skating facilities.

i. Communications Services: Establishments primarily engaged in the provision of broadcasting and other services necessary to relay information, accomplished through the use of electronic and telephonic mechanisms but excludes those classified as Utilities. Typical uses include television studios, telecommunication service centers, or film, broadcasting and sound recording facilities.

j. Construction Sales and Service: Establishments or places of business primarily engaged in the retail or wholesale sale, from the premises, of materials or services used in the construction of buildings. This use type excludes those uses classified under Automotive and Equipment Services. Typical uses include building materials sales; tool and equipment rental or sales.

k. Convenience Storage: Storage services for goods within enclosed storage areas having individual access but excluding use of such areas as workshops, hobby shops, manufacturing, or commercial activity. Typical uses include mini-warehousing.

l. Crematory: A building or portion of a building which contains a cremation chamber and holding facility pursuant to the Cremation of Human Remains Act, Neb. Rev. Stat. §§71-1355 to 71-1385 along with cremation services as authorized thereunder.

m. Food Sales: Establishments or places of business primarily engaged in the retail sale of food or household products. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops.

   1. Limited Food Sales: Establishments occupying facilities of 10,000 square feet or less; and characterized by sales of specialty foods or a limited variety of general items. Typical uses include convenience stores, delicatessens, meat markets, retail bakeries, candy shops, and small grocery stores.

   2. General Food Sales: Establishments selling a wide variety of food commodities, using facilities larger than 10,000 square feet or food sales uses of any size that include the accessory sale of fuel for motor vehicles. Typical uses include supermarkets and convenience stores.

n. Funeral Services: Establishments engaged in undertaking services such as preparing the human dead for burial (excluding crematory services), arranging and managing funerals. Typical uses include funeral homes or mortuaries.

o. Gaming Facilities: Establishments engaged in the lawful, on-site operation of games of chance that involve the risk of money for financial gain by patrons. Gaming facilities may include the accessory sale of liquor and food, pursuant to licensing regulations of the City of Columbus and the State of Nebraska.

p. General Retail Services: Sale or rental with incidental service of commonly-used goods and merchandise for personal or household use but excludes those classified more specifically by these use type classifications. Typical uses include department stores, apparel stores, furniture stores, or establishments providing the following products or services:

   1. Automated banking machines, appliance repair shops, watch or jewelry repair shops, or musical instrument repair shops. Household cleaning and maintenance products; drugs, cards, stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, plants, hobby materials, toys, and handcrafted items; apparel, jewelry, fabrics and like items; cameras, photography services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, hardware, carpeting and floor covering; interior decorating services; office supplies; mail order or catalog sales; bicycles; and automotive parts and accessories (excluding service and installation).

q. Kennels: Boarding and care services for dogs, cats, and similar small mammals or small birds used as pets; or any premises on which four or more animals included under this definition over six months of age are kept and maintained. Typical uses include boarding kennels, pet motels, or dog training centers.

r. Laundry Services: Establishments primarily engaged in the provision of laundering, cleaning or dyeing services other than those classified as Personal Services. Typical uses include bulk laundry, cleaning, and linen supply services.

s. Liquor Sales: Establishments or places of business engaged in retail sale for off-premise consumption of alcoholic beverages. Typical uses include liquor stores, bottle shops, or any licensed sales of liquor, beer or wine for off-site consumption.

t. Lodging: Lodging services involving the provision of room and/or board. Typical uses include hotels and motels. Also includes other rental housing such as Commercial Air Bed and Breakfast, Rental By Owner, and other similar uses.

u. Personal Improvement Services: Establishments primarily engaged in the provision of informational, instructional, personal improvements and similar services of a non-professional nature. Typical uses include driving schools, health or physical fitness studios, reducing salons, dance studios, handicraft and hobby instruction.

v. Personal Services: Establishments or places of business primarily engaged in the provision of services of a personal nature. Typical uses include beauty and barber shops; seamstress, tailor, or shoe repair shops; photography studios; or dry-cleaning stations serving individuals and households; driving schools; health or physical fitness studios; reducing salons; dance studios; handicraft and hobby instruction.

w. Pet Services: Retail sales, incidental pet health services, and grooming and boarding, when confined within a building, of dogs, cats, birds, fish, and similar small animals customarily used as household pets. Typical uses include pet stores, small animal clinics, dog bathing and clipping salons, and pet grooming shops, but exclude uses for livestock and large animals.

x. Research Services: Establishments primarily engaged in research of an industrial or scientific nature. Typical uses include electronics research laboratories, space research and development firms, testing laboratories, or pharmaceutical research labs.

y. Restaurants: A use engaged in the preparation and retail sale of food and beverages, including the sale of alcoholic beverages when conducted as a secondary feature of the use, producing less than 50 percent of the establishment's gross income.

    1. Restaurant (Drive-in or Fast Food): An establishment which principally supplies food and beverages in disposable containers and is characterized by high automobile accessibility and on-site accommodations, self-service, and short stays by customers.

    2. Restaurant (General): An establishment characterized by table service to customers and/or accommodation to walk-in clientele. Typical uses include cafes, coffee shops, and restaurants.

z. Sexually Oriented Business: An adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion-picture theater, adult theater, escort agency, nude model studio or sexual encounter center; all as further defined in Article 14.

aa. Stables: Boarding, breeding or raising of horses, llamas, or other hooved animals which are not owned by the occupants of the premises; or for the purpose of riding animals included in this definition by members of the public other than the occupants of the premises or their non-paying guests. Typical uses include boarding stables and public stables.

bb. Surplus Sales: Businesses engaged in the sale of used or new items, involving regular, periodic outdoor display of merchandise for sale. Typical uses include flea markets, factory outlets and discount businesses with outdoor display.

cc. Vehicle Storage: The use of a site for the medium- to long-term storage of vehicles which are either operable or may be made operable with reasonable repairs. Typical uses include auto storage lots, impound lots, or repair yards. Private parking towaways or impound yards but exclude dismantling or salvage.

dd. Veterinary Services: Veterinary services and hospitals for animals. Typical uses include pet clinics, pet cemeteries and crematories, and veterinary hospitals for all animals.

3-8 Parking Use Types

a. Off-Street Parking: Parking use types include surface parking of motor vehicles on a temporary basis within a privately or publicly owned off-street parking facility.

b. Parking Structure: The use of a site for a multi-level building which provides for the parking of motor vehicles on a temporary basis, other than as an accessory to a principal use on the same site.

3-9 Industrial Use Types

Industrial use types include the on-site extraction or production of goods by non-agricultural methods, and the storage and distribution of products.

a. Construction Yards: Establishments housing facilities of businesses primarily engaged in construction activities, including incidental storage of materials and equipment on lots other than construction sites.

   Typical uses are building contractor's yards.

b. Custom Manufacturing: Establishments primarily engaged in the on-site production of goods by hand manufacturing, within enclosed structures, involving:

   1. The use of hand tools, or
   2. The use of domestic mechanical equipment not exceeding 2 horsepower, or
   3. A single kiln not exceeding 8 KW or equivalent.

   This category also includes the incidental direct sale to consumers of only those goods produced on site. Typical uses include ceramic studios, custom jewelry manufacturing, candle making shops, 3D Printing.

c. Light Industry: Establishments engaged in the manufacture or processing of finished products from previously prepared materials, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution. These establishments are characterized by having no major external environmental effects across property lines and include no unscreened or unenclosed outdoor storage. Typical uses include commercial bakeries, dressed beef processing plants, soft drink bottling, apparel assembly from fabrics, electronics, manufacturing, print shops, and publishing houses.

d. General Industry: Enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, treatment, or fabrication of materials and products from prepared materials or from raw materials without noticeable noise, odor, vibration, or air pollution effects across property lines.

e. Heavy Industry: Enterprises involved in the basic processing and manufacturing of products, predominately from raw materials, with noticeable noise, odor, vibration, or air pollution effects across property lines; or a use or process engaged in the storage of or processes involving potentially or actually hazardous, explosive, flammable, radioactive, or other commonly recognized hazardous materials; except for those uses defined as Agricultural Industries.

f. Recycling Collection: Any site which is used in whole or part for the receiving or collection of any post-consumer, non-durable goods including, but not limited to glass, plastic, paper, cardboard, aluminum, tin, or other recyclable commodities.

g. Recycling Processing: Any site which is used for the processing of any post-consumer, non-durable goods including, but not limited to glass, plastic, paper, cardboard, aluminum, tin, or other recyclable commodities.

h. Resource Extraction: A use involving on-site extraction of surface or subsurface mineral products or natural resources, including the removal of dirt, but excluding the grading of dirt. Typical uses are quarries, borrow pits, sand and gravel operations, and mining.

i. Salvage Services: Places of business primarily engaged in the storage, sale, dismantling, or other processing of used or waste materials which are not intended for reuse in their original forms. Typical uses include automotive wrecking yards, junk yards, or paper salvage yards.

j. Warehousing: Uses including open air storage, distribution, and handling of goods and materials. Typical uses include monument yards, grain elevators, or open storage.

3-10 Transportation Use Types

Transportation use types include the use of land for the purpose of providing facilities supporting the movement of passengers and freight from one point to another.

a. Aviation Facilities: Landing fields, aircraft parking and service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales, and rental of aircraft, and including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security.

b. Railroad Facilities: Railroad yards, equipment servicing facilities, and terminal facilities.

c. Transportation Terminal: A facility for the loading, unloading, and interchange of passengers, baggage, and incidental freight or package express, including bus terminals, railroad stations, and public transit facilities.

d. Truck Terminal: A facility for the receipt, transfer, short-term storage, and dispatching of goods transported by truck.

3-11 Miscellaneous Type Uses

a. Major Alternative Energy Production Devices: The use of a site for the production of energy utilizing methods that do not involve the oxidation, combustion, or fission of primary materials. Typical uses include ground mounted solar collector fields, geothermal energy installations serving more than one property, or water-powered mills or generating facilities.

   Minor Alternative Energy Production Devices

   The use of a site for the production of energy utilizing methods that do not involve the oxidation, combustion, or fission of primary materials. Typical uses include roof mounted solar collector units, geothermal energy installations serving a single property, or other alternative energy production devices that are minimally obtrusive for single property use.

b. Broadcasting/Receiving Tower: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures and the like. The term includes the structure and any support thereto.

c. Construction Batch Plant: A permanent or temporary demountable facility used for the manufacturing of concrete, asphalt, or other paving materials intended for specific construction projects.

d. Wind Energy Conservation System (WECS): Any device which converts wind energy to a form of usable energy, including wind charges, windmills, or wind turbines.

e. Landfill (Non-Putrescible Solid Waste Disposal): The use of a site as a depository for solid wastes that do not readily undergo chemical or biological breakdown under conditions normally associated with land disposal operations. Typical disposal material would include ashes, concrete, paving wastes, rock, brick, lumber, roofing materials, and ceramic tile.

f. Landfill (Putrescible and Non-Putrescible Solid Waste Disposal): The use of a site as a depository for any solid waste except hazardous and toxic waste as defined by the Federal Environmental Protection Agency and/or the State of Nebraska. Typical disposal material would include non-putrescible wastes; and putrescible wastes such as vegetation, tree parts, agricultural wastes (garbage), and manure.

4 ARTICLE FOUR: ZONING DISTRICT REGULATIONS

4-1 Purpose

Article Four presents the Zoning District Regulations. Zoning Districts are established in the Zoning Ordinance to promote compatible land use patterns and to establish site development regulations appropriate to the purposes and specific nature of each district.

4-2 Establishment of Districts

The following base districts and overlay districts are hereby established. Table 4-2 displays the purposes of these districts.

Table 4-1: Base Districts

Map Code	District Name
AG	Agricultural District
RR	Rural Residential District
R-1	Single-Family Residential District
R-2	Two-Family Residential District
R-3	Multiple-Family Residential District
NTR	Non-Traditional Residential District
O	Office District
LC	Limited Commercial District
UC	Urban Commercial District
B-1	Central Business District
B-2	General Commercial District
ML/C-1	Light Industrial District
MH	General Industrial District
FP/FW	Flood Plain/ Floodway Overlay District
PUD	Planned Unit Development Overlay District
HD	Historic District
ED	Environmental Resources District
A	Agricultural Overlay District

4-3 Application of Districts

A base district designation shall apply to each lot or site within the city and its planning jurisdiction. A site must be in one base district.

The Flood Plain/Floodway, Planned Unit Development, Historic, and Environmental Resources Overlay Districts may be applied to any lot or site or any portion thereof, in addition to a base district designation. The Agricultural Overlay District may be utilized only in combination with the RR or R-1 zoning districts.

4-4 Hierarchy

References in the Zoning Ordinance to less intensive or more intensive districts shall be deemed to refer to those agricultural, residential, commercial, and industrial base zoning districts established in Section 4-2, and shall represent a progression from the AG Agricultural District as the least intensive to the MH General Industrial District as the most intensive. The Overlay Districts shall not be included in this reference.

4-5 Development Regulations

The Development Regulations for each zoning district are set forth in Table 4-3 and Table 4-4. Table 4-3 presents the uses permitted in each zoning district. Table 4-4 presents the Site Development Regulations for each zoning district.

Supplemental Regulations may affect specific land uses or development regulations in each zoning district. The applicable Supplemental Regulations are noted in Table 4-3.

4-6 Zoning Map

a. Adoption of Zoning Map: Boundaries of zoning districts established by this Zoning Ordinance shall be shown on the Zoning Map maintained by the City Engineer. This map, together with all legends, references, symbols, boundaries, and other information, shall be adopted as a part of, and concurrent with this Ordinance.

b. Changes to the Zoning Map: The Zoning Map may be changed from time to time by ordinance, following the procedure set forth by Article Twelve of this Zoning Code. Such changes shall be reflected on the Zoning Map. The City Clerk and City Engineer shall keep a complete record of all changes to the Zoning Map.

4-7 Interpretation of District Boundaries

The following rules shall apply in determining the boundaries of any zoning district shown on the Zoning Map.

a. Where district boundaries are indicated as approximately following lot lines, such lot lines shall be considered the district boundaries.

b. Where district boundaries are indicated as within street or alley, railroad, or other identifiable rights-of-way, the centerline of such rights-of-way shall be considered the district boundary.

c. Where a district boundary divides a property, the location of the boundary shall be determined by the use of the scale appearing on the Zoning Map if no legal description is available from the zoning action.

d. The City Council shall determine any other uncertainty regarding district boundaries not covered in this section.

4-8 Vacation of Streets and Alleys

Whenever a public street or alley is vacated, the zoning district adjoining each side of such right-of-way shall be extended out to the former centerline.

Table 4-2: Purposes of Zoning Districts

Symbol	Title	Purpose
AG	Agricultural District	The AG District provides for and preserves the agricultural and rural use of land, while accommodating very low-density residential development generally associated with agricultural uses. The district is designed to maintain complete agricultural uses within the Columbus extraterritorial jurisdiction.
RR	Rural Residential District	This district provides for very low-density residential environments, accommodating developments that merge urban living with rural life and institutions which require a residential environment. It permits limited agricultural uses within these settings. The district's regulations assure that density is consistent with the carrying capacity of infrastructure.
R-1	Single-Family Residential District	This district is intended to provide for low-density residential neighborhoods, characterized by single-family dwellings on large lots with supporting community facilities. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.
R-2	Two-Family Residential District	This district is intended to provide for medium-density residential neighborhoods, characterized by single-family dwellings and duplexes and two-unit townhomes on small to moderately-sized lots with supporting community facilities. It provides special regulations to encourage innovative forms of housing development. It adapts to both established and developing neighborhoods, as well as transitional areas between single-family and multi-family neighborhoods. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.
R-3	Multiple-Family Residential District	This district is intended to provide locations for a variety of housing types, including multiple-family housing, with supporting and appropriate community facilities. The district integrates some appropriate non-residential uses by special use permit in order to develop fully urban, mixed-use neighborhoods.
NTR	Non-Traditional Residential District	This district recognizes that non-traditional residential development, properly planned, can provide important opportunities for affordable housing. It provides opportunities for mobile home, tiny home and similar developments within planned parks or subdivisions, along with the supporting services necessary to create quality residential neighborhoods.

O	Office District	This district reserves appropriately located area for office development and distinguishes office uses from other, more intensive commercial activities and to provide suitable office environments in the city. The office district is also designed to permit a mixture of uses that are compatible with office development and to facilitate planning for traffic generation.
LC	Limited Commercial District	This district provides for neighborhood shopping facilities which serve the needs of residents of surrounding residential communities. The commercial and office uses permitted are generally compatible with nearby residential areas. Development regulations are designed to ensure compatibility in size, scale, and landscaping with nearby residences.
UC	Urban Commercial District	This district is intended to address the special needs of mixed-use neighborhoods that combine residential areas with nearby or adjacent office and commercial development. It permits uses that are mutually compatible. These districts are generally adjacent to major community arterials and, in some cases, include the use of residential properties for office and commercial purposes. The district's regulations recognize the urban and pedestrian character of these environments.
B-1	Central Business District	This district is intended to provide appropriate development regulations for Downtown Columbus. Mixed uses are encouraged within the B-1 District. The grouping of uses is designed to strengthen Downtown's role as a center for trade, service, and civic life.
B-2	General Commercial District	This district provides for a variety of commercial, office, high density residential, and service uses and is adapted to Columbus' largest commercial districts outside of Downtown. Uses and developments in the B-2 District may develop substantial traffic, creating potential land use conflict with adjacent residential neighborhoods. This district is most appropriate along arterials or in areas that can be well buffered from residential districts.
ML/C-1	Light Industrial District	This district is intended to reserve sites appropriate for the location of industrial uses with relatively limited environmental effects. The district is designed to provide appropriate space and regulations to encourage good quality industrial development, while assuring that facilities are served with adequate parking and loading facilities.
MH	General Industrial District	This district is intended to accommodate a wide variety of industrial uses, some of which may have significant external effects. These uses may have operating characteristics that create conflicts with lower-intensity surrounding land uses. The district provides the reservation of land for these activities and includes buffering requirements to reduce incompatibility.

Table 4-3: Permitted Uses by Zoning District

P = Uses permitted by Right S = Uses permitted by Special Permit

Use Types	AG	RR	R-1	R-2	R-3	NTR	O	LC	UC	B-1	B-2	ML/C-1	MH	Supplementary Regulation
Agricultural Uses														
Horticulture	P	P												6-2(a)
Crop Production	P	P												6-2(a)
Animal Production	P	S												6-8(a) (6)
Commercial Feedlots	S													6-2(b)
Livestock Sales	P												S	
Residential Uses														
Single-Family	P	P	P	P	P	P	S	S	P	S	S			
Two Family				P	P		P	S	P	S	S			6-3(a)
Townhouse				P**	P		P	S	P	S	S			6-3(b)
Mixed-Use Residential							P	S	P	P*	P*			
Multiple-Family					P		P	S	P	P	P			6-3(e)
Group Residential					S		P	P	P	P				6-3(e)
Non-Traditional Residential						P								
Retirement Residential				S	P		P	S	P	P	S			
* Only above street level ** Two-unit townhouse only														

Table 4-3: Permitted Uses by Zoning District

P = Uses permitted by Right S = Uses permitted by Special Permit

Use Types	AG	RR	R-1	R-2	R-3	NTR	O	LC	UC	B-1	B-2	ML/C-1	MH	Supplementary Regulation
Civic Uses														
Administration		S					P	P	P	P	P	P	P	
Cemetery	P	P	S		S									
Clubs	S	S	S	S	S	S	P	P	P	P	P			6-4(a)
College / University		S	S	S	P	S	S	P	P		P			
Convalescent Services					P		P	P	P					
Cultural Services		P	P	P	P	P	P	P	P	P	P	P		
Day Care (Limited)	P	P	P	P	P	P	P	P	P	P	P	S		
Day Care (General)		S/P*	S/P*	S/P*	P	S/P*	P	P	P	P	P	S	S	6-4(b)
Detention Facilities	S									S	S	S		
Emergency Residential	P	P	P	P	P	P	P	P	P	P	S	S		
Group Care Facility	S	S	S	S	S	S	P	P	P	P	P	S		6-4(c)
Group Home	P	P	P	P	P	P	P	P	P	P	P			6-4(c)
Guidance Services					P		P	P	P	P	P	P	P	6-8(b)
Hospitals					S		P	S	S	S	P			
Health Care	S				P		P	P	P	P	P	P	P	6-8(b)
Maintenance Facilities	S	S									P	P	P	

Table 4-3: Permitted Uses by Zoning District

P = Uses permitted by Right S = Uses permitted by Special Permit

Use Types	AG	RR	R-1	R-2	R-3	NTR	O	LC	UC	B-1	B-2	ML/C-1	MH	Supplementary Regulation
Civic Uses														
Non-commercial Shelters										S	S		S	
Park and Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	
Postal Facilities					S		P	P	P	P	P	P	P	
Primary Education		P	P	P	P	P	S	P	P	P	S			
Public Assembly							S	S	S	P	P			
Religious Assembly	P	P	P	P	P	P	P	P	P	P	P	P	S	
Safety Services	P	P	P	P	P	P	P	P	P	P	P	P	P	
Secondary Education		S	S	S	P	S	S	S	S	S	S			
Stormwater Treatment Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	

S/P* - P* is hereby defined as permitted if in compliance with Neb. Rev. Stat. § 43-2616. Neb. Rev. Stat. § 43-2616 provides that any family child care home licensed by the Department of Health and Human Services pursuant to Neb. Rev. Stat.

§ 71-1911 or by the City or County pursuant to Neb. Rev. Stat.

§ 71-1914(2) may be established and operated in any residential zone within the exercised zoning jurisdiction.

Table 4-3: Permitted Uses by Zoning District

P = Uses permitted by Right S = Uses permitted by Special Permit

Use Types	AG	RR	R-1	R-2	R-3	NTR	O	LC	UC	B-1	B-2	ML/C-1	MH	Supplementary Regulation
Office Uses														
General Offices					S		P	P	P	P	P	P	P	
Medical Offices							P	S	P	P	P	P		
Commercial Uses														
Agricultural Sales/Service	S										P	P	P	
Automotive Rental/Sales										P	P	S		
Auto Services								S	S	P	P	P	P	6-5(a), 6-5(b)
Body Repair											S	P	P	6-5(a)
Crematory											S	S	P	6-5(f)
Equipment Rental/Sales										S	P	P	P	
Equipment Repair											P	P	P	6-5(a)
Vehicle Storage											S	P	P	
Bed & Breakfast			S	S	P		P	P	P	P	P			6-5(c) * Note 1

Use Types	AG	RR	R-1	R-2	R-3	NTR	O	LC	UC	B-1	B-2	ML/C-1	MH	Supplementary Regulation
Business Support Services							P	P	P	P	P	P	P	
Business/Trade Schools							S			P	P	P		
Camp Ground	P	S									S			6-5(d)
Cocktail Lounge										P	P	S		
Commercial Recreation	S								S	P	P	P		
Communication Services							S	P	P	P	P	P	P	
Construction Sales and Service										P	P	P	P	
Consumer Services							S	P	P	P	P	P		
Convenience Storage	S	S									S	P	P	6-5(e)
Food Sales (Limited)					S			P	P	P	P	S		
Food Sales (General)								S	P	P	P	S		
Funeral Services							P	P	P	P	P			
General Retail Services							S	P	P	P	P	S		
Kennels	P	S									S	P		
Laundry Services										S	P	P	P	
Liquor Sales		S								P	P	S		
Lodging					S		S	S	P	P	P			
Note 1 – Exception: Short term rental of residential property in compliance with LB57 approved by the Governor on March 7, 2019.														

Table 4-3: Permitted Uses by Zoning District

P = Uses permitted by Right S = Uses permitted by Special Permit

Use Types	AG	RR	R-1	R-2	R-3	NTR	O	LC	UC	B-1	B-2	ML/C-1	MH	Supplementary Regulation
Commercial Uses														
Personal Services					S		P	P	P	P	P	P		
Personal Improvement Services					S		P	P	P	P	P	P		
Pet Services								P	P	P	P	P		
Research Services	S							P	P	P	P	P		
Restaurants (Drive-In)									S		P	S		
Restaurants (General)							P	P	P	P	P	S		
Sexually Oriented Business												S		6-5(g)
Stables	P	S												
Surplus Sales										P	P	P	P	
Veterinary Services	S	S									P	P		
Gaming Facility										P	P			

Table 4-3: Permitted Uses by Zoning District

P = Uses permitted by Right S = Uses permitted by Special Permit

Use Types	AG	RR	R-1	R-2	R-3	NTR	O	LC	UC	B-1	B-2	ML/C-1	MH	Supplementary Regulation
Parking Uses														
Off-Street Parking			*S	*S	*S		S	S	S	P	P	P	P	Article 9
Parking Structure							S			P	P	P		

*Off-Street Parking in the R-1, R-2 and R-3 Zoning Districts must be in conjunction with Use Types permitted by right and/or in conjunction with Non-Parking Use Types that have been approved by a Special Use Permit.

Table 4-3: Permitted Uses by Zoning District

P = Uses permitted by Right S = Uses permitted by Special Permit

Use Types	AG	RR	R-1	R-2	R-3	NTR	O	LC	UC	B-1	B-2	ML/C-1	MH	Supplementary Regulation
Industrial Uses														
Custom Manufacturing									P	P	P	P	P	
Light Industry										S	S	P	P	
General Industry												P	P	
Heavy Industry													P	
Resource Extraction	S	S											P	6-6(a)
Salvage Services													P	6-6(b)
Warehousing												P	P	
Construction Yards												P	P	
Recycling Collection											P	P	P	
Recycling Processing												P	P	
Transportation Uses														
Aviation	P												P	
Railroad Facilities										S	S	P	P	
Truck Terminal											S (Note 2)	P	P	6-13
Transportation Terminal	S									P	P	P	P	
Note 2 – See Section 6-13 governing the Special Use Permit for Truck Terminals within B-2 Zoning District.														

Table 4-3: Permitted Uses by Zoning District

P = Uses permitted by Right S = Uses permitted by Special Permit

Use Types	AG	RR	R-1	R-2	R-3	NTR	O	LC	UC	B-1	B-2	ML/C-1	MH	Supplementary Regulation
Miscellaneous Uses														
Broadcasting Tower	*S	*S	*S	*S	*S	*S		*S	*S		*S	*S	*S	
Construction Batch Plant	**S	**S										**S	P	
WECS (Wind Energy Conservation System)	P	P			S			S	S		S	P	P	
Landfill (Non-Putrescible)	S												S	
Landfill (Putrescible)	S												S	
Major Alternative Energy Production Devices	P	P	S	S	S	S		S	S		S	P	P	
Minor Alternative Energy Production Devices	P	P	P	P	P	P	P	P	P	P	P	P	P	

* See Chapter 13 of the Zoning Code. Towers permitted under Section 5 of Chapter 13 or towers that are eligible for administrative approval under Section 6 of Chapter 13 are exempt from the Special Use Permit requirement. For all other towers, Special Use Permits shall be governed by Chapter 13 of the Zoning Code and, particularly, the procedures and criteria set forth in Section 7 thereof.

**** Temporary Construction Batch Plants Only.**

Table 4-4: Site Development Regulations

Regulator	AG	RR	R-1	R-2	R-3
Minimum Lot Area (square feet)	10 Acres	1 acre	-	-	-
Minimum Lot Width (feet)	300	100	-	-	-
Minimum Site Area per Housing Unit (square feet)	10 acres	1 acre	-	-	-
Minimum Yards (feet)					
Front Yard	50	50	-	-	-
Front Yard to Building Line	-	-	15	15	15
Front Yard to Garage Line	-	-	20	20	20
Street Side Yard	25	25	15	15	15
Interior Side Yard	25	25	7	7 (Note 1)	7 (Note 2)
Rear Yard	35	35	15	15	15
Maximum Height (feet)	100	36	36 (Note 2,3)	36 (Note 2,3)	36 (Note 2,3)
Maximum Building Coverage	NA	NA	50%	50%	50%
Maximum Impervious Coverage	NA	NA	55%	65%	65%
Floor Area Ration	NA	NA	NA	NA	1.00

Note 1: See Section 6 for supplemental regulations governing townhouse residential use types.
Note 2: Dwellings may exceed the height limit by up to ten feet if the side yard is increased by the same amount as the added height.
Note 3: Accessory buildings cannot be over 20 feet in height to the peak.

Table 4-4: Site Development Regulations

Regulator	NTR Park	NTR Subdivision
Minimum Area to be developed	2 acres	2 acres
Minimum Lot Area (square feet)	1,000	2,000
Minimum Lot Width (feet)	20	24
Minimum Yards (feet)		
Front Yard	10	20
Street Side Yard	10	10
Interior Side Yard	5	5
Rear Yard	10	15
Maximum Height (feet)	14'8"	36
Maximum Building Coverage	50%	50%
Maximum Impervious Coverage	55%	65%
Shared Parking	1 space per lot	
Minimum Common Open Space (Note 4)	20%	15%

Note 4: Stormwater treatment facilities may be included in Common Open Space provided required recreation space is still provided and water quality volumes for 2-year storm events and provisions for 100-year storm events are met. These facilities must be located a minimum of 10 feet from any public right-of-way. Common Open Space must be owned, maintained, and inspected by the developer or home owners' association

Table 4-4: Site Development Regulations

Regulator	O*	LC*	UC*	B-1	B-2*
Minimum Lot Area (square feet)	5,000	5,000	5,000	NONE	5,500
Minimum Lot Width (feet)	50	50	50	NONE	50
Site Area per Housing Unit (square feet)	2,000 (Note 5)	2,000 (Note 5)	2,000 (Note 5)	500	1,500 (Note 5)
Minimum Yards (feet)					
Front Yard	20	20	15	0	10
Street Side Yard	20	20	10	0	10
Interior Side Yard	10	10	10	0	0
Rear Yard	20	20	20	0	20
Maximum Height (feet)	48	36	36	NO LIMIT	60
Maximum Building Coverage	50%	50%	50%	100%	70%
Maximum Impervious Coverage (Note 6)	70%	70%	80%	100%	90%
Floor Area Ratio	1.00	1.00	1.00	5.0	3.0

*Uses in the O, LC, UC, B-2, ML/C-1, and MH Districts are subject to landscape and screening provisions contained in Article 8.

Note 5: Density of multi-family residential may exceed this maximum, subject to approval of a Special Use Permit by the City Council with the recommendation of the Planning Commission.

Note 6: Storm water treatment water quality volumes and detention volumes must be met within the development, as part of a regional system, or other City program.

Table 4-4: Site Development Regulations

Regulator	ML/C-1*	MH*
Minimum Lot Area (square feet)	5,000	5,000
Minimum Lot Width (feet)	50	50
Site Area per Housing Unit (square feet)	NA	NA
Minimum Yards (feet)		
Front Yard	15	0
Street Side Yard	10	0
Interior Side Yard	0	0
Rear Yard	10	10
Maximum Height (feet)	72	NONE
Maximum Building Coverage	70%	85%
Maximum Impervious Coverage	90%	100%
Floor Area Ratio	2.0	2.0

5 ARTICLE FIVE: OVERLAY DISTRICTS

5-1 General Purpose

Overlay Districts are used in combination with base districts to modify or expand base district regulations. Overlay Districts are adapted to special needs of different parts of the City of Columbus.

The Overlay Districts are designed to achieve the following objectives:

a. To recognize special conditions in specific parts of the City which require specific regulation;

b. To provide flexibility in development and to encourage innovative design through comprehensively planned projects.

PUD: PLANNED UNIT DEVELOPMENT DISTRICT

5-2 Purpose

The PUD Planned Unit Development Overlay District is intended to provide flexibility in the design of planned projects; to permit innovation in project design that incorporates open space and other amenities; and to insure compatibility of developments with the surrounding urban environment. The PUD District may be used in combination with any base district specified in this Ordinance. The PUD District, which is adopted by the City Council with the recommendation of the Planning Commission, assures specific development standards for each designated project.

5-3 Permitted Uses

Uses permitted in a PUD Overlay District are those permitted in the underlying base district.

5-4 Site Development Regulations

Site Development Regulations are developed individually for each Planned Unit Development District but must comply with minimum or maximum standards established for the base district, with the following exceptions:

a. Lot area and lot width are not restricted, provided that the maximum density allowed for each base district is not exceeded;

b. Maximum building coverage shall be the smaller of the allowed building coverage in the base district, or 60 percent.

5-5 Access to Public Streets

Each PUD District must abut a public street for at least 60 feet and gain access from that street.

5-6 Application Process

a. Development Plan: The application for a Planned Unit Development District shall include a Development Plan containing the following information:

1. A tract map, showing site boundaries, street lines, lot lines, easements, and proposed dedications or vacations; and a key map;

2. A land use plan designating specific uses for the site and establishing site development regulations, including setback height, building coverage, impervious coverage, density, and floor area ratio requirements;
3. A site development and landscaping plan, showing building locations, or building envelopes; site improvements; public or common open spaces; community facilities; significant visual features; and typical landscape plans;
4. A circulation plan, including location of existing and proposed vehicular and pedestrian, facilities and location and general design of parking and loading facilities;
5. Schematic architectural plans and elevations sufficient to indicate a building height, bulk, materials, and general architectural design;
6. A statistical summary of the project, including gross site area, net site area, number of housing units by type, gross floor area of other uses, total amount of parking, and building and impervious surface percentages.

5-7 Adoption of District

a. The Planning Commission and City Council shall review and evaluate each Planned Unit Development application. The City may impose reasonable conditions, as deemed necessary to ensure that a PUD shall be compatible with adjacent land uses, will not overburden public services and facilities, and will not be detrimental to public health, safety, and welfare.

b. The Planning Commission, after proper notice, shall hold a public hearing and act upon each application.

c. The Planning Commission may recommend amendments to PUD district applications.

d. The recommendation of the Planning Commission shall be transmitted to the City Council for final action.

e. The City Council, after proper notice, shall hold a public hearing and act upon any Ordinance establishing a PUD Planned Unit Development Overlay District. Proper notice shall mean the same notice established for any other zoning amendment.

f. Upon approval by the City Council, the Development Plan shall become a part of the Ordinance creating or amending the PUD District. All approved plans shall be filed with the City Clerk.

5-8 Amendment Procedure

Major amendments to the Development Plan must be approved according to the same procedure set forth in Section 5-7.

5-9 Building Permits

The City shall not issue a building permit, certificate of occupancy, or other permit for a building, structure, or use within a PUD District unless it is in compliance with the approved Development Plan or any approved amendments.

5-10 Termination of PUD District

If no substantial development has taken place in a Planned Unit Development District for three years following approval of the District, the Planning Board shall reconsider the zoning of the property and may, on its own motion, initiate an application for rezoning the property.

CCD: CREATIVE CLUSTER DEVELOPMENT

5-11 Purpose

The CCD Creative Cluster Development provides a design alternative that provide greater flexibility in subdivision design and design and build developments that are considerate of special natural or artificial features.

5-12 Permitted Uses

Residential uses permitted in a CCD Overlay District are those permitted in the underlying base district.

5-13 Site Development Regulations

Site Development Regulations comply with the overall density requirements of a zoning district, but allow internal variations of such standards as lot size, and setbacks in order to encourage innovative or economic development or protect natural features and open space without loss of economic yield to the developer.

a. Cluster subdivisions allow the clustering or grouping of residential lots in order to provide common open space.

b. Cluster Subdivisions may be developed and approved subject to the following standards and variations:

    1. The overall density of subdivision complies with the zoning district that contains the final subdivision. A subdivider may apply for a rezoning simultaneously with the plat approval process.

    2. Individual lot size dimensions, including lot width, may be reduced to 60% of requirement of zoning district. Any savings on lot size shall be devoted to common open space or other approved community facilities.

    3. Lot setbacks may be varied from those otherwise specified for the zoning district. Setback limits must be established on the preliminary and final plat. The setback from any garage entrance to any circulation way must be at least 20 feet.

    4. Street or right-of-way widths set forth in Article 5 may be varied within for local streets within Cluster Subdivisions, subject to the sole discretion of the approving authorities.

    5. Articles of incorporation or covenants for a homeowners' association or other provision assuring maintenance or operation of all common spaces shall be submitted with subdivision application.

5-14 Access to Public Streets

Each CCD District must abut a public street for at least 60 feet and gain access from that street.

5-15 Application Process

a. Development Plan: The application for a Creative Cluster Development District shall include a Development Plan containing the following information:

   1. A tract map, showing site boundaries, street lines, lot lines, easements, and proposed dedications or vacations; and a key map;
   2. A land use plan designating specific uses for the site and establishing site development regulations, including setback height, building coverage, impervious coverage, density, and floor area ratio requirements;
   3. A site development and landscaping plan, showing building locations, or building envelopes; site improvements; public or common open spaces; community facilities; significant visual features; and typical landscape plans;
   4. A circulation plan, including location of existing and proposed vehicular and pedestrian, facilities and location and general design of parking and loading facilities;
   5. Schematic architectural plans and elevations sufficient to indicate a building height, bulk, materials, and general architectural design;
   6. A statistical summary of the project, including gross site area, net site area, number of housing units by type, gross floor area of other uses, total amount of parking, and building and impervious surface percentages.

5-16 Adoption of District

a. The Planning Commission and City Council shall review and evaluate each Creative Cluster Development application. The City may impose reasonable conditions, as deemed necessary to ensure that a CCD shall be compatible with adjacent land uses, will not overburden public services and facilities, and will not be detrimental to public health, safety, and welfare.

b. The Planning Commission, after proper notice, shall hold a public hearing and act upon each application.

c. The Planning Commission may recommend amendments to CCD district applications.

d. The recommendation of the Planning Commission shall be transmitted to the City Council for final action.

e. The City Council, after proper notice, shall hold a public hearing and act upon any Ordinance establishing a CCD Creative Cluster Development Overlay District. Proper notice shall mean the same notice established for any other zoning amendment.

f. Upon approval by the City Council, the Development Plan shall become a part of the Ordinance creating or amending the CCD District. All approved plans shall be filed with the City Clerk.

5-17 Amendment Procedure

Major amendments to the Development Plan must be approved according to the same procedure set forth in Section 5-7.

5-18 Building Permits

The City shall not issue a building permit, certificate of occupancy, or other permit for a building, structure, or use within a CCD District unless it is in compliance with the approved Development Plan or any approved amendments.

5-19 Termination of CCD District

If no substantial development has taken place in a Creative Cluster Development District for three years following approval of the District, the Planning Commission shall reconsider the zoning of the property and may, on its own motion, initiate an application for rezoning the property.

ED: ENVIRONMENTAL RESOURCES DISTRICT

5-20 Purpose

The ED Environmental Resources Overlay District enables the adoption of special performance standards in combination with site development regulations of a base district for areas of special environmental significance or sensitivity. These areas include hill environments; wetlands; forested areas; areas with unique soil or drainage characteristics; lake, river, or creek districts; and other areas with special environmental characteristics.

5-21 Procedure for Adoption

a. Proposal: The creation of an ED Environmental Resources Overlay District may be initiated by the Planning Commission or the City Council.

b. Requirements for Application

   An application for the creation of an ED Overlay District must include:

   1. A statement describing the proposed district's special environmental characteristics and stating the reasons for proposal of the district;
   2. A map indicating the boundaries of the proposed ED Overlay District, specifying the base district(s) included within these boundaries;
   3. Supplemental site development regulations and performance standards that apply to the proposed district.

5-22 Adoption of District

a. The Planning Commission and City Council shall review and evaluate each ED Overlay District application.

b. The Planning Commission, after proper notice, shall hold a public hearing and act upon each application.

c. The Planning Commission may recommend amendments to ED District applications.

d. The recommendation of the Planning Commission shall be transmitted to the City Council for final action.

e. The City Council, after proper notice, shall hold a public hearing and act upon any Ordinance establishing an ED Environmental Resources Overlay District.

f. The Ordinance adopting the ED District shall include a statement of purpose, a description of district boundaries, and a list of supplemental site development regulations and performance standards.

g. Upon approval by the City Council, each ED Overlay District shall be shown on the Zoning Map, identified sequentially by order of enactment and referenced to the enacting Ordinance.

h. Any protest against an ED Overlay District shall be made and filed as provided by Section 14-405, Revised Statutes of Nebraska, 1943, and amendments thereto.

5-23 Building Permits

Building or other development permits issued by the City in an ED District shall be consistent with the adopted ED District Ordinance.

HD: HISTORIC DISTRICT

5-24 Purpose

The HD Historic Overlay District enables the adoption of special performance and development standards in combination with site development regulations of a base district for areas of special historical or architectural significance within the City of Columbus. The district recognizes the importance of historically and architecturally significant districts to the character of Columbus and provides for their conservation.

5-25 Procedure for Adoption

a. Proposal: The creation of an HD Historic Overlay District may be initiated by the Planning Commission; the City Council; or by petition of the owner or owners of 51% of the property area within the proposed district.

b. Requirements for Application: An application for the creation of an HD Overlay District must include:

   1. A statement describing the proposed district's special historical or architectural characteristics and stating the reasons for proposal of the district;
   2. A map indicating the boundaries of the proposed HD Overlay District, specifying the base district(s) included within these boundaries;
   3. An inventory of the buildings or historically important sites located within the boundaries of the proposed district;
   4. Supplemental site development regulations, design criteria, and performance standards that apply to the proposed district.

5-26 Adoption of District

a. The Planning Commission and City Council shall review and evaluate each HD Overlay District application.

b. The Planning Commission, after proper notice, shall hold a public hearing and act upon each application.

c. The Planning Commission may recommend amendments to HD District applications.

d. The recommendation of the Planning Commission shall be transmitted to the City Council for final action.

e. The City Council, after proper notice, shall hold a public hearing and act upon any Ordinance establishing an HD Historic Overlay District.

f. The Ordinance adopting the HD District shall include a statement of purpose, a description of district boundaries, and a list of supplemental site development regulations and performance standards.

g. Upon approval by the City Council, each HD Overlay District shall be shown on the Zoning Map, identified sequentially by order of enactment and referenced to the enacting Ordinance.

h. Any protest against an HD Overlay District shall be made and filed as provided by Section 14-405, Revised Statutes of Nebraska, 1943, and amendments thereto.

5-27 Building Permits

Building or other development permits issued by the City in an HD District shall follow procedures for review and approval established within the City's Landmarks Preservation Ordinance.

5-28 Statutory Authorization, Finding of Fact and Purposes

a. Statutory Authorization: The Legislature of the State of Nebraska has delegated the responsibility to local governmental units to adopt zoning regulations designed to protect the public health, safety, general welfare, and property of the people of the state. The Legislature, in *Nebraska Revised Statutes* Sections 31-1001 to 31-1023 (as amended), has further assigned the responsibility to adopt, administer, and enforce floodplain management regulations to the county, city, or village with zoning jurisdiction over the flood prone area. Therefore, the City Council of Columbus, Nebraska ordains as follows:

b. Finding of Fact:

1. Flood Losses Resulting from Periodic Inundation: The flood hazard areas of Columbus, Nebraska are subject to inundation that results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
2. General Causes of the Flood Losses: These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities as well as the occupancy of flood hazard areas by uses vulnerable to floods or hazardous to others that are inadequately elevated or otherwise unprotected from flood damages.
3. Statement of Purpose: It is the purpose of this ordinance to promote the public health, safety, and general welfare and to minimize those losses described in Section 1-2 by applying the provisions of this ordinance to:
4. Restrict or prohibit uses that are dangerous to health, safety, or property in times of flooding or cause undue increases in flood heights or velocities.
5. Require that uses vulnerable to floods, including public facilities that service such uses, be provided with flood protection at the time of initial construction.
6. Reduce financial burdens from flood damage borne by the community, its governmental units, is residents, and its businesses by preventing excessive and unsafe development in areas subject to flooding.
7. Assure that eligibility is maintained for property owners in the community to purchase flood insurance from the National Flood Insurance Program.

c. Adherence to Regulations: The regulations of this ordinance are in compliance with the National Flood Insurance Program Regulations as published in Title 44 of the Code of Federal Regulations and the Nebraska Minimum Standards for Floodplain Management Programs as published in the Nebraska Administrative Code Title 455, Chapter 1.

5-29 General Provisions

a. Lands to which Ordinance applies: This ordinance shall apply to all lands within the jurisdictions of the City of Columbus, Nebraska, identified on the Flood Insurance Rate Map (FIRM) panels 3114C0310E, 3114C03020E, 3114C0330E, 3114C0335E, 3114C0340, and 3114C0345E dated April 19, 2010, as Zones A, A1-30, AE, AO, or AH and within the Zoning Districts FW and FF established in Article 3 of this ordinance. In all areas covered by this ordinance, no development shall be allowed except upon the issuance of a floodplain development permit to develop, granted by the floodplain administrator or the governing body under such safeguards and restrictions as the City Council or the designated representative may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community and where specifically noted in Article 4 and Article 5.

b. Rules for Interpretation of District Boundaries: The boundaries of the floodway and the flood fringe overlay districts shall be determined by scaling distances on the official zoning map of the effective Flood Insurance Rate Map. Where interpretation is needed to the exact location of the boundaries of the districts as shown on the zoning or other community map, the floodplain administrator shall make the necessary interpretation. In such cases where the interpretation is contested, the Board of Adjustment will resolve the dispute. The regulatory flood elevation for the point in question shall be the governing factor in locating the district boundary on the land. The person contesting the location of the district boundary shall be given a reasonable opportunity to present their case to the Board of Adjustment and to submit their own technical evidence, if so desired.

c. Compliance: Within identified floodplains of this community, no development shall be located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

d. Abrogation and Greater Restrictions: This ordinance does not intend to repeal, abrogate, or impair any existent easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provision of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

e. Interpretation: In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by state statutes.

f. Warning and Disclaimer of Liability: The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur or the flood height may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that areas outside floodway and flood fringe district boundaries or land uses permitted within such districts will be free from flooding or flood damage. This ordinance shall not create liability on the part of City of Columbus or any officer or employee thereof for any flood damages that may result from reliance on this ordinance or any administrative decision lawfully made thereunder.

g. Severability: If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

5-30 Establishment of Zoning Districts

Along watercourses where a floodway has been established, the mapped floodplain areas are hereby divided into the two following districts: a floodway overlay district (FW) and a flood fringe overlay district (FF) as identified in the Flood Insurance Study dated April 19, 2010, and on accompanying FIRM panels as established in Article 2. The flood fringe overlay district shall correspond to flood zones A, AE, A1-30, AH, AO, AR, A99, and floodway areas in Zone AE that are identified on FIRM panels. The floodway overlay district shall correspond to the floodway areas in Zone AE that are identified on the FIRM panels. Within these districts, all uses not meeting the standards of this ordinance and those standards of the underlying zoning district shall be prohibited.

5-31 Floodplain Management Administration

Along watercourses where a floodway has been established, the mapped floodplain areas are hereby divided into the two following districts: A floodway overlay district (FW) and a flood fringe overlay district (FF) as identified by the Flood Insurance Study [and accompany map(s)]. The floodway overlay district (FW) is identified by the flood insurance rate map dated April 19, 2010. Within these districts, all uses not meeting the standards of this ordinance and those standards of the underlying zoning district shall be prohibited.

a. **Designation of Floodplain Administrator**: The City Engineer of the community is hereby designated as the community's local floodplain administrator. The floodplain administrator is authorized and directed to administer, implement, and enforce all provisions of this ordinance. If the local floodplain administrator position is unfilled, the community CEO shall assume the duties and responsibilities herein.

b. **Permits Required**: A floodplain development permit shall be required before any development, construction, or substantial improvement is undertaken. No person, firm, corporation, government agency, or other entity shall initiate any floodplain development without first obtaining a floodplain development permit.

c. Duties of Floodplain Administrator:

   Duties of the City Engineer shall include, but not be limited to the following:

   1. Review, approve, or deny all applications for floodplain development permits.
   2. Review all development permit applications to assure that sites are reasonably safe from flooding and that the permit requirements of this ordinance have been satisfied.
   3. Review applications for proposed development to assure that all necessary permits have been obtained from those federal, state, or local government agencies from which prior approval is required.
   4. Review all subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding.

5. Notify adjacent communities and the Nebraska Department of Natural Resources prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency.
6. Assure that maintenance is provided within the altered or relocated portion of the watercourse so that the flood carrying capacity is not diminished.
7. Verify, record, and maintain record of the actual elevation (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved structures in the floodplain.
8. Verify, record, and maintain record of the actual elevation (in relation to mean sea level) to which all new or substantially improved structures have been flood proofed.
9. Verify, record, and maintain record of all improved or damaged structures to ensure compliance with standards in applicable sections. Track value of improvements and market value with permits. Also, ensure consistent market value estimations to evaluate against damaged or improved values.
10. Ensure comprehensive development plan as amended is consistent with this ordinance.
11. In the event the floodplain administrator discovers work done that does not comply with applicable laws or ordinances, the floodplain administrator shall revoke the permit and work to correct any possible violation in accordance with this ordinance.

d. Application for Permit and Demonstration of Compliance

1. To obtain a floodplain development permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every such application shall:
   (a) Identify and describe the proposed development and estimated cost to be covered by the floodplain development permit.
   (b) Describe the land on which the proposed development is to be done by lot, block, tract, and house and street address, or similar description that will readily identify and definitely locate the proposed building or development.
   (c) Indicate the use or occupancy for which the proposed development is intended.
   (d) Be accompanied by plans and specifications for proposed construction.
   (e) Be signed by the permittee and authorized agent who may be required to submit evidence to indicate such authority.

2. If any proposed development is located entirely or partially within a floodplain, applicants shall provide all information in sufficient detail and clarity to enable the floodplain administrator to determine that:
   (a) All such proposals are consistent with the need to minimize flood damage.
   (b) All utilities and facilities such as sewer, gas, water, electrical, and other systems are located and constructed to minimize or eliminate flood damage.
   (c) Structures will be anchored to prevent flotation, collapse, or lateral movement;
   (d) Construction materials are flood resistant,
   (e) Appropriate practices to minimize flood damage have been utilized; and
   (f) Electrical, heating, ventilation, air conditioning, plumbing, and any other service facilities have been designed and located to prevent entry of floodwaters.
3. For all new and substantially improved structures, an elevation certificate based upon the finished construction certifying the elevation of the lowest floor, including basement, and other relevant building components shall be provided to the floodplain administrator and be completed by a licensed surveyor, engineer, or architect.
4. When flood proofing is utilized for an applicable structure, a flood proofing certificate shall be provided to the floodplain administrator and be completed by a licensed professional engineer or architect.

   For all development proposed in the floodway, no-rise certification shall be provided to the floodplain administrator and be completed by a licensed professional engineer.
5. Any other such information as reasonably may be required by the City Engineer shall be provided.
6. Letters of Map Revision: Federal regulations in Title 44 of the Code of Federal Regulations, Chapter 1, Part 65.5 and 65.6 allow for changes to the special flood hazard area through a Letter of Map Revision (LOMR) or a Letter of Map Revision Based on Fill (LOMR-F), provided the community determines that the land and any existing or proposed structures that would be removed from the floodplain are “reasonably safe from flooding.” The community acknowledgement form asserting this is required for LOMR and LOMR-F applications and must be signed by the floodplain administrator. The floodplain administrator shall not sign a community acknowledgement form unless all criteria set forth in the following paragraphs are met:
   (a) Applicant shall obtain floodplain development permit before applying for a LOMR or LOMRF.
   (b) Applicant shall demonstrate that the property and any existing or proposed structures will be “reasonable safe from flooding,” according to the minimum design standards in FEMA Technical Bulletin 10-01.

(c) All requirements listed in the Simplified Approach in FEMA Technical Bulletin 10-01 shall be met and documentation from a registered professional engineer shall be provided. If all of these requirements are not met, applicant must provide documentation in line with the Engineered Approach outlined in FEMA Technical Bulletin 10-01.

e. Flood Data Required

1. All Zone A areas on the FIRM are subject to inundation of the base flood; however, the base flood elevations are not provided. Zone A areas shall be subject to all development provisions of this ordinance. If Flood Insurance Study data is not available, the community shall utilize any base flood elevation or floodway data currently available from federal, state, or other sources, including from a study commissioned by the applicant pursuant to best technical practices.
2. Until a floodway has been designated, no development or substantial improvement may be permitted within the floodplain unless the applicant has demonstrated that the proposed development or substantial improvement, when combined with all other existing and reasonably anticipated developments or substantial improvements, will not increase the water surface elevation of the base flood more than one (1) foot at any location as shown in the Flood Insurance Study or on base flood elevation determinations.

f. Variances and Appeals Procedures

1. The Board of Adjustment as established by City of Columbus shall hear and decide appeals and request for variances from the requirements of this ordinance.
2. The Board of Adjustment shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the City Engineer in the enforcement or administration of this ordinance.
3. Any person aggrieved by the decision of the Board of Adjustment or any taxpayer may appeal such decision to the District Court as provided in *Nebraska Revised Statutes* Section 23-168 (for counties) and *Nebraska Revised Statutes* Section 19-192 (for municipalities).

4. In evaluating such appeals and requests, the Board of Adjustment shall consider technical evaluation, all relevant factors, standards specified in other sections of this ordinance, and:

(a) The danger to life and property due to flooding or erosion damage.

(b) The danger that materials may be swept onto other lands to the injury of others;

(c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner, future owners, and neighboring properties;

(d) The importance of the services provided by the proposed facility to the community;

(e) The necessity of the facility to have a waterfront location, where applicable;

(f) The availability of alternative locations that are not subject to flooding or erosion damage for the proposed use;

(g) The compatibility of the proposed use with existing and anticipated development;

(h) The relationship of the proposed use to the comprehensive plan and the floodplain management program for that area;

(i) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(j) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and,

(k) The costs of providing government services during and after flood conditions including emergency management services and maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, streets, and bridges.

g. Conditions for Variances

1. Variances shall only be issued upon a showing of good and sufficient cause and also upon a determination that failure to grant the variance would result in an exceptional hardship to the applicant.
2. Variances shall only be issued based upon a determination that the granting of a variance will not result in increased flood heights.
3. Variances shall only be issued based upon a determination that the granting of a variance will not result in additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

4. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items E-I below have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
5. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure on the National Register of Historic Places and the variance is the minimum necessary to preserve the historic character and design of the structure.
6. Variances shall not be issued within any designated floodway if any increase in water surface elevations along the floodway profile during the base flood discharge would result.
7. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
8. The applicant shall be given a written notice over the signature of a community that the issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as $25 for $100 of insurance coverage and also that such construction below the base flood elevation increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.
9. All requests for variances and associated actions and documents, including justification for their issuance, shall be maintained by the community.

h. Enforcement

(a) **Violations**: Failure to obtain a floodplain development permit or the failure of a structure or other development to be fully compliant with the provisions of this ordinance shall constitute a violation. A structure or other development without a floodplain development permit, elevation certificate, certification by a licensed professional engineer of compliance with these regulations, or other evidence of compliance is presumed to be in violation until such time as documentation is provided.

(b) **Notices**: When the floodplain administrator or other authorized community representative determines, based on reasonable grounds, that there has been a violation of the provisions of this ordinance, the floodplain administrator shall give notice of such alleged violation as hereinafter provided. Such notice shall:

(1) Be in writing;

(2) Include an explanation of the alleged violation;

(3) Allow a reasonable time for the performance of any remedial act required;

(4) Be served upon the property owner or their agent as the case may require; and

(5) Contain an outline of remedial actions that, if taken, will bring the development into compliance with the provisions of this ordinance.

i. Penalties

1. Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall constitute a misdemeanor. Any person, firm, corporate, or other entity that violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than $100.00, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.
2. The imposition of such fines or penalties for any violation or non-compliance with this ordinance shall not excuse the violation or non-compliance or allow it to continue. All such violations or non-compliant actions shall be remedied within an established and reasonable time.
3. Nothing herein contained shall prevent the City of Columbus or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

5-32 Standards for Floodplain Development

a. General Provisions

1. Alteration or Relocation of a Watercourse

(a) A watercourse or drainway shall not be altered or relocated in any way that in the event of a base flood or more frequent flood will alter the flood carrying characteristics of the watercourse or drainway to the detriment of upstream, downstream, or adjacent locations.

(b) No alteration or relocation shall be made until all adjacent communities that may be affected by such action and the Nebraska Department of Natural Resources have been notified and all applicable permits obtained. Evidence of such notification shall be submitted to the Federal Emergency Management Agency.

b. Encroachments

1. When proposing to permit any of the following encroachments, the standards in Section 5-1 shall apply:

(a) Any development that will cause a rise in the base flood elevations within the floodway; or

(b) Any development in Zones A, A1-30, and Zone AE without a designated floodway that will cause a rise of more than one foot in the base flood elevation; or

(c) Alteration or relocation of a stream; then

2. The applicant shall:

(a) Apply to FEMA for conditional approval of such action via the Conditional Letter of Map Revision process (as per Title 44 of the Code of Federal Regulations, Chapter 1, Part 65.12) prior to the permit for the encroachments; and

(b) Supply the fully approved package to the floodplain administrator including any required notifications to potentially affected property owners.

3. Floodway Overlay District

(a) Standards for the Floodway Overlay District

(1) New structures for human habitation are prohibited.

(2) All encroachments, including fill, new construction, substantial improvements, and other development must be prohibited unless certification by a registered professional engineer or architect is provided demonstrating that the development shall not result in any increase in water surface elevations along the floodway profile during the occurrence of the base flood discharge. These developments are also subject to all the standards of Section 5.

(3) In Zone A areas, obtain, review, and reasonably utilize any flood elevation and floodway data available through federal, state, or other sources, including studies done under Section 5-1, in meeting the standards of this section.

(b) Only uses having a low flood-damage potential and not obstructing flood flows shall be allowed within the Floodway Overlay District to the extent that they are not prohibited by any other ordinance. The following are recommended uses for the Floodway Overlay District:

(1) Agricultural uses such as general farming, pasture, nurseries, and forestry

(2) Residential uses such as lawns, gardens, parking, and play areas

(3) Nonresidential uses such as loading areas, parking, and airport landing strips

(4) Public and private recreational uses such as golf courses, archery ranges, picnic grounds, parks, and wildlife and nature preserves.

4. Elevation and Floodproofing Requirements

(a) Residential Structures

(1) In Zones A, AE, A1-30, and AH, all new construction and substantial improvements shall have the lowest floor, including basement, elevated to or above one (1) foot above the base flood elevation.

(2) In Zone AO, all new construction and substantial improvements shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as one (1) foot above the depth number specified in feet on the FIRM or, if no depth number is specified on the FIRM, at least as high as three (3) feet.

(3) In the floodway, new structures for human habitation are prohibited.

5. Nonresidential Structures

(a) In Zones A, AE, A1-30, and AH, all new construction and substantial improvements shall have the lowest floor, including basement, elevated to or above one (1) foot above the base flood elevation or, together with attendant utility and sanitary facilities, floodproofed so that below one (1) foot above the base flood elevation:

(1) The structure is watertight with walls substantially impermeable to the passage of water and

(2) The structure has structural components with the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

(3) A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. A floodproofing certificate shall be provided to the floodplain administrator as set forth in Section 4.

(b) In Zone AO, all new construction and substantial improvements shall have the lowest floor elevated above the highest adjacent grade at least as high as one (1) foot above the depth number specified in feet on the FIRM or, if no depth number is specified on the FIRM, at least as high as three (3) feet; or, together with attendant utility and sanitary facilities, floodproofed so that below one (1) foot above the base flood elevation:

(1) The structure is watertight with walls substantially impermeable to the passage of water and

(2) The structure has structural components with the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. A floodproofing certificate shall be provided to the floodplain administrator as set forth in Elevation and Floodproofing Requirements.

6. Space Below Lowest Floor

(a) Fully enclosed areas below the lowest floor (excluding basements) and below the base flood elevation shall be used solely for the parking of vehicles, building access, or limited storage of readily removable items.

(b) Fully enclosed areas below the lowest floor (excluding basements) and below the base flood elevation shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

(1) A minimum or two openings having a net total area of not less than one (1) square inch for every one (1) square foot of enclosed space,

(2) The bottom of all openings shall not be higher than one (1) foot above grade, and

(3) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they allow the automatic entry and exit of floodwaters.

7. Appurtenant Structures

(a) Structures accessory to a principal building may have the lowest floor below one foot above base flood elevation provided that the structure complies with the following requirements:

(1) The structure shall not be used for human habitation.

(2) The use of the structure must be limited to parking of vehicles or storage of items readily removable in the event of a flood warning.

(3) The floor area shall not exceed 400 square feet.

(4) The structure shall have a low damage potential.

(5) The structure must be adequately anchored to prevent flotation, collapse, or other lateral movement.

(6) The structure shall be designed to automatically provide for the entry and exit of floodwaters for the purpose of equalizing hydrostatic forces. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

a. A minimum of two openings having a net area of not less than one (1) square inch for every one (1) square foot of enclosed space,

b. The bottom of all openings shall not be higher than one (1) foot above grade, and

c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they allow the automatic entry and exit of floodwaters.

(7) No utilities shall be installed in the structure, except electrical fixtures which must be elevated or floodproofed to one (1) foot above base flood elevation.

(8) The structure shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.

(9) If the structure is converted to another use, it must be brought into full compliance with the minimum standards governing such use.

8. Manufactured Homes

(a) Require that all manufactured homes to be placed or substantially improved within floodplains on sites:

(1) Outside of a manufactured home park or subdivision,

(2) In a new manufactured home park or subdivision,

(3) In an expansion to an existing manufactured home park or subdivision, or

(4) In an existing manufactured home park or subdivision on which a manufactured home as incurred substantial damage as the result of a flood,

(5) Be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above one (1) foot above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of this Section.

(b) Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within special flood hazard areas that are not subject to the provisions of Section 5-2 be elevated so that either;

(1) The lowest floor of the manufactured home is at or above one (1) foot above the base flood elevation, or

(2) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade; and be securely anchored to an adequately anchored foundation system in accordance with the provisions of Section 5.2 (F) (iv).

(c) New manufactured home parks of five (5) acres or fifty (50) lots, whichever is less, shall follow the standards of Section 5.3 (H) “Subdivisions”.

(d) All manufactured homes shall be anchored to resist flotation, collapse, or lateral movement. Manufactured homes must be anchored in accordance with local building codes or FEMA guidelines. In the event that over-the-top ties to ground anchors are used, the following specific requirements (or their equivalent) shall be met:

(1) Over-the-top ties be provided at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations and manufactured homes less than 50 feet long requiring one additional tie per side;

(2) Frame ties be provided at each corner of the manufactured home with five additional ties per side at intermediate points and manufactured homes less than 50 feet long requiring four additional ties per side;

(3) Any additions to the manufactured home be similarly anchored.

9. Existing Structures

(a) The provisions of this ordinance do not require any changes or improvements to be made to lawfully existing structures. However, when an improvement is made to a structure in the floodplain, a floodplain development permit is required and the provisions of 5.2 (G) (ii-iv) shall apply.

(b) Any addition, alteration, reconstruction, or improvement of any kind to an existing structure where the costs of which would equal or exceed fifty (50) percent of the pre-improvement market value shall constitute a substantial improvement and shall fully comply with the provisions of this ordinance.

(c) Any addition, alteration, reconstruction, or improvement of any kind to an existing structure in the floodway shall comply with the provisions of Section 5-1.

(d) Any addition, alteration, reconstruction, or improvement of any kind to an existing structure that will change the compliance requirements of the building shall require applicable documentation including an elevation certificate, floodproofing certificate, or no rise certification.

10. Design and Construction Standards

(a) Anchoring: All buildings or structures shall be firmly anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

(b) Building Materials and Utilities

(1) All buildings or structures shall be constructed with materials and utility equipment resistant to flood damage. All buildings or structures shall also be constructed by methods and practices that minimize flood and flood-related damages.

(2) All buildings or structures shall be constructed with electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

11. Drainage

(a) Within Zones AO and AH, adequate drainage paths around structures on slopes shall be required in order to guide floodwaters around and away from proposed structures.

12. Water Supply and Sanitary Sewer Systems

(a) All new or replacement water supply and sanitary sewer systems shall be located, designed, and constructed to minimize or eliminate flood damages to such systems and the infiltration of floodwaters into the systems.

(b) All new or replacement sanitary sewage systems shall be designed to minimize or eliminate discharge from the system into floodwaters.

(c) On-site waste disposal systems shall be located and designed to avoid impairment to them or contamination from them during flooding.

13. Other Utilities

All other utilities such as gas lines, electrical, telephone, and other utilities shall be located and constructed to minimize or eliminate flood damage to such utilities and facilities.

(a) Storage of Materials

(1) The storage or processing of materials that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.

(2) The storage of other material or equipment may be allowed if not subject to major damage by floods and firmly anchored to prevent flotation or if readily removable from the area within the time available after flood warning.

(b) Recreational Vehicles

(1) Within any floodway, recreational vehicles and recreational vehicle parks shall be prohibited.

(2) Recreational vehicles to be placed on sites within the floodplain shall:

(3) Be on site for fewer than 180 consecutive days;

(4) Be fully licensed and ready for highway use, which shall mean it is on its wheels or jacking system, is attached to the site by only quick-disconnect type utilities and security devices, and no permanently attached additions; or

(5) Meet the permit requirements and the elevation and anchoring requirements for manufactured homes of this ordinance.

14. Subdivisions

Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, shall require assurance that:

(a) All such proposals are consistent with the need to minimize flood damage;

(b) All public utilities and facilities such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage;

(c) Adequate drainage is provided so as to reduce exposure to flood hazards; and

(d) Proposals for development (including proposals for manufactured home parks and subdivisions) of five (5) acres or fifty (50) lots, whichever is less, where base flood elevation data are not available, shall be supported by hydrologic and hydraulic analyses that determine base flood elevations and floodway information. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA for Conditional Letters of Map Revision and a Letters of Map Revision.

5-33 Nonconforming Use

A structure or use of a structure or premises that was lawful before the passage or amendment of this ordinance, but that is not in conformity with the provisions of this ordinance may be continued subject to the following conditions:

(a) If such use is discontinued for six (6) consecutive months, any future use of the building premises shall conform to this ordinance. The Utility Department shall notify the City Engineer in writing of instances of nonconforming uses where utility services have been discontinued for a period of six (6) months.

(b) Uses or adjuncts thereof that are or become nuisances shall not be entitled to continue as nonconforming uses.

(c) If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than 50% of the market value of the structure before the damage

(d) Occurred except that if it is reconstructed in conformity with the provisions of this ordinance. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, or safety code or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places, provided that the alteration shall not preclude its continued designation.

5-34 Amendments

a. The regulations, restrictions, and boundaries set forth in this ordinance may from time to time be amended, supplemented, changed, or appealed to reflect any and all changes in federal, state, or local regulations provided, however, that no such action may be take until after a public hearing in relation thereto, at which citizens and parties in interest shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in a newspaper of general circulation in the City of Columbus. At least 15 days shall elapse between the date of this publication and the public hearing.

A copy of such amendments will be provided to the Nebraska Department of Natural Resources and the Federal Emergency Management Agency for review and approval before being adopted.

5-35 Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance it's most reasonable application:

0.2% Annual Chance Floodplain means the floodplain that would be inundated by the 0.2% annual chance flood and delineated on the Flood Insurance Rate Maps.

Appurtenant Structure shall mean a structure on the same parcel of property as the principal structure, the use of which is incidental to the use of the principal structure. Also shall be known as "accessory structure."

Area of Shallow Flooding means a designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Base Flood means the flood having one (1) percent chance of being equaled or exceeded in any given year.

Base Flood Elevation means the elevation to which floodwaters are expected to rise during the base flood.

Basement means any area of the building having its floor subgrade (below ground level) on all sides.

Building means "structure." See definition for "structure."

Development means any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion or alteration of buildings or other structures; the placement of manufactured homes; streets and other paving; utilities; filling, grading, and excavation; mining; dredging; drilling operations; storage of equipment or materials; or obstructions.

Existing Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is complete before the effective date of the floodplain management regulations adopted by a community.

Expansion to an Existing Manufactured Home Park or Subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Flood or Flooding means a general and temporary condition of partial or complete inundation of normally dry land areas.

Flood Fringe is that area of the floodplain, outside of the floodway, that has a one percent chance of flood occurrence in any one year.

Flood Insurance Rate Map (FIRM) means an official map of a community, on which the Flood Insurance Study has delineated the special flood hazard area boundaries and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Insurance Rate Map and the water surface elevation of the base flood.

Floodplain means any land area susceptible to being inundated by water from any source (see definition of "flooding"). Floodplain includes flood fringe and floodway. Floodplain and special flood hazard area are the same for use by this ordinance.

Floodproofing means any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, and structures and their contents.

Floodway or Regulatory Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Freeboard means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings, and the hydrological effect of urbanization of the watershed.

Highest Adjacent Grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure means any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

Lowest Floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built or modified so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

Manufactured Home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

New Construction for floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of the floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Obstruction means any wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation (including the alteration or relocation of a watercourse or drainway), channel rectification, bridge, conduit, culvert, building, stored equipment or material, wire, fence, rock, gravel, refuse, fill, or other analogous structure or matter which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the natural flow of the water would carry such structure or matter downstream to the damage or detriment of either life or property. Dams designed to store or divert water are not obstructions if permission for the construction thereof is obtained from the Department of Natural Resources pursuant to the Safety of Dams and Reservoirs Act (*Nebraska Revised Statutes* 46-1601 to 46-1670 as amended).

Overlay District is a district in which additional requirements act in conjunction with the underlying zoning district(s). The original zoning district designation does not change.

Post-FIRM Structure means a building that was constructed or substantially improved after December 31, 1974 or on or after the community's initial Flood Insurance Rate Map dated April 19, 2010, whichever is later.

Pre-FIRM Structure means a building that was constructed or substantially improved on or before December 31, 1974 or before the community's initial Flood Insurance Rate Map dated April 19, 2010, whichever is later.

Principally Above Ground means that at least 51 percent of the actual cash value of the structure is above ground.

Recreational Vehicle means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory Flood Elevation means the base flood elevation (BFE) plus a freeboard factor as specified in this ordinance.

Special Flood Hazard Area (SFHA) is the land in the floodplain within a community subject to one percent or greater chance of flooding in any given year.

Start of Construction means the date the floodplain development permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. “Start of construction” also includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not the alteration affects the external dimensions of the building.

Structure means a walled and roofed building that is principally above ground, as well as a manufactured home and a gas or liquid storage tank that is principally above ground.

Subdivision means the division or re-division of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership, or building or lot development.

Substantial Damage means damage of any origin sustained by a structure whereby the cumulative cost of restoring the structure to its before-damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Variance is a grant of relief to an applicant from the requirements of this ordinance that allows construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

Violation means a failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the Elevation Certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

Watercourse means any depression two feet or more below the surrounding land that serves to give direction to a current of water at least nine months of the year and that has a bed and well-defined banks.

5-36 to 5-39 Reserved for Future Use

5-40 A: Agricultural Overlay District

5-41 Purpose

This district is intended to permit the use of limited agricultural activities in combination with residential land uses. It recognizes the existence in Columbus of specific neighborhoods that, while developed to urban densities, also include certain farm uses, including the raising of both crops and animals. It further recognizes that such uses should be strictly controlled in order to minimize effects on neighboring properties.

5-42 Application of District

This district may be used only in combination with the RR, R-1, or R-2 zoning districts.

5-43 Permitted Uses

In addition to those uses permitted by the base district, the following additional uses are permitted in the Agricultural Overlay District:

1. Horticulture
2. Crop Production
3. Animal Production, subject to the following additional conditions:
   (a) Any new animal shelter, confinement facility, or animal unit shall require approval by the City Council through the special use permit procedure;

   (b) Any accessory facilities or shelters must be located at least 50 feet from any residences other than the principal residence on the property where such facilities or shelters located; and at least 50 feet from any lot line of a property under different ownership.

5-44 Pre-Existing Zoning

Any property zoned R-2b on the effective date of this Ordinance shall be considered to be zoned R-2 with an Agricultural Overlay District.

5-45 Adoption of District

a. The Planning Commission and City Council shall review and evaluate each A Overlay District application.

b. The Planning Commission, after proper notice, shall hold a public hearing and act upon each application.

c. The Planning Commission may recommend amendments to A District applications.

d. The recommendation of the Planning Commission shall be transmitted to the City Council for final action.

e. The City Council, after proper notice, shall hold a public hearing and act upon any Ordinance establishing an A Agricultural Overlay District.

f. The Ordinance adopting the A District shall include a statement of purpose, a description of district boundaries, and a list of supplemental site development regulations and performance standards.

6 ARTICLE SIX: SUPPLEMENTAL USE REGULATIONS

6-1 Purpose

The Supplemental Use Regulations set forth additional standards for certain uses located within the various zoning districts. These regulations recognize that certain use types have characteristics that require additional controls in order to protect public health, safety, and welfare. These regulations complement the use regulations contained in Article Four of this Ordinance.

6-2 Supplemental Use Regulations: Agricultural Uses

Nothing in these provisions shall relieve any property owner or user from satisfying any condition or requirement associated with a previous approval, special permit, variance, development permit, or other permit issued under any local, State, or Federal ordinance or statute.

a. Horticulture and Crop Production: Retail Sales: Retail operation of garden centers or roadside stands associated with a primary agricultural use may be permitted in the AG District, subject to the following requirements:

   1. Garden Centers: A garden center is a building or premises used for the retail sale of plant materials or items useful in the growing or display of lawns, gardens, and plants.

      Garden centers must conform to all site development regulations for the zoning district.

      Any garden center adjacent to a residential district must maintain a 20-foot landscaped Bufferyard consistent with the standards established in Section 8-5.

   2. Roadside Stands: A roadside stand is a facility used on a temporary or seasonal basis for the retail sale of produce grown largely on adjacent or surrounding agricultural lands.

      A roadside stand may be located within a required front yard but no closer than 40 feet to the edge of a traveled roadway.

      A roadside stand may operate for a maximum of 180 days in any one year.

b. Commercial Feedlots: No new commercial feedlots shall be established within the zoning jurisdiction of the City of Columbus.

6-3 Supplemental Use Regulations: Residential Uses

a. Townhouse Residential: Where permitted, townhouse residential is subject to the following regulations:

   The minimum width for any townhouse lot sold individually shall be 20 feet.

   1. Coverage percentages are computed for the site of the entire townhouse common development.

b. Two Single Family Residential:

   1. The two single family units shall be separated by a minimum of 14 feet.

   2. The second dwelling unit shall be served by a driveway at least ten feet in width, leading from a public street adjacent to the lot.

c. Multi-Family and Group Residential in B-1 District:

   1. Multi-family and Group Residential uses are permitted in the B-1 District only on levels above street level except that a unit specifically designed for occupancy by disabled residents may be developed at street level, subject to approval of a special permit by the City Council with the recommendation of the Planning Commission.

d. Non-Traditional Residential Parks in NTR District: In the NTR Residential District, which permits mobile home, tiny home and other non-traditional residential use, such use may be configured in a Non-Traditional Residential Park or Non-Traditional Residential Subdivision. A Non-Traditional Residential Park or Subdivision may be approved administratively once all the following regulations are met:

   1. Property is properly zoned, Non-Traditional Residential.

   2. Completed Development Agreement

   3. Density Requirements as defined in Table 4-4: Site Development Regulations.

   4. Site Development Minimum Standards:

      (a) Setbacks: Each Non-Traditional Residential Park and Subdivision shall have a minimum perimeter setback of 35 feet from adjacent non-residential uses and 50 feet from adjacent residential uses. No space for a dwelling unit or any other structure shall be permitted in the required setback.

      (b) Setback Landscaping: All area contained within the required setbacks except sidewalks and private drives shall be landscaped and screened in conformance with Article 8 of this Ordinance. Screening shall be provided in conformance with Section 8-5 for any common property line with another non-residential use.

      (c) Open Space Requirements, Table 4-4: Each Non-Traditional Residential Park shall provide a minimum of 250 square feet of open recreational space per unit. Such space shall be provided at a central location accessible from all parts of the park by pedestrians.

      (d) Parking Minimum Requirements, Table 9-1.

      (e) Parking: Park requires common parking. Subdivision requires on-site parking.

5. Street Access and Circulation Requirements:
   (a) Access to Public Street: Each NTR Park and Subdivision must abut and have access to a dedicated public street with a right-of-way of at least 60 feet. Direct access to a mobile home space from a public street is prohibited.
   (b) Vehicular Circulation: The NTR Parks and Subdivisions must provide interior vehicular circulation on a private internal street system.
      (1) One side on Street Parking Minimum interior street width shall be a minimum of 27 feet. The street system shall be continuous and connected with other internal and public streets; or shall have a cul-de-sac with a minimum diameter of 90 feet. No such cul-de-sacs may exceed 350 feet in length without a variance.
      (2) No on street parking. Minimum interior street width shall be a minimum of 24 feet. The street system shall be continuous and connected with other internal and public streets; or shall have a cul-de-sac with a minimum diameter of 90 feet. No such cul-de-sacs may exceed 350 feet in length without a variance.
   (c) Sidewalks or Path: Each NTR Park and Subdivision shall provide a sidewalk or path system to connect each lot to common buildings or open space constructed for the use of its residents; and to the fronting public right-of-way. Sidewalk and path width shall be at least four feet. Public sidewalk connectivity must be provided.
   (d) Street and Sidewalk Standards: All internal streets and sidewalks shall be hard-surfaced. Electric street lighting is required along all internal streets.
6. Utilities: All living units shall have piped supply of hot and cold water for both drinking and domestic purposes; domestic sewer service; and standard electrical service, providing at least one 120-volt and one 240-volt electrical service outlet to each living unit.
7. Financial Responsibility: Each application for a NTR Park and Subdivision shall include a demonstration by the developer of financial capability to complete the project, and a construction schedule.
8. Completion Schedule: Construction must begin on any approved Non-Traditional Parks and Subdivisions within one year of the date of approval. Such construction shall be completed within two years of approval, unless otherwise extended by the Administrator.
9. Permitting: A set down permit with fee as set by Resolution is required for each mobile home.
10. Anchoring: Each manufactured home shall be equipped with tie down anchors as approved by the Building Official.

6-4 Supplemental Use Regulations: Civic Uses

a. Clubs: Clubs located adjacent to residential uses shall maintain a bufferyard of not less than seven feet along the common boundary with such residential use.

b. Day Care: Day care facilities are permitted by Special Use permit in the MH General Industrial Zoning District only if incidental to a permitted primary use.

c. Group Care Facilities and Group Homes: Each group care facility or group home must be validly licensed by either the State of Nebraska or the appropriate governmental subdivision.

   Group homes are permitted in the B-1 District only on levels above street level except that a facility specifically designed for occupancy by disabled residents may be developed at street level, subject to approval of a special permit by the City Council with the recommendation of the Planning Commission.

6-5 Supplemental Use Regulations: Commercial Uses

a. Auto Repair, Equipment Repair, and Body Repair:

   1. Where permitted in commercial districts, all repair activities must take place within a completely enclosed building.
   2. Any spray painting must take place within structures designed for that purpose and approved by the Building Official.

b. Auto Washing Facilities:

   1. Each conveyor operated auto washing facility shall provide 100 feet of stacking capacity per washing lane on the approach side of the washing structure and stacking space for two vehicles on the exit side.
   2. Each self-service auto washing facility shall provide stacking space for three automobiles per bay on the approach side and one space per bay on the exit side of the building.

c. Bed and Breakfasts:

   1. Bed and Breakfasts permitted in the B-1 District must provide any sleeping facility only on levels above street level except that units specifically designed and reserved for occupancy by people with physically disabilities may be located on the street level.

d. Campgrounds

   1. Minimum Size: Each campground shall have a minimum size of one acre.
   2. Setbacks: All campgrounds shall maintain a 50-foot front yard setback and a 25-foot bufferyard from all other property lines.
   3. Each campground must maintain water supply, sewage disposal, and water and toilet facilities in compliance with all City ordinances, state and federal regulations; or, alternatively, be limited to use by self-contained campers, providing their own on-board water and disposal systems.

e. Convenience Storage:

When permitted in the AG, RR, and B-2 Districts, convenience storage facilities shall be subject to the following additional requirements:

1. The minimum size of a convenience storage facility shall be 8,712 square feet of lot area;
2. All storage must be within enclosed buildings and shall not include the storage of hazardous materials.

f. Crematory:

When permitted in the MH Zoning District or for a Special Use Permit in a B2 or ML/C-1 Zoning District, a crematory shall be subject to the following additional requirements:

1. Shall only be allowed if licensed by the State of Nebraska and in compliance with any applicable regulatory agency(ies).
2. A plan of operation shall be submitted to the City building department and is required to meet all environmental requirements and accompanied by a site plan showing all existing and future or planned facilities on the site. The plan of operation shall address hours of operation, number of licensed persons on site trained to operate the crematory unit, procedures to be followed in processing the remains, including required permits and authorizations to be obtained from doctors and county coroner as the case may require. Said plan of operation is subject to periodic review which will address all life safety codes.
3. The following setback shall be complied with: a 20-foot setback unless a greater setback is otherwise required under this Code. Landscaping and buffer yards as required under this Code.
4. All services and activities associated with said crematory must take place within a completely enclosed building, including the unloading of human remains from the transporting vehicle and must maintain the integrity of the surrounding area.
5. All driveway approaches at least 20 feet outward from the crematory toward the City street must be paved with either concrete or asphalt.

g. Sexually Oriented Business:

When permitted in an ML/C-1 Zoning District with a Special Use Permit, a sexually oriented business shall be subject to the following additional requirement:

1. Shall not be operated within 300 feet of:
   (a) A church;
   (b) A public or private elementary or secondary school;
   (c) A boundary of a residential or historic district;
   (d) A park or recreational trail;
   (e) A property line of a lot devoted to a residential use;
   (f) A hospital; or
   (g) A fairgrounds.

6-6 Supplemental Use Regulations: Industrial Uses

a. Resource Extraction:

Resource extraction, where permitted, is subject to the following additional requirements:

(a) Erosion Control: A resource extraction use may not increase the amount of storm run-off onto adjacent properties. Erosion control facilities, including retention or detention and sediment basins, are required of each facility if necessary to meet this standard.

(b) Ponding of Water: The site may be used as a lake or body of water, subject to approval by the City Council with the recommendation of the Planning Commission and the Lower Loup Natural Resources District.

(c) Storage of Topsoil: Topsoil shall be collected and stored for redistribution at the site where mining took place following the end of the operation, except where ponding is approved.

(d) Elimination of Hazards: Excavation shall not result in a hazard to any person or property. The following measures are required:

(1) Restoration of slopes to a gradient not exceeding 33% as soon as possible;

(2) Installation of perimeter safety fencing of at least 6 feet in height; when located within 300 feet of any residential or public use district. Acceptable fencing types include chain link, wood, metal or vinyl with no opening which would allow a 4-inch sphere to pass through.

(3) Installation of visual screening adjacent to any property within a residential or public use district. If fencing required in above (b) is solid, it may be used to fulfill this requirement.

(e) Restoration of Landscape: The topography and soil of the resource extraction site shall be restored and stabilized within nine months of completion of the operation. The site shall be seeded, planted, and contoured in a way that prevents erosion.

(f) Topographic & Site Plan: Submittal must include a proposed topographic plan and, if applicable, a subdivision layout of the completed project.

b. Salvage Services

1. Screening:

(a) The perimeter of each new facility shall be fully enclosed by opaque, free-standing fencing, or screen walls. Minimum height of this enclosure shall be ten feet. Any such enclosure shall be constructed behind required landscaped bufferyards.

(b) Each existing salvage services facility shall be screened as provided above within one year of the effective date of this Ordinance.

(c) Storage of materials within any salvage services facility may not be higher than the height of the surrounding screen fence or wall.

(d) No Salvage Services use may be established within 300 feet of the nearest property line of a residential or public use zoning district.

c. Development within County Designated Industrial Areas:

1. All applications for Industrial Areas proposed for designation by Platte County under Neb. Rev. Stat. Sections 13-1111 through 13-1121 shall be referred by the City of Columbus to the Planning Commission for review and recommendations. Following Planning Commission action, the City Council shall act on the request.

2. Any agreement between Columbus and Platte County involving approval of such a designation may include, but not be limited to, the following conditions:

(a) The proposed Industrial Area designation is consistent with the principles and objectives of the Comprehensive Plan;

(b) The City reserves the right to request and receive an annual report from any owner or renter of property within the designated Industrial Area, accurately indicating the current and proposed use of any land, buildings, or facilities within the area. The annual report may be requested in January of each year is due on or before March 1 of that year. Failure to submit an acceptable annual report within this schedule shall result in revocation of occupancy permits and zoning privileges granted by the City;

(c) Any newly created Industrial Area shall be designated for a period not to exceed 10 years. The City Council, after recommendation by the Planning Commission, may extend this term in two-year increments, up to a maximum term of twenty years;

(d) These provisions do not apply to Industrial Areas designated before December 5, 1983. However, the City may request the Platte County Board to review existing Industrial Areas within the city's jurisdiction from time to time.

6-7 Supplemental Use Regulations: Home-Based Businesses

The intent of this section is to allow residents the opportunity to use their residence as a place to produce or supplement their personal and family income, while protecting residential areas from adverse effects associated with a home-based business and to achieve and maintain an attractive and efficiently functioning community. Home-based businesses are permitted in residential units subject to the conditions set forth in this section.

a. Violations

1. A home-based business shall comply with all City Codes.
2. If a violation of the City Code exists, the zoning administrative officer or his/her designee shall, in writing, note the specific area of noncompliance and the home-based business shall have a ten (10) day period in which to achieve compliance. Failure to comply with City Codes shall constitute an offense.

b. Building Use

1. The home-based business shall be incidental to the residential use of the property where it is operated. No more than 30% of the total first floor area of the primary residential structure on the premises shall be used for the operation of home-based businesses. To be considered a home-based business, at least one owner of such business must live on the premises.

c. External Activities

Any outdoor activities carried out in conjunction with the home-based business must be in keeping with, and maintain the integrity of, the surrounding residential area.

1. The growing, in an unobtrusive manner, of plants, flowers, vegetables, fruit, and similar materials utilized in the operation of the home-based business need not be screened.
2. Other activities not consistent with the character of the surrounding residential area must be screened from view.

d. External Effects

The home-based business shall not constitute a hazard or nuisance to neighboring properties.

1. Outdoor storage of any equipment, machinery, parts, goods, materials, or other appurtenances of the business shall not be permitted.
2. The home-based business shall not involve the parking or storage of tractor-trailers, semi-trucks, or heavy equipment, such as construction equipment, used in a business.

3. Welding, vehicle body repair, vehicle painting, mechanical repair, rebuilding or dismantling of vehicles, or other like businesses are not allowed as home-based businesses.
4. Businesses which involve the production, storage, distribution, or collection of hazardous chemicals, toxic materials, fireworks, or similar materials, or other like businesses, are not allowed as home-based businesses.
5. The home-based business shall not cause glare, noise, odors, or electronic interference to the residents of surrounding properties.
6. The home-based business shall not require additional on- or off-street parking.

e. Employees

A home-based business may employ individuals under the following conditions:

1. At any given time, a home-based business may employ no more than two (2) individuals that are not a resident of the primary home.
2. If more than one home-based business is operated from the same residential property, the maximum number of employees applies to all businesses taken together, not to each business separately.

f. Signage

Signage designating a home-based business shall be limited to one non-illuminated and non-reflective sign.

1. Signage may include at most the name of the home-based business, a logo symbol, contact information, address, and indication of the appropriate public entrance. The sign may contain less information. The sign may not exceed four square feet and must be attached to the building.
2. The presence or design of the sign shall not detract from the property or the surrounding residential area; neither shall its size constitute a visual hazard. Signage must be contained entirely on the property and must maintain appropriate distances from the boundaries of neighboring properties.

6-8 Supplemental Use Regulations: Accessory Uses

a. Permitted Accessory Uses: Residential Uses

Residential uses may include the following accessory uses, activities, and structures on the same lot.

1. Private garages and accessory buildings for the residential use shall not be allowed on more than 50% of the allowable lot coverage and no single detached accessory building shall exceed 35% of the allowable lot coverage
2. Recreational activities and uses by residents.
3. Home occupations, subject to Section 6-7 of these regulations.
4. Residential convenience services for multi-family uses and Non-Traditional Residential.
5. Garage sales, provided that the frequency of such sales at any one location shall not exceed one during a continuous two-month period or four sales during any twelve-month period.
6. Automobile sales are prohibited except those automobiles which are for sale by the owner of the residence on a temporary basis not to exceed two (2) months in any calendar year.
7. Within the RR Rural Residential District only, any lot of two acres and over may maintain one horse, llama, other hooved animal, or large bipedal bird. Such a lot may have one additional animal for each additional full acre of lot area over two acres, up to a maximum total of five animals. The animal or animals provided for in this paragraph shall be subject to the approval of a Special Use Permit.
8. Animal production as defined in Section 3-3 shall be subject to a special use permit within the RR Rural Residential District.

b. Permitted Accessory Uses: Civic Use Types

Guidance Services and Health Care use types are permitted in the MH General Industrial zoning districts only as accessory uses to a primary industrial use.

c. Permitted Accessory Uses: Agricultural Use Types

1. Garden centers and roadside stands, subject to the regulations set forth in Section 6-2.
2. Other uses and activities necessarily and customarily associated with the purpose and functions of agricultural uses.

6-9 Supplemental Use Regulations: Outdoor Storage

Outdoor storage is prohibited in all zoning districts except the MH General Industrial zoning district, except as provided in this section.

a. Agricultural Use Types

   1. Outdoor storage is permitted where incidental to agricultural uses.

b. Civic Use Types

   1. Outdoor storage is permitted where incidental to Maintenance Facilities.

c. Commercial Use Types

   1. Outdoor storage is permitted where incidental to Agricultural Sales and Service; Auto Rentals and Sales; Construction Sales; Equipment Sales and Service; Stables and Kennels; and Surplus Sales.
   2. Outdoor storage is permitted where incidental to Body Repair, provided that such storage is completely screened at property lines by an opaque barrier, as set forth in Section 8-5. This provision shall apply to any Body Repair use established after the effective date of this Ordinance.

d. Industrial and Miscellaneous Use Types

   1. Light Industry within the B-1 Central Business District zoning district may not include outdoor storage.
   2. Outdoor storage is permitted where it is incidental to Light Industry outside of the B-1 Central Business District. Any such outdoor storage within General Industry; Heavy Industry; Resource Extraction; Salvage Services; Warehousing; and Construction Yards is subject to screening requirements set forth in Section Eight.
   3. Outdoor storage is permitted where incidental to landfills.

6-10 Supplemental Use Regulations: Swimming Pools

GENERAL PROVISIONS

a. DEFINITION:

   The term PRIVATE RESIDENTIAL SWIMMING POOL is hereby defined as a receptacle for water, or an artificial pool of water having a depth at any point of more than two feet, intended for the purpose of immersion or partial immersion therein of human beings and including all appurtenant equipment, constructed, installed and maintained in or above the ground outside of a building used for family dwelling units; provided the PRIVATE RESIDENTIAL SWIMMING POOL is maintained by an individual primarily for the sole use of the individual's household and guests and not for the purpose or in connection with any business operated for profit.

b. COMPLIANCE REQUIRED:

   Every private residential swimming pool constructed, installed and maintained hereafter shall comply with all applicable provisions of this Code.

c. PERMIT REQUIRED:

It shall be unlawful to proceed with the construction, installation, enlargement or alteration of any private residential swimming pool and appurtenances within the City unless a permit therefor shall have first been obtained from the Community Development Department.

d. PERMIT FEES:

The fee for a permit for the erection or construction of a swimming pool shall be as set by resolution.

e. DRAWINGS, PLANS AND PERMITS:

1. All drawings and plans for the construction, installation, enlargement or alteration of any private residential swimming pool and appurtenances for which a permit is required shall first be presented to the Building Official or his/her designee, for examination and approval as to the proper location, construction and use.
2. All plans and drawings shall be drawn to a scale of not less than one-eighth of an inch to the foot, on paper or cloth, in ink or by some process that will not fade or obliterate. All distances and dimensions shall be accurately figured and drawings made explicit and complete, showing the lot lines, and including information pertaining to the pool, walk and fence construction, water supply system, drainage and water disposal systems and all appurtenances pertaining to the swimming pool.
3. All private residential swimming pools, appurtenances, water supply and drainage systems shall be constructed in conformity with the approved plans. If any deviations from the plans are desired, a supplementary plan covering that portion of the work involved shall be filed for approval and shall conform to the provisions of this chapter.

f. REGULATIONS

1. LOCATION:

(a) Private residential swimming pools shall be permitted in residential zones only. No portion of a private residential swimming pool shall be located at a distance less than eight feet from any side or rear property line or building line. Pumps, filters and pool water disinfection equipment installations shall be located at a distance not less than eight feet from any side property line. Pools and appurtenant equipment shall not be permitted in the side yard between dwellings.

2. RECIRCULATION POOLS:

(a) All private residential swimming pools shall be of the recirculation type in which circulation of the water is maintained through the pool by pumps; the water drawn from the pool being clarified and disinfected before being returned to the pool.

3. MATERIALS:

   (a) Private residential swimming pool walls and floor shall be constructed of any impervious material which will provide a tight tank with white or light colored finished easily cleaned surfaces. The floor or bottom surface of the pool shall have a nonslip finish as smooth as possible. The side and end walls of a pool shall present a smooth finish and shall be vertical to a depth of at least six feet or shall have a slope or curvature meeting one of the following conditions.

   (b) The pool wall may be vertical for 30 inches from the water level below which the wall may be curved to the bottom with a radius at any point equal to the difference between the depth at that point and 30 inches.

   (c) To a depth of six feet, except as in division (A)(1), the wall's slope shall not be less than one foot horizontal in six feet vertical.

   (d) Pool walls that are to be lined with a plastic liner shall be constructed of masonry or reinforced concrete.

4. WALK AREAS:

   (a) Unobstructed walk areas not less than 36 inches wide shall be provided to extend entirely around the pool. The walk areas shall be constructed of impervious material and the surfaces shall be of such as to be smooth and easily cleaned and of nonslip construction. The slope of the walks shall have a pitch of at least one-fourth inch to the foot designed so as to prevent back drainage from entering the pool.

5. FENCES:

   (a) All private residential swimming pools shall be completely enclosed by a fence erected along the periphery of the pool walks. All fence openings or points of entry into the pool area enclosure shall be equipped with gates. The fence and gates shall be four feet in height above the walk grade level and shall be constructed of a minimum number nine-gauge woven wire mesh corrosion-resistant material or material approved by the Building Official. All gates shall be equipped with self-closing and self- latching devices placed at the top of the gate and made inaccessible to small children. All fence posts shall be decay or corrosion-resistant and shall be set in concrete bases.

6. STEPS OR LADDERS:

   (a) Two or more means of egress in the form of steps or ladders shall be provided for all private residential swimming pools. At least one such means of egress shall be located on a side of the pool at both the deep end and shallow end of the pool. Treads of steps and ladders shall be constructed of nonslip material and at least three inches wide for their full length. Steps and ladders shall have a handrail on both sides.

7. WATER SUPPLY:
   (a) No source of water other than that secured from the City waterworks distribution system shall be used in private residential swimming pools unless City water is not available.
8. ELECTRICAL REQUIREMENTS:
   (a) All electrical installations provided for, installed and used in conjunction with private residential swimming pools shall be in conformance with the Electrical Code ('63 Code, § 4-3-17) Penalty, see § 10.99
9. SAFETY PRECAUTIONS:
   (a) A skilled swimmer shall be present at all times that private residential swimming pools are in use.
   (b) Every private residential swimming pool shall be equipped with one or more throwing ring buoys not more than 15 inches in diameter and having 60 feet of three-sixteenths inch manila line attached and one or more light but strong poles with blunted ends and not less than 12 feet in length for making reach assists or rescues.
   (c) No diving board or platform more than three feet above the water level shall be installed for use in connection with any private residential swimming pool.

6-11 Supplemental Use Regulations: Mailboxes

Mailboxes constructed on a base other than a single pole and a footprint larger than 25 square feet need approval from the City Engineer as to location and the Chief Building and Code Official as to the structure and size.

6-12 Supplemental Use Regulations: Cargo Containers and Portable Storage Containers

Cargo containers sixteen (16) feet long and longer are only allowed in light industrial zoning districts and general industrial districts subject to the following requirements:

a. The time duration that storage containers can be allowed on a particular site shall be established by the Development Review Team (DRT).
b. Containers shall be limited in quantity to the number allowed by the Development Review Team and shall not be increased without additional review.
c. Location of containers on the site shall be restricted to the location approved on the site plan by the Development Review Team.
d. Containers approved for a duration of twelve (12) months or more may require screening view of any adjacent property and public streets in a manner approved by the Development Review Team including, but not limited to, fencing, berming, landscaping or a combination thereof.
e. All storage containers shall be clean and well-maintained portable storage
   1. Containers sixteen (16) feet and less in length are allowed in all zoning districts subject to the following requirements:

2. The temporary placement of one (1) portable storage container not to exceed the size dimensions of eight (8) feet wide by eight (8) feet high by sixteen (16) feet long on a residential lot for the purpose of loading and unloading household contents shall be permitted for a time not to exceed ninety (90) days in a twelve (12) month consecutive period. Additional time is subject to City approval by the Building Official on a case-by-case basis. Additional containers on the same site require City approval by the Building Official prior to placement.
3. Portable storage containers shall not be used for long term storage.
4. No permit is required; however, the street address of the location the container is going to be placed and the date of placement shall be communicated by telephone, electronic mail, or in person, to the Building Official prior to the day the container is placed.
5. The property must be occupied by a principal residential building.
6. Containers are allowed in the front building setback but shall be placed a minimum distance of five (5) feet from any side or rear property lines. Preferred location is in the driveway of the residence, but in no case shall the container be placed in the street or encroaching on public right-of-way.
7. Signs on any portable storage container shall be limited to not more than twelve (12) square feet each, not to exceed one (1) per side. Signage on the container shall not be used for advertising off-premise businesses other than the company that owns and operates the container business.
8. No sales shall be conducted from a portable storage container.
9. All storage containers shall be clean and well maintained.

6-13 Supplemental Use Regulations: Truck Terminals

Truck Terminals that are desired to be located in B-2 Districts may be approved pursuant to a Special Use Permit and must comply with the following requirements:

a. The total maximum floor area of all buildings combined is limited to 75,000 square feet or less per site.
b. A landscape bufferyard and screening is required around the perimeter of the site as set forth below, but in no event shall said bufferyard and screening requirement be less than 20-foot:
    1. Bufferyards shall comply when appropriate with Article 8, Section 8-4, and Table 8-2 of the Columbus Land Development Ordinance. Each bufferyard must be fully landscaped and maintained as set forth in the Columbus Land Development Ordinance and be free from paved areas, storage, or other disturbances.
    2. Screening shall comply with Section 8-5 of the Columbus Land Development Ordinance.

7 ARTICLE SEVEN: SUPPLEMENTAL SITE DEVELOPMENT REGULATIONS

7-1 Purpose

The Supplemental Site Development Regulations recognize the existence of special conditions that cannot comply literally with the site development regulations set out for each zoning district. Therefore, these regulations qualify or modify the district regulations of this title and provide for specific areas of exception.

7-2 Setback Adjustments

a. Lots Adjoining Alleys: In calculating the depth of a required side or rear yard setback for a lot adjoining a dedicated public alley, one-half of the alley may be credited as a portion of the yard. However, no residential structure may be nearer than ten feet to the near side of the alley.

b. Exceptions to Openness of Required Yards: Every part of a required yard shall be open and unobstructed from finished grade upward, except as specified herein.

1. Window sills, belt courses, cornices, eaves, flues and chimneys (including enclosed or unenclosed), and ornamental feature may project two feet into a required yard.
2. Terraces, patios, uncovered decks, and ornamental features which have no structural element more than two feet above or below the adjacent ground level may project ten feet into a required yard. However, all such projections must be set back at least three feet from an adjacent side lot line; or fifteen feet from any street property line.
3. Fire escapes, fireproof outside stairways, and balconies opening to fire towers may project a maximum of 3 1/2 feet into required yards, provided that they do not obstruct the light and ventilation of adjacent buildings.
4. For buildings constructed upon a front property line, a cornice may project into public right-of-way. Maximum projection is the smaller of four feet or five percent of the right-of-way width.
5. In commercial and business districts, a canopy may extend into a required front yard, provided that the canopy is set back at least five feet from the front property line, covers less than fifteen percent of the area of the required front yard, and has a vertical clearance of at least eight feet six inches.
6. Accessory buildings in residential districts, including private and community garages, may be located a minimum of two feet from the side lot line and ten feet from the rear lot line. The rear yard setback may be reduced to two feet if bounded by an alley if set back is sixty feet or more from the front lot line. An accessory building must have an additional rear and side setback of one foot for every two feet or portion thereof of height over 15 feet. Any such accessory building must be located at least six feet from the main structure. Accessory building in an R-1, R-2 or R-3 district shall not exceed 20 feet in height at the peak. No residential accessory buildings permitted on NTR Park or Subdivision lots.

7. Lamp posts with a maximum height of ten (10) feet, and flag poles up to maximum height of base district may be located within required yards, provided they are set back at least five (5) feet from property lines.

c. Setback Adjustments

1. Setbacks on Built-Up Blockfaces: These provisions apply if any of the buildings on that blockface have front yard setbacks less than those required for the specific district.

(a) If a building is to be built on a parcel of land within 100 feet of an existing building on one side only, the minimum front yard shall be the setback of the adjacent building; excluding garages, refer to Table 4-4: Site Development Regulations.

(b) If a building is to be built on a parcel of land not within 100 feet of an existing building on either side, then the minimum front yard shall be the mean setback of all existing buildings on the blockface.

d. Corner Lots: Required setbacks shall not reduce the buildable width of any corner lot to less than 24 feet. Appropriate setback adjustments shall be allowed to maintain this minimum width.

e. Double Frontage Lots: In Rural Residential zoned double frontage lots on a major street, and with no access to that street, may have a 25-foot minimum front yard setback along said street. All other double frontage lots must provide full front yard setbacks from each adjacent street.

f. Antennas: No antennas are permitted in the front yard.

g. Vision Clearance Zones: No structures, plantings to maturity, landscaping, fences, parked vehicles, trucks, trailers, or other obstructions shall be built or placed above a maximum height of 30-inches above the established curb grade or radii 20 feet of less within, whichever is greater in clear zones, from a triangle formed 1) by a line connecting points thirteen feet along each leg from the property lines from their point of intersection and 2) by a line connecting points forty feet along each leg from the back of curb from their point of intersection and as extended to the public or private street or driveway, trail, or traveled way which may obstruct the line of sign of drivers and/or pedestrians approaching the intersection as show in Figure 7-2(a). Radii greater than 20 feet shall be subject to the Figure requirements. Vision clearance where private driveways and streets or courts meet shall be subject to approval of the Building Official.

h. Attached structures extending into public rights-of-way within the Downtown Business District, excluding roadways.

1. Attached structures, such as awnings, canopies and signs may extend no more than 48 inches from the façade or facewall of the building to which it is attached. These structures must maintain a vertical clearance of at least 7 feet and 6 inches.

Figure 7-2(a): Vision Clearance Zone

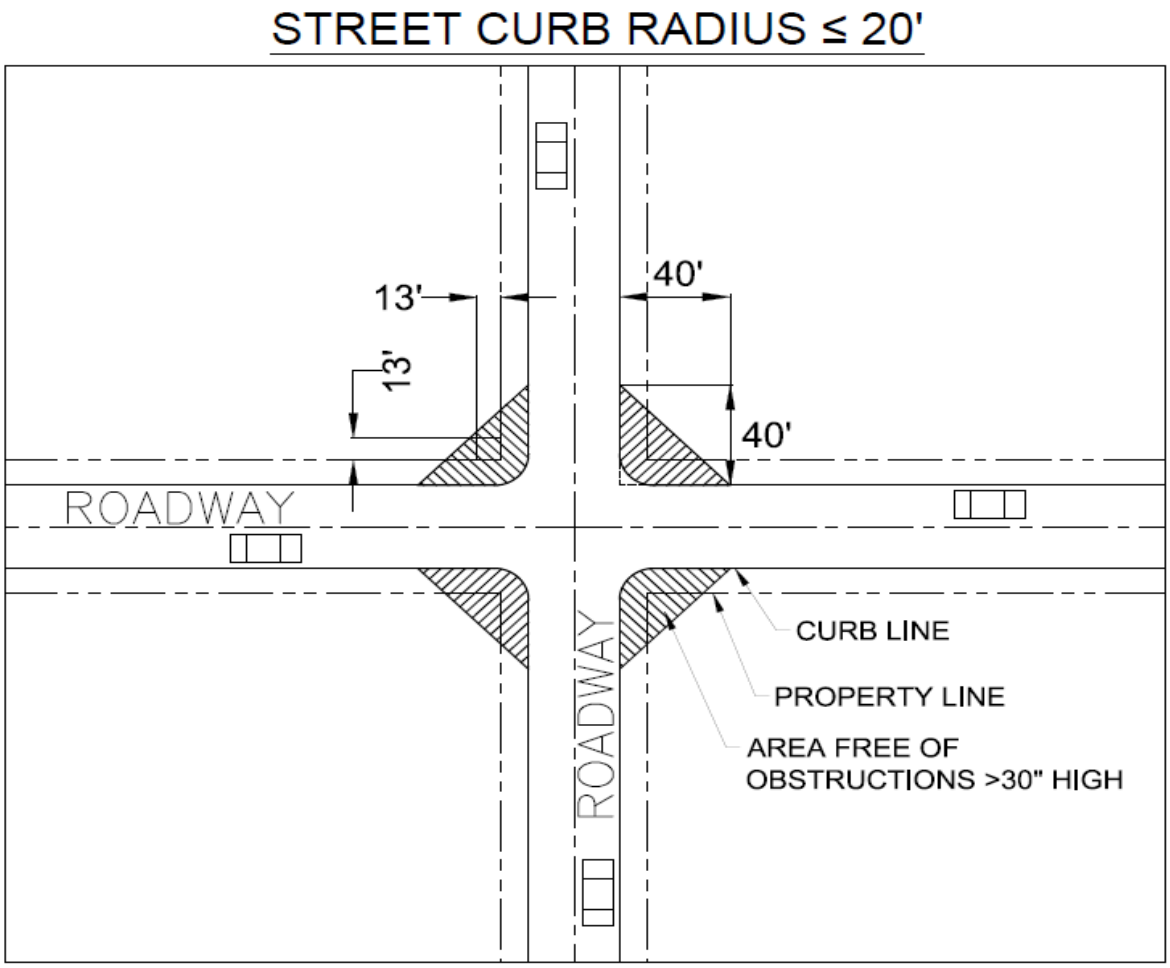


FIGURE 7-2 (a): *VISION CLEARANCE ZONE*

Figure 7-2(b): Vision Clearance Zone

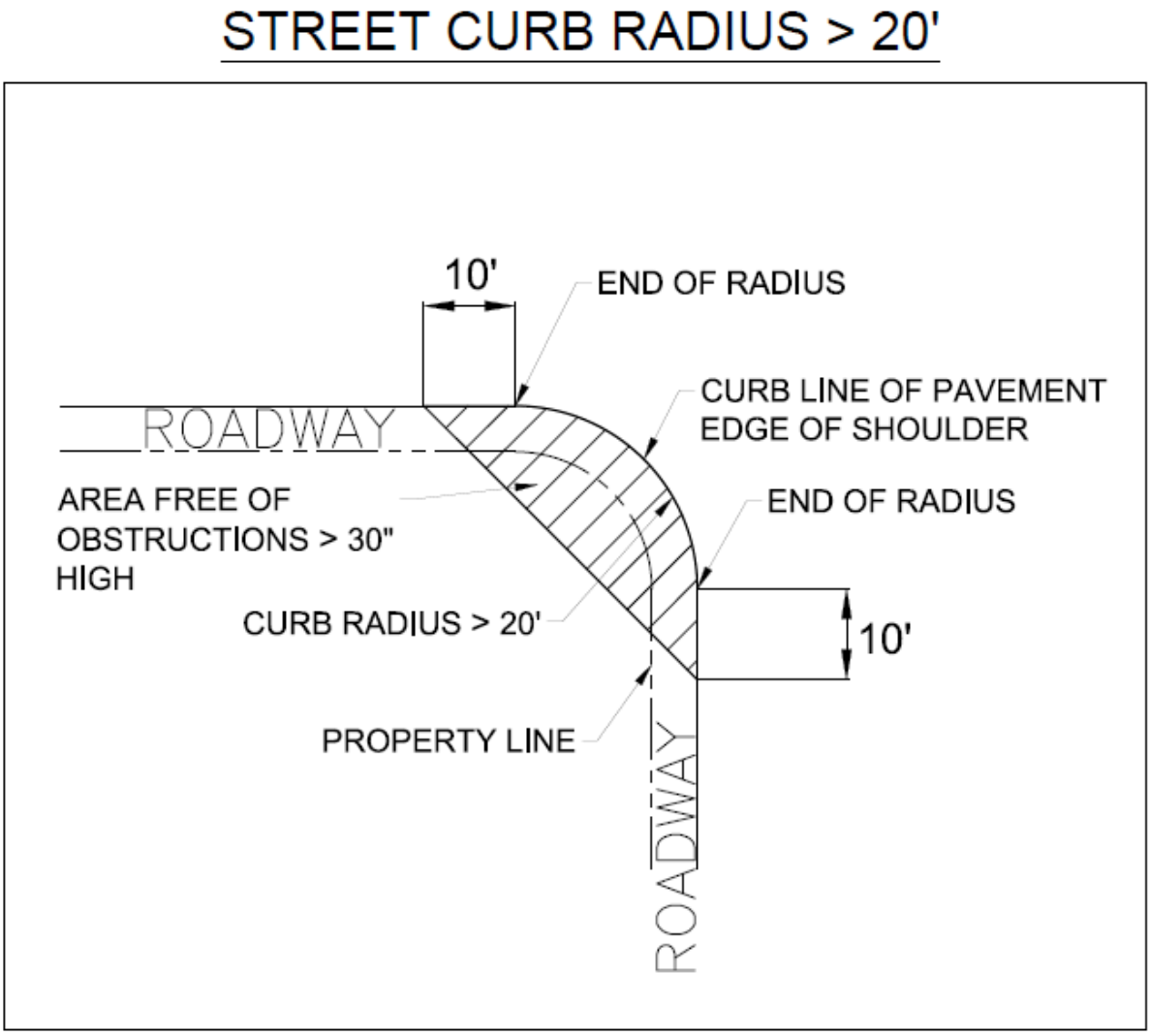


FIGURE 7-2 (b): *VISION CLEARANCE ZONE*

7-3 Height Exceptions

a. These provisions allow exceptions to the height limit of any zoning district in certain situations.

1. Vertical Projection: Chimneys, cooling towers, building mechanical equipment, elevator bulkheads, fire towers, grain elevators, non-parabolic receiving antennas, tanks, solariums, steeples, penthouses not exceeding 25 percent of total roof area, flag poles, stage towers or scenery lofts, City owned towers used for emergency communications and water towers may be built to any height in accordance with existing ordinances.
2. Radio Towers: Radio towers, operated by licensed amateur radio operators, may be built to a height as set forth in paragraph 2 below provided such towers do not exceed the height limitations set by Table 4-4: Site Development Regulations. This exception does not apply to parabolic antennas, designed to receive signals from satellites.

   Such radio towers shall not be located within a street yard of the primary use, and shall be located no less than 110 percent of the tower's height from a property line of an adjacent property within any zoning district.
3. Dwellings: Dwellings may exceed the height limit of their zoning districts by a maximum of ten feet, provided that each such building shall have a side yard setback of one foot in addition to required setbacks from each property line for each foot of height over the maximum height of the zoning district.
4. Wind Energy Conservation Systems (WECS): Wind Energy Conservation Systems are exempt from the height restrictions of the base district in accordance with existing ordinances.
5. Federal Aviation Administration Rules: No structure may be built in any zoning district which exceeds the maximum height permitted under the rules of the Federal Aviation Administration. These rules describe the glide angles and operational patterns for any airport within the planning jurisdiction of the City of Columbus.

7-4 Allowable Adjustments to Site Development Regulations for Creative Subdivisions

a. Purpose: Section 5-11 of the Land Development Ordinance provides for creative subdivisions. Creative subdivisions allow for greater flexibility in the design and development of subdivisions, in order to produce innovative residential environments, provide for more efficient use of land, protect topographical features, and encourage the preservation of common area and open space. These special regulations and exceptions apply only to creative subdivisions.

b. Site Area Per Unit:

1. Unless otherwise provided, the site area per unit for a creative subdivision as a whole shall be that of the zoning district in which such subdivision is located. For the purpose of computing site area per unit, the area of public streets and private ways within the subdivision must be excluded. Residential use types may be combined within the creative subdivision provided that the subdivision as a whole complies with the required maximum density of the zoning district.

2. In the AG or RR Districts, the minimum site area per unit may be reduced by 50 percent in creative subdivisions.

c. Perimeter Yards

1. The required setback for any structure within a creative subdivision from a perimeter public street shall be the required setback for the zoning district.

2. The required setback for any structure within the subdivision from any property line which forms the boundary of the subdivision shall be at least 15 feet.

d. Area and Yards for Individual Lots: Minimum lot areas may be reduced by a maximum of 50%. Street Side yards may be reduced by a maximum of 25%. Interior and Back yards may be reduced by a maximum of 50%, provided a minimum separation of ten feet shall be established for all residential structures not attached to one another. A creative subdivision must be planned and developed as a common development.

e. Coverage and Landscaping Requirements: Individual lots in a creative subdivision may increase maximum building and impervious coverage limitations by 20%.

7-5 Fence Regulations

b. Location Restriction: Unless otherwise provided by this title or other sections of the Columbus Municipal Code, no fence shall be built on any lot or tract outside the surveyed lot lines.

c. Sight Obstruction: No solid fence permitted or required by this title or other sections of the Columbus Municipal Code shall be built or placed above a maximum height of 30-inches above the established pavement surface or shoulder grade within a triangle formed by a line connecting points twenty-five feet along each leg from the property lines from their point of intersection and as extended to the public or private street, driveway, trail, or traveled way which may obstruct the line of sight of drivers and/or pedestrians approaching the intersection.

d. Residential Fences: Fences constructed within residential districts or on land used for residential purposes are subject to the following provisions.

1. Height: The maximum height of a fence within a required front yard or street side yard setback shall be four feet. The maximum height for any fence outside of a required front yard may be up to six feet.

2. Exception for Back Yards of Double Frontage Lots: A fence built within the required back yard of a double frontage lot, provided no residential access is provided to the back yard street, may be a maximum of six feet in height.

e. Office, Commercial, and Industrial Fences: Fences constructed in commercial and industrial districts are subject to the following special provisions:

1. LC, UC, and B-1 Districts: The maximum height of a fence may not exceed six feet if located outside of the required front or street side yards. Fences within the front and street side yards may not exceed four feet.

2. B-2, ML/C-1, MH Districts: The maximum height of a fence within a required front yard or street side yard setback may not exceed six feet. The maximum height for a fence outside of required front yard or street side yard setbacks may not exceed ten feet.

7-6 Downtown Building Standards

The Downtown Business District includes the area bounded by 10th Street and 15th Street and 21st Avenue and 32nd Avenue, all public right-of-way or portions thereof located within these boundaries, and all buildings or structures abutting, adjoining, or bordering the same.

The City of Columbus has set forth these guidelines as minimum standards whereby properties in the Downtown Business District can be improved or built upon; it is in the best interest of the City and its residents to have a downtown that is pleasing to walk, drive through and conduct business in while maintaining an environment that preserves, to a reasonable extent, the heritage and history of Columbus. Any improvement or building project should be undertaken with care and consideration of these goals.

A majority of the commercial buildings in the Columbus downtown retain their original form and ornamentation in the upper stories. Out of the total of 127 properties in the Downtown, 101 are considered architecturally and historically significant. The majority of the commercial buildings were built between 1910 and 1919 with most of the remaining being built from 1930 to 1946.

The Downtown Building Standards are the regulating document for development within the downtown of Columbus. The Downtown Building Standards recognize the historic character of the downtown and identifies a special set of development standards, allowed use regulations, and other special use regulations that, when applied to new construction and qualifying remodel/s expansions will ensure that the historic character is positively complement. These guidelines apply to any portion of the commercial and/or institutional properties visible to pedestrians and/or motorist within the Downtown Business District.

Building should work together to create a “wall of buildings” effect associated with traditional downtown areas. New construction and infill building must maintain the alignment of facades along the sidewalk edge; exceptions may be granted if the setback is pedestrian oriented and contributes to the quality and character of the streetscape, or if the lot size, shape and the intended use of the building require substantial associated onsite parking.

A minimum of 30% of the ground level front façade and 20% of the ground level sides of buildings adjacent to public right of ways shall consist of any combination of windows and doors with large glass panels, as shall a building’s rear façade if it faces public right of way, parking area or open space. Windowless upper floors are not permitted and the windows should be vertically oriented. Arched tops, columns framing and window and decorative lintels, where appropriate are encouraged.

Infill construction should reflect some of the detailing of surrounding buildings in building massing, window shape, cornice lines and brick work.

For the first 20 feet above street level, street facades shall be constructed of durable materials such as stone, brick, tile, or glass, or similar materials such as precast concrete, or poured in place concrete are required as the primary exterior material facing streets. Other high-quality materials may be proposed to and approved by the Chief Building and Code Official.

Faux brick products (not made of fired clay) are prohibited. Metal is not suitable primary material for building exteriors in the Downtown area.

With the exception of existing, the following materials are not permitted for use on the facades or sides of buildings adjacent to public right of way.

1. Brick larger than 4” in height, 12” in length
2. Aluminum, vinyl or fiberglass siding.
3. Concrete masonry units, other than limited use of split faced block which may be considered accent lines or the emulation of foundation stone if appropriate.
4. Materials that attempt to mimic traditional materials (an example would be fiberglass panels that are molded to look like brick); a singular exception to this is the judicious use of cultured stone.
5. Stucco or synthetic stucco is prohibited below the 12 (twelve) foot level but may be substituted above that level for the durable materials described above. Exception stucco maybe approved by the building official below the 12 (twelve) foot level if the structural integrity of the brick has been compromised.

If a new commercial building is constructed within the Downtown Business District its design should complement its environment and should include design elements, proportion, colors, etc.

Tile, stone, glass block, copper flashing, metal and wood are among the type of materials that should be considered for accents to buildings. Preference is for a high level of design and architectural detail.

7-7 Appeals

Denial, revocations, or cancellations of a building permit based on the provisions of this Section may be appealed to the Board of Adjustment, as set forth in Section 12-8 and Section 12-9.

CHAPTER 1, ARTICLE 8: LANDSCAPING, SCREENING, AND PERFORMANCE STANDARDS

8 ARTICLE EIGHT: LANDSCAPING, SCREENING, AND PERFORMANCE STANDARDS

8-1 Purpose

The Landscaping and Screening Regulations provide additional guidance on the development of sites within Columbus by addressing landscaping and screening requirements. They are designed to improve the appearance of the community; buffer potentially incompatible land uses from one another; and conserve the value of properties within the City of Columbus.

8-2 Applicability

The provisions of Article 8, shall apply to all new development on each lot or site upon application for a building permit or replacement of sidewalk within the B-1 district, except for the following:

a. Remodeling, rehabilitation or improvements to existing uses or structures which do not substantially change the location of structures, parking, or other site improvements;

b. Additions or enlargements of existing uses or structures which increase floor area or impervious coverage area by less than 20 percent. Where such additions or enlargements are 20 percent or greater.

8-3 Landscaping Requirements

Landscaping shall be required adjacent to each street property line and within street yards as set forth in Table 8-1.

TABLE 8-1: Required Landscape Depth

Zoning District	Depth of Landscaping Adjacent to Street Property Line
AG	35 feet
RR	50 feet
R-1	15 feet
R-2	15 feet
R-3*	15 feet
NTR Park	10 feet
NTR Subdivision	20 feet
O	20 feet
LC	20 feet
UC	15 of the depth of the street yard. Landscaped area between curb to sidewalk may be counted toward this requirement.
B-1	No Requirement
B-2	10 feet
ML/C-1	No Requirement
MH	No Requirement
B-1	Sidewalk landscape beds including approved plantings in sidewalks in accordance with the B-1 district master plan and design standards
B-2	10 feet
ML/C-1	No Requirement
MH	No Requirement

* For residential uses only. B-1 district sidewalk landscaping beds or administrative official approved landscape heavy duty landscape pots or structure shall be located in accordance with the master plan and design standards. Improvements shall include coordinated district sizing, location, construction features, underground stormwater collection system, connection to public storm sewer system, bedding, earthen material, plantings and related work.

8-4 Bufferyard Provisions

These provisions apply when a use is established in a more intensive zoning district (District A) which is adjacent to a less intensive zoning district (District B). The owner, developer, or operator of the use within District A shall install and maintain a landscaped bufferyard on his/her lot or site, as set forth in this section. Bufferyard requirements apply only to those districts indicated in Table 8-2 .

a. The bufferyard dimensions set forth in Table 8-2 apply to zoning districts which share a common lot line or are adjacent but separated by an intervening alley.

b. When a street separates adjacent zoning districts requiring a bufferyard, the size of the bufferyard shall be one-half the required bufferyard set forth in Table 8-2.

c. Each required bufferyard must be entirely landscaped and free of paved areas, access ways, storage, or other disturbances.

The Plan Administrator may waive bufferyard and screen requirements when adjacent to City owned property, excluding right-of-way and property used for recreational purposes.

TABLE 8-2: Bufferyard Requirements (feet)

More Intensive District	Less Intensive District						
		AG*	RR	R-1	R-2	R-3*	RMH
	O, LC, UC**	10	10	10	10	10	10
	B-2**	30	30	20	20	20	20
	ML/C-1	30	30	30	30	30	30
	MH	50	50	50	50	50	50
	* For residential uses only. ** No buffer required when use is entirely residential use.						

8-5 Screening Standards

a. Application: Screening is required between adjacent zoning districts indicated in Table 8-2 when one or more of the following conditions in the more intensive zoning district is directly visible from and faces toward the boundary of the less intensive zoning district.

1. The rear elevation of buildings.
2. Outdoor storage areas or storage tanks, unless otherwise screened.
3. Loading docks, refuse collection points, and other service areas.
4. Major machinery or areas housing a manufacturing process.
5. Major on-site traffic circulation areas or truck and/or trailer parking.
6. Sources of glare, noise, or other environmental effects.

b. Opaque Barrier: A six-foot opaque barrier shall be provided which visually screens the conditions listed in Section 8-5 from less intensive uses as follows:

1. A solid wood, vinyl and/or masonry fence or wall at least six feet in height;
2. A landscaping screen, using evergreen or deciduous materials, capable of providing a substantially opaque hedge-like barrier and attaining a minimum height of six feet within three years of planting;
3. A landscaped earth berm with a maximum slope of three to one, rising no less than six feet above the existing grade of the lot line separating the zoning districts;
4. Any combination of these methods that achieves a cumulative height of six feet.

c. Location of Screening Wall: A screening wall or fence shall be installed within the required buffer yard.

d. Screening: Effect on Drainage: Screening shall not adversely affect surface water drainage.

8-6 General Provisions

a. Time of Application: The provisions contained in this Article shall be applied for each individual lot or site when an application for a building permit on such lot is made.

b. Maintenance of Required Landscaping: Upon installation of required landscape materials, each owner shall take appropriate actions to insure their continued health and maintenance. Required landscaping that does not remain healthy shall be replaced consistent with this Article.

c. Obstruction of View: Landscaping installed in any landscaped area shall not obstruct the view from or to any driveway approach, street, alley, trail or sidewalk.

d. Area between sidewalk and curb/edge of pavement: The area between the sidewalk and street curb or edge of pavement shall be grass turf. A maximum of ten (10) percent of this area may be used for mailboxes, paving, or other ground cover.

e. Exceptions: A development may continue to comply with the bufferyard and screening requirements in effect at the time of issuance of its original permit, regardless of whether an adjacent lot or site is subsequently rezoned to a less intensive district which would otherwise require compliance with bufferyard or screening provisions.

8-7 Grade Elevation at Residential Building Setback

The maximum grade elevation at the residential building setback line shall be a slope between 4 and 6 percent as approved by the Building Official as calculated from the top of the pavement curb or edge of roadway to the building setback. Buildings or structures placed further back from the setback, setback larger than 20-feet, roadway right-of-way greater than 60 feet, or other uncommon situations shall have the maximum elevation set by the Building Official. Sidewalk or trail cross slope, including the driveway, cannot exceed two percent (quarter inch per foot) in accordance with the American's is Disability Act.

8-8 Performance Standards in the B-2 and ML/C-1 Zoning Districts

a. Maximum Permitted Sound Levels Adjacent to Residential Zoning Districts

Table 8-3 displays the maximum permitted sound levels that may be generated by uses in the LC, UC, B-2 or ML/C-1 zoning districts where adjacent to residential zoning districts. All measurements shall be taken at or within the boundary between the originating district and the adjacent residential zoning district with a sound level meter meeting ANSI specification for a Type II or better general purpose sound level meter. The A-weighted response shall be used.

TABLE 8-3: Maximum Permitted Sound Levels at Residential Boundaries

Originating Zoning District	Time	Maximum One Hour Leq* (dbA)
LC, UC, B-2	7:00 a.m. – 10:00 p.m. 10:00 p.m. – 7:00 a.m.	65 55
ML/C-1	7:00 a.m. – 10:00 p.m. 10:00 p.m. – 7:00 a.m.	70 55
* Leq is the constant sound level that, in a given situation and time period, conveys the same sound energy as the actual time-varying A-weighted sound. It is the average sound level and accurately portrays the sound the human ear actually hears.		

Lighting Performance Standards

1. Area lighting shall be conducted so that the light source is directed away from areas in residential use or shall be controlled so that candlepower per 1,000 lamp lumens does not numerically exceed 50 lamp lumens (5%) above the vertical angle of 78 degrees above nadir; or emit more than 500 foot-lamberts per unit projected surface area of the luminaire above a 78-degree vertical angle.
2. Luminous element signs shall not exceed 300 foot-lamberts. Luminous building fronts shall not exceed 100 foot-lamberts in average surface luminance. Flood lighted signs shall not exceed 75 foot-lamberts in average surface luminance. Exposed lamp signs and luminous tube signs shall not exceed 400 foot-lamberts in average surface luminance.
3. Illumination resulting from outdoor lighting shall be conducted so that direct or indirect illumination does not exceed 0.5 horizontal foot candles at a boundary line with an adjacent residential zoning district.

9 ARTICLE NINE: OFF-STREET PARKING

9-1 Purpose

The Off-Street Parking Regulations require that developments provide parking in proportion to the need created by each use. The regulations further establish standards for the functional design of parking facilities. These regulations are intended to accommodate vehicles in a functionally satisfactory manner and to minimize external effects on neighboring properties.

9-2 General Applications

a. Applicability: Off-street parking shall be provided for any new building constructed; for new uses or conversions of existing buildings; or for enlargements of existing structures.

b. Exemptions: Any use within the B-1 Central Business District is exempt from the off-street parking requirements provided by Section 9-3. Any off-street parking facility constructed in the B-1 District after the effective date of this Ordinance must comply with the design standards set forth in this Article.

9-3 Schedule of Off-Street Parking Requirements

Parking facilities for each use shall be provided in accord with the minimum requirements set forth in Table 9-1.

a. Computation

1. When a computation of required parking results in a fraction of .5 or greater, the requirement should be rounded up to the next whole number.

2. Unless otherwise indicated, parking requirements are based on gross floor area. Gross floor areas for the purpose of this calculation exclude any interior space used for the parking or loading of vehicles.

3. When parking requirements are computed on the basis of capacity, capacity shall be determined by the building code in effect for the City of Columbus at the time the use is established.

TABLE 9-1: Off-Street Parking Requirements

Agricultural Use Types	
Horticulture	1 space per 1,000 square feet of sales area.
Crop Production	No requirement.
Animal Production	No requirement.
Commercial Feedlots	No requirement.
Residential Use Types	
Single-Family Residential	2 spaces per dwelling unit.
Duplex Residential	2 spaces per dwelling unit.
Two-Family Residential	2 spaces per dwelling unit.
Multi-Family Residential	2 spaces per dwelling unit with 2 or more bedrooms, 1 space per 1 bedroom dwelling units or studios, and 1 space per 2 dwelling units for elderly housing.
Downtown Living Units	0 spaces per dwelling unit. Within existing structures only.
Group Residential	1 space for each two residents.
Non-Traditional Residential Park	1 space per dwelling provided in shared parking facility.
Non-Traditional Residential Subdivision	1 space per dwelling unit.

TABLE 9-1: Off-Street Parking Requirements

Civic Use Types	
Administration	1 space per 500 square feet.
Cemetery	No requirement.
Clubs	1 space per 4-person capacity.
Convalescent Services	1 space per 4 beds.
Cultural Services	1 space per 1,000 square feet.
Day Care Services	1 space per 5-person capacity + 1 space per employee of largest shift.
Group Care Facility	1 space per 4-person capacity + 1 space per employee of largest shift.
Group Home	1 space per 4-person capacity + 1 space per employee of largest shift.
Guidance Services	1 space per 300 square feet.
Health Care	1 space per 300 square feet + 1 space per employee of largest shift.
Maintenance Facilities	See Schedule A.
Parks and Recreation	No requirement.
Postal Facilities	See Schedule A.
Primary Education	1 space per employee of largest shift + 10 stalls for visitors.
Public Assembly	1 space per 4-person capacity.
Religious Assembly	1 space per 4-person capacity in largest assembly area.
Safety Services	1 space per employee of maximum shift + 1 stall per 1,000 square feet.
Secondary Education	1 space per employee of maximum shift + 1 space for each 4 11th and 12th grade student.
Utilities	1 space per employee of maximum shift.

TABLE 9-1: Off-Street Parking Requirements

Commercial Use Types	
Agricultural Sales/Service	See Schedule A.
Auto Rental and Sales	See Schedule A.
Auto Service	Three times service capacity.
Body Repair	Four spaces per repair stall.
Business Support Services	1 space per 500 square feet.
Campground	1 space per camping unit.
Cocktail Lounge	1 space per 200 square feet.
Commercial Recreation	1 space per 4-person capacity.
Communications Services	1 space per 500 square feet.
Construction Sales	See Schedule A.
Consumer Services	1 space per 300 square feet.
Convenience Storage	1 space per 10 storage units.
Equipment Sales/ Service	See Schedule A.
Food Sales	1 space per 300 square feet.
General Retail Services	1 space per 500 square feet.
Liquor Sales	1 space per 300 square feet.
Lodging	1 space per unit.
Personal Improvement	1 space per 500 square feet.
Personal Services	1 space per 500 square feet.
Pet Services	1 space per 500 square feet.
Restaurants (Drive-in)	1 space per 50 square feet of customer service area.
Restaurants (General)	Greater of 1 space per 4-person capacity or 1 space per 50 square feet in dining area.
Stables/ Kennels	1 space per employee + 1 stall per 5,000 square feet of site area.
Surplus Sales	See Schedule A.
Veterinary Services	1 space per 500 square feet.

TABLE 9-1: Off-Street Parking Requirements

Office Use Types	
General Offices	1 space per 500 square feet.
Miscellaneous Use Types	
Broadcasting Tower	No requirement.
Non-Putrescible Landfill	No requirement.
All Landfills	No requirement.
Industrial Use Types	
Agricultural Industries	See Schedule A.
Light Industry	See Schedule A.
General Industry	See Schedule A.
Heavy Industry	See Schedule A.
Railroad Facilities	See Schedule A.
Resource Extraction	1 space per employee on largest shift.
Salvage Services	See Schedule A.
Warehousing	See Schedule A.
Construction Yards	See Schedule A.

SCHEDULE A	
This schedule sets forth minimum off street parking requirements for uses with elements that have different functions and operating characteristics.	
Function of Element	**Requirement**
Office or Administration	1 space per 400 square feet
Indoor Sales, Display or Service Area	1 space per 500 square feet
Outdoor Sales, Display or Service Area	1 space per 2,000 square feet
Equipment, Servicing, or Manufacturing	1 space per 1,000 square feet
Indoor or Outdoor Storage or Warehousing	1 space per 5,000 square feet

9-4 Parking Facility Location

a. Residential Parking

1. Off-street parking for residential uses shall be located on the same lot or site as the use.
2. Off-street parking areas for multi-family or group residential uses shall be at least ten (10) feet from any main building.

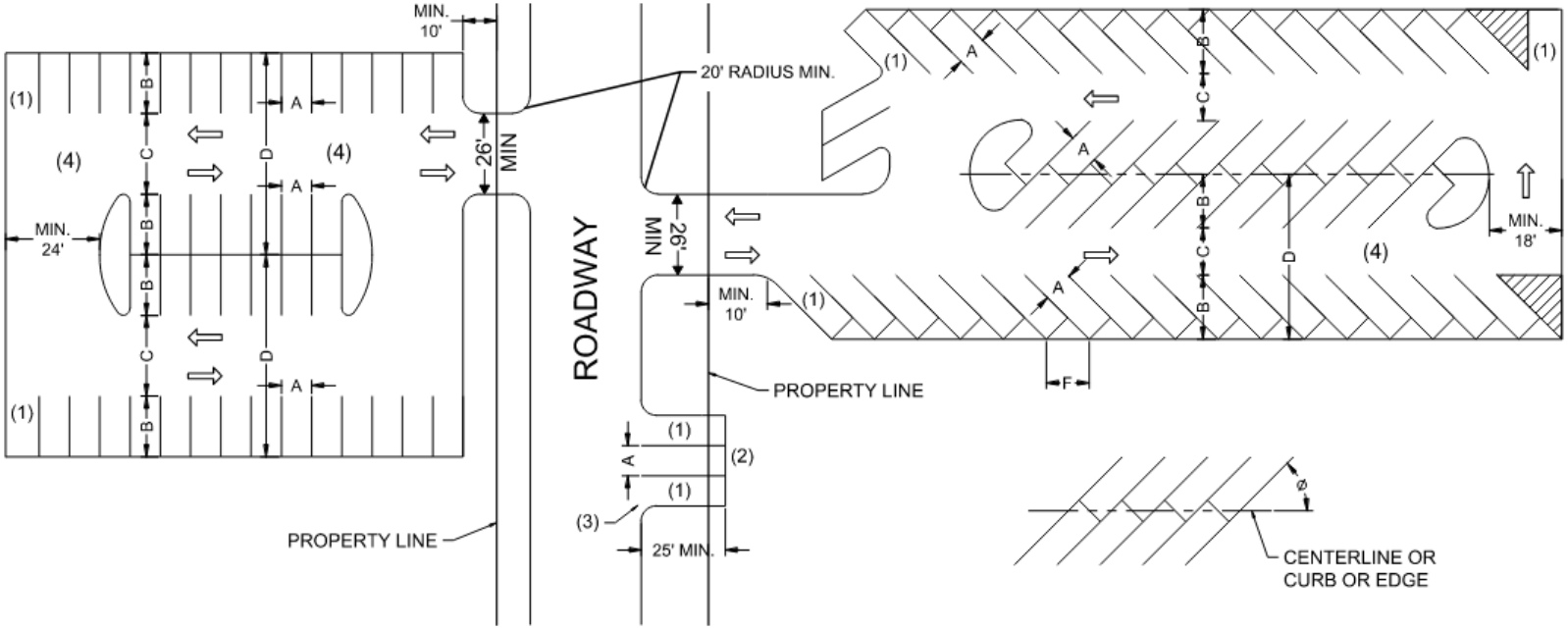
b. Non-Residential Parking

1. Off-street parking for non-residential uses shall be located on the same lot or site as the use or within 300 feet of that use if the parking site is zoned for such parking.

9-5 Off-Street Parking Design Standards

Off-Street Parking in all zones must meet the following minimum requirements.

FIGURE 9-5 (a): Off-Street Parking Standards



ANGLE (°)	STALL WIDTH (A)	STALL DEPTH (B)	AISLE WIDTH (C)	TYPICAL MODULE (D)
45°	9.0'	18.0'	13.0'	52.0'
60°	9.0'	19.0'	17.0'	55.0'
90°	9.0'	18.0'	24.0'	60.0'

(1) FOR PERPENDICULAR (90°) PARKING, STALL ADJACENT TO CLOSED END OF THE AISLE SHALL BE A MINIMUM OF 10 FEET WIDE

(2) 6' SIDEWALK. PUBLIC SIDEWALK EASEMENT MAY BE REQUIRED.

(3) NON-ARTERIAL ROADWAYS ONLY. SUBJECT TO CITY ENGINEER APPROVAL

(4) MAIN ENTRY ACCESS AISLE TO BE 26 FOOT MINIMUM WIDTH

a. Dimensions: Parking stalls and aisles shall be provided in accordance with the design standards provided in Figure 9-5(a) and Figure 9-5(b).

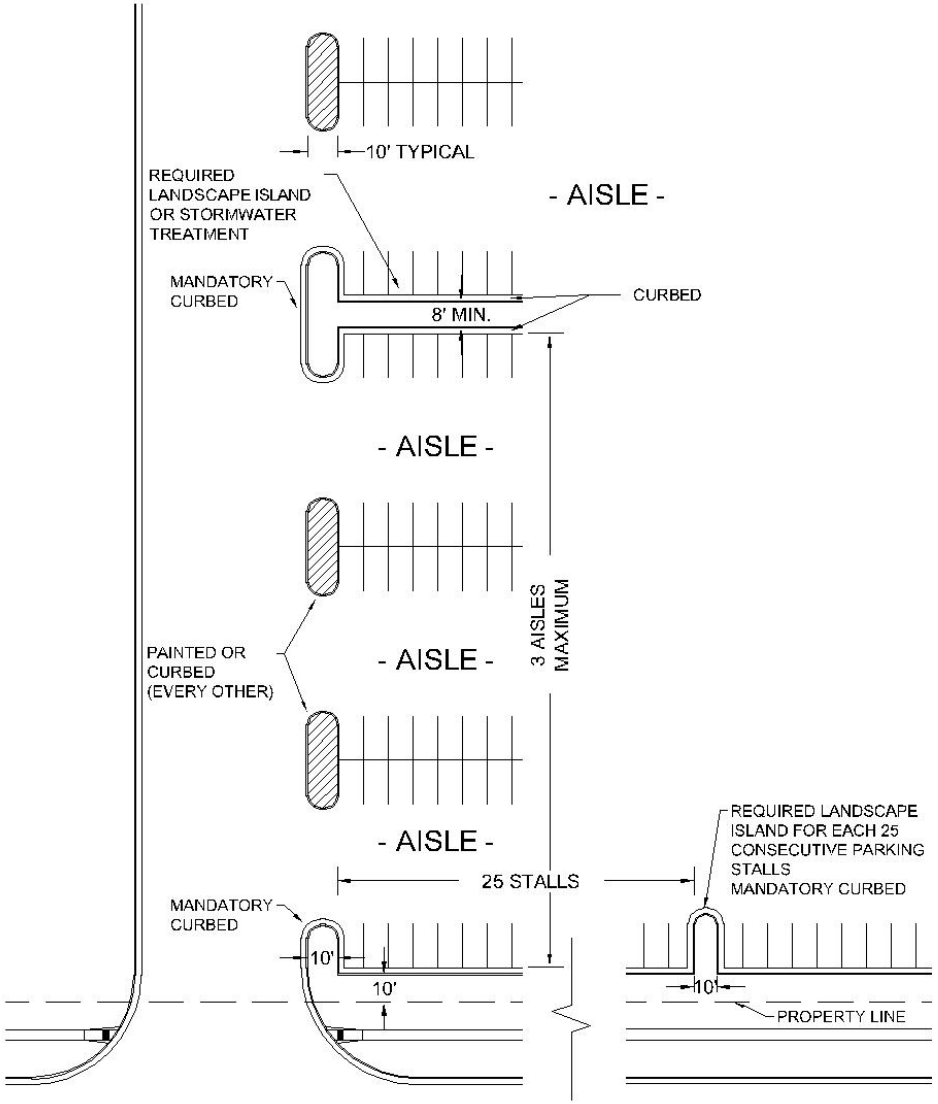
b. Pavement and Drainage: Off-street parking facilities shall be designed and built to the stormwater management program requirements. Parking lots shall have an internal drainage system and not adversely sheet flow drain onto public right-of-way, roadways, and alleys. Public storm sewer or drainage ways adjacent to or nearby and available must be extended into the parking lot for this purpose.

   Pavement shall be a minimum of 6-inch-thick concrete, equivalent depth asphaltic concrete with subgrade, or pervious concrete a minimum of 6-inch thickness with an aggregate base and underdrain system. Additional thickness may be required depending on the use and design vehicle.

c. Landscape and Screening Requirements: Unless otherwise noted, each unenclosed parking facility of over 3,000 square feet shall comply with the following regulations during the life of the facility:

   1. Each unenclosed parking facility shall provide a minimum buffer of ten feet along any street property line; Ten-foot buffer is not required in the B-1, ML/C1 and MH Districts.
   2. Each parking facility that abuts a residential district shall provide a ten-foot landscaped buffer along its common property line with the residential district;
   3. Any parking facility which abuts property in a residential district shall provide a grade change, fence, terrace, or other site feature which blocks the sight line of headlights into a residential property, subject to the determination of the Building Official;
   4. Each parking facility over 4,500 square feet shall have internal landscape islands as shown in Figure 9-5(b). Internal landscape island area shall be equal or greater to the (10) percent of the total parking and aisle pavement area. Non-visitor or employee parking lots in MH districts shall be exempt.
   5. Internal landscape islands shall be planted with a combination of turf, trees, and understory landscaping such as shrubs, ornamental grasses, and flowering perennials. In islands with trees or adequate types and coverage of landscaping, rock cover may be allowed as an alternative to turf groundcover or understory landscaping. Internal parking lot islands shall not be paved.

FIGURE 9-5 (b): Parking Lot Internal Island



d. Entrances and Exits

1. Adequate access to each parking facility shall be provided by means of clearly defined and limited driveways or access points. Such driveways shall be designed to direct nonresidential traffic away from residential areas.
2. Parking facilities other than driveways for single-family, duplex, two-family, or mobile home residential uses must permit vehicles to enter streets in a forward position.
3. Minimum width of access driveways and main aisle shall be 26-feet with minimum radii of 20-feet on each side.

e. Safety Features

1. Parking facilities shall be designed to provide visibility of and between pedestrians and vehicles when circulating within or entering or leaving the facility; and shall not create blind, hidden, or hazardous areas.
2. Circulation patterns shall be approved by the Building Official.

f. Adjustment

For uses subject to Special Use Permit approval, the City Council, with the recommendation of the Planning Commission, may adjust the minimum requirements of this section, in order to provide design, usability, attractiveness, or protection to adjoining uses in a manner equal to or greater than the minimum requirements of this Article.

9-6 Off-Street Loading

a. Loading Requirement

Any use which involves the receipt or distribution of freight, merchandise, supplies, vehicles, or equipment as part of its typical operation shall provide and maintain adequate space for off-street loading and circulation. Loading dock areas shall be designed to avoid undue interference with the public use of streets and sidewalks.

b. Design Standards

1. Each loading dock space shall be at least 10 feet wide by 50 feet long, with a vertical clearance of at least 14 feet.
2. Loading dock spaces and access to those spaces, must be entirely paved with concrete or asphalt.
3. Off-street loading areas are subject to the landscaping and buffering requirements for parking facilities set forth in this Article.
4. Loading docks which will catch water, by design, must provide a positive gravity flow drain or pumping system to the storm sewer system or stormwater treatment facility. The collection point in the loading dock must include a sand and oil separator.

9-7 Parking for Personal and Recreational Vehicles

a. Applicability

This section permits the parking of personal vehicles on a single lot in a residential district subject to specific conditions. Personal vehicles include passenger cars, vans, pick-up trucks, camper trailers, recreational vehicles, trailers under forty feet in length, and boats.

b. Location of Parking

1. Parking is permitted within any enclosed structure when such structure conforms to the regulations of its zoning district.
2. Parking is permitted outside of an enclosed structure subject to Article 9 of the Columbus Land Development Ordinance, the following conditions and in compliance with the City Code:
   (a) The parking space is provided on a paved, hard-surfaced or crushed aggregate surfaced driveway or paved pad adjacent to the driveway, any portion of the access or driveway in public right-of-way must be concrete or asphalt paved;
   (b) The vehicle is parked perpendicular to the front curb;
   (c) The vehicle does not encroach on public right-of-way.

c. Special Provisions for Recreational Vehicles

Parking and storage of recreational vehicles, campers, trailers, and boats is subject to the following additional conditions:

1. The vehicle is maintained in a clean, well-kept state;
2. The vehicle may be used only by non-paying guests for a maximum of three consecutive days or fourteen days during any calendar year;
3. The vehicle may not be permanently connected to utility lines;
4. The vehicle may not be used for the storage of goods, materials, or equipment other than those items that pertain to the use of the vehicle.
5. The length of the vehicle shall not exceed twenty feet if the vehicle is parked or stored in a required front yard or street side yard. Longer vehicles may be parked or stored within rear yards or interior side yards behind the required front year setback

10 ARTICLE TEN: SIGN REGULATIONS

10-1 Purpose and Intent

It is the purpose and intent of Article 10 to promote the public health, safety, and general welfare through reasonable, consistent, and non-discriminatory sign standards. The sign regulations in this Chapter are not intended to censor speech or to regulate viewpoints, but instead are intended to regulate the adverse secondary effects of signs. The sign regulations are especially intended to address the secondary effects that may adversely impact aesthetics, traffic and pedestrian safety. In order to preserve and promote the City of Columbus as a desirable community in which to live visit, work, and play and do business, a pleasing, visually attractive and safe environment is of foremost importance. Further, it continues to be the purpose of Article 10 to promote optimum conditions for serving sign owners' needs and respecting their rights to identification while balancing the aesthetic and safety interests of the community. The regulation of signs within the City of Columbus and its zoning jurisdiction is necessary and in the public interest, and these regulations have been prepared with the intent of enhancing the visual environment of the City and promoting its continued well-being, and are intended more specifically to:

a. Provide for the registration of permanent sign installers, construction and design standards for permanent signs, and permit requirement for permanent signs and applicable temporary signs.

b. Accommodate the rights of individuals to freedom of speech, promote equity among businesses and other typical sign users, and enable the fair and consistent enforcement of sign standards;

c. Recognize the legitimate signage needs of businesses and other interests to communicate messages provide identification, and enable wayfinding throughout the City for tourists and residents;

d. Ensure that signage contributes to the maintenance of an aesthetically pleasing visual environment by exercising reasonable regulations over type, size, number, appearance, and location;

e. Protect property values by minimizing the possible adverse effects of signs on nearby public and private property;

f. Promote public safety and general welfare by ensuring that signs are properly constructed and maintained to protect the general public from property damage and personal injury;

g. Facilitate traffic flow and safety of pedestrians, bicyclists, and motorists through enforcement of sight lines and other appropriate sign placement regulations; and

h. Preserve and promote retention of local businesses and further the economic development goals of the City.

10-2 Applicability, Interpretation, Serviceability, and Non-Commercial Speech Substitution

a. *Applicability:* Each sign or part of a sign erected within the zoning jurisdiction of the City of Columbus must comply with the provisions of this chapter, other relevant provisions of the City of Columbus' Municipal Code, and applicable building codes. The regulations in this article are applicable to all signs in the City's jurisdiction, except as noted in Article 10-5. B, unless otherwise stated.

b. *Interpretation*: The City shall interpret and apply the sign regulations of Article 10 of the Columbus Land Development Ordinances (CLDO).

c. *Severability and Non-Commercial Speech Substitution:* Any provision of the sign standards that imposes a limitation on freedom of speech shall be construed in a manner that is viewpoint neutral and treats expressive speech either the same as or less restrictive than commercial speech. Any provision of the sign standards that is found to be an unconstitutional limitation on freedom of speech by any court shall be severed from the sign standards in a manner that preserves the standards and protects freedom of speech.

10-3 Definition of Terms

The following definitions shall be used for terms contained in this Article. Terms not defined in this section may be defined in other areas of City Code.

a. *Sign*: Any device, fixture, placard or structure, including its component parts, which draws attention to an object, product, place, activity, opinion, person, institution, organization, or place of business, or which identifies or promotes the interests of any person and which may be viewed from the private property of another or from any public street, road, highway, right-of-way or parking area (collectively referred to as a "public area"). For the purposes of these regulations, the term "sign" shall include all structural members. The term "sign" for regulatory purposes shall not include the following objects: Grave yard and cemetery markers, vending machines, express mail and donation drop-off boxes, drive-thru menu boards, seasonal decorations visible, a building's architectural features visible, or a manufacturer's or seller's markings on machinery or equipment visible.

b. Sign Related Terms:

1. *Architectural Detail/Feature/Element*: Prominent or significant parts or elements of a building or structure including but not limited to; cornices, belt courses, lintels, sills, pediments, columns or pilasters, rustications, or base courses.

2. *Auxiliary Design Elements:* Terms which describe secondary characteristics of a sign, including its method of illumination and other features within the bounds of its basic shape.

3. *Awning:* An architectural projection that provides weather protection, identity, or decoration and is partially or wholly supported by the building to which it is attached. An awning is typically comprised of a lightweight frame structure over which a covering in attached.

4. *Background Panel:* An area distinctively painted, textured, or constructed as a background for the sign copy or a distinctive background area which is used to

differentiate such sign copy from where the sign is mounted, affixed, or painted in a different color, material, etc. from the structure it's attached.

5. *Balloon:* Any lighter than air, gas filled inflatable object attached by a tether to a fixed place or mounted on the ground or a building.
6. *Cabinet:* A sign structure comprised of a frame and a sign face or faces. Though a cabinet sign may include electrical components or support structure, the cabinet refers only to the frame housing the sign face.
7. *Canopy:* A permanent structure of rigid construction which a covering is attached that provides weather protection, identity, or decoration. A canopy is structurally independent.
8. *Clearance:* The distance between grade and the bottom edge of a sign.
9. *Commercial Building, Multiple Tenant*: A commercial building with two (2) or more separate tenants having individual entrances and shared parking.
10. *Commercial Center:* A group or cluster of retail shops, offices, or employment buildings which share common parking, landscaping, and/or frontage, and may have a property owners association and have a name which is generally understood by the public to refer to the group or cluster.
11. *Frontage:* The length of a property line of any one (1) premise abutting and parallel to a public street, private way, or court.
12. *Illumination:* Lighting sources installed for the primary purpose of lighting a specific sign or group of signs.
    a. *Direct Illumination:* An external source of illumination that is not part of or attached to a sign, which directly illuminates the sign.
    b. *Indirect Illumination*: A source of illumination, not directly visible, which lights only the background upon which the sign or individual letter is mounted.
    c. *Internal Illumination*: A light source entirely within a sign where the source of the illumination is not directly visible.
    d. *Neon Illumination:* Any illumination effects using neon or any other inert gas under low pressure, which glows in a distinctive color when exposed to a high voltage electrical current.
13. *Individual Letters*: A cutout or etched letter or logo which is individually placed on a wall or freestanding sign.
14. *Logo:* A graphic symbol representing an activity, use, or business. Logos are registered trademarks or symbols commonly used by a business and may include lettering in addition to graphic designs.
15. *Master Sign Plan*: A set of sign design standards established for a multi-tenant building, non-residential complexes with multiple buildings, multi-family building complexes, hospitals, or large-scale mixed-use developments.

16. *Marquee:* A permanent roofed structure attached to and supported by a building and typically extends over public right-of-way.
17. *Pan-Channel Letter:* An individual three-dimensional letter constructed by means of a three-sided metal channel.
18. *Permitted Sign Budget:* The permitted square feet of sign area allowed for signage on a premise.
19. *Premises:* A tract of one (1) or more lots or sites which are contiguous and under common ownership or control.
20. *Raceway:* A structure used for wall-mounted signage with individual letters or characters, located upon the exterior wall surface between the wall and the letters or sign characters. Raceways contain wiring, conduit, transformers, and other electrical components.
21. *Sign Copy:* Any combination of letter or numbers which is intended to inform, direct, or otherwise transmit information.
22. *Sign Face:* The area of a sign on which words and images are placed.
23. *Sign Structure:* The structural supports, monument base, foundation, uprights, braces, guides, anchors, and framework of a sign.
24. *Vision Clearance Triangle:* The vision clearance triangle is described in Figure 7-2. For all intersections and intersections of arterial streets.

c. Sign types:

1. Abandoned sign: A sign, including sign face and supporting structure, which refers to a discontinued business, profession, commodity, service, or other activity or use formerly occupying the site; or which contains no sign copy on all sign faces for a continuous period of 6 months.
2. Attached Sign: A sign which is structurally connected to a building or depends upon that building for support.
3. Awning Sign: A sign painted, installed, attached, or otherwise applied to or located directly on an awning.
4. Banner Sign: A temporary sign composed of cloth, canvas, plastic, fabric, or similar lightweight, non-rigid material that is attached to a structure, building, or fence with cord, rope, cable, or similar method. Detached banner signs are defined as Freestanding Yard Signs.
5. Balloon Sign: A sign supported by a balloon.
6. Billboard: See Outdoor Advertising Signs.
7. Blade Sign: A portable, stand-alone sign comprised of light fabric that moves with the wind and is supported by a pole structure and a base.
8. Blinking Sign: See Flashing Sign.
9. Building Marker: See Integral Sign.

10. Business Identification Sign: A sign which pertain to the business, service, and/or retail uses and may also include multi-tenant residential uses and other information relative to the conduct of the use located on the premises.
11. Commercial Center Identification Sign: A sign which identifies the name of a commercial center or commercial building with multiple tenants in single ownership or control, sharing parking and access.
12. Canopy Sign: A sign painted, installed, attached, or otherwise applied to or located directly on a canopy.
13. Changing Message Sign: A sign designed to permit change of copy manually.
14. Detached Sign: A sign which is self-supporting and structurally independent from any building.
15. Directory Sign: A sign showing the locations of tenants in a multi-tenant commercial, office, or employment complex, or tenants in a multi-family residential project.
16. Double-Faced Sign: A sign consisting of no more than two (2) parallel or near parallel faces supported by a single structure. The angle created by the two (2) faces of a double-faced sign shall not exceed fifteen (15) degrees.
17. Drive-Through Lane Sign: A sign oriented to occupants of vehicles utilizing a drive-through lane at an establishment that offers transactions through a window, with or without ordering capability.
18. Electronic Information Signs: On-Premise signs which use an array of electrically illuminated lights, generally controlled by a computer or other electronic programming device, to display information or supporting graphics. Information may include news, events, or information about businesses or attractions.
19. Electronic Changeable Message Sign (ECMS): An Outdoor Advertising Sign that changes the message, advertisement, or copy on the sign face by electronic or mechanical device or process, either automated or remote, regardless of the process used.
20. Flag Sign: Signs which are emblazoned on a flag, with non-commercial emblems or insignias and are intended to be displayed in a free-flowing manner.
21. Flashing Sign: Any illuminated sign, on which the artificial source of light is not maintained stationary or constant in intensity and color at all times when such sign is illuminated. For the purposes of this definition, any moving illuminated sign affected by intermittent lighting shall be deemed a flashing sign.
22. Freestanding Yard Sign: Any temporary detached sign placed on the ground or attached to a supporting structure, posts, or poles, that is not attached to any building and not placed on sidewalks, driveways, or parking lots.
23. Ground Sign: A detached on-premise sign built on a freestanding frame, mast, or pole(s) with a clearance no greater than three (3) feet.

24. Handheld Sign: A sign carried by persons, which may include persons dressed in costume, for the purpose of advertising a business, service, product, event, or activity.
25. Historic Marker: A marker commemorating a recognized historic person or event, or identifying a historic place, structure, or object.
26. Inflatable Sign: A sign that is an air inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or a structure, and equipped with a portable blower motor that provides a constant flow of air into the device. Inflatable signs are restrained, attached, or held in place by a cord, rope, cable, or similar method. May also be referred to as Air-Activated Sign.
27. Integral Sign: A sign which includes the name of a building, date of erection, monumental citation, commemorative tablet, or other similar sign when carved into stone, concrete, or other building material or made of bronze, aluminum, or other permanent type of construction and made an integral part of the structure to which they are attached.
28. Marquee Sign: A sign painted, installed, attached or otherwise applied to or located directly on a Marquee.
29. Monument Sign: An on-premise freestanding sign with the appearance of a solid base.
30. Moving Sign: A sign designed or made to move freely in the wind or designed or made to move by an electrical or mechanical device.
31. Mural-Advertising: See Painted Wall Sign.
32. Nonconforming Sign: A sign that was legally erected prior to the adoption of this chapter but which violates the regulations of this chapter.
33. Numeric Display Signs: On premise signs which display numeric information only. Typical examples include time and temperature displays and fuel price displays. The numeric information may be changed electronically or manually.
34. Obsolete Sign: Sign that advertises an activity, business, product or service no longer conducted on the premises on which the sign is located.
35. Off-Premise Sign: A sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service, or product not principally located or primarily manufactured or sold on the premises on which the sign is located.
36. On-Premise Sign: A sign that advertises or otherwise directs attention to a business, person, organization, activity, event, place, service, or product that occurs on the same parcel where the sign is located.
37. Outdoor Advertising Signs: A panel for the display of information relating to a business, product, event, or other subject of advertising or publicity. Outdoor advertising signs may advertise on premise or off-premise businesses or products, also referred to as a Billboard.

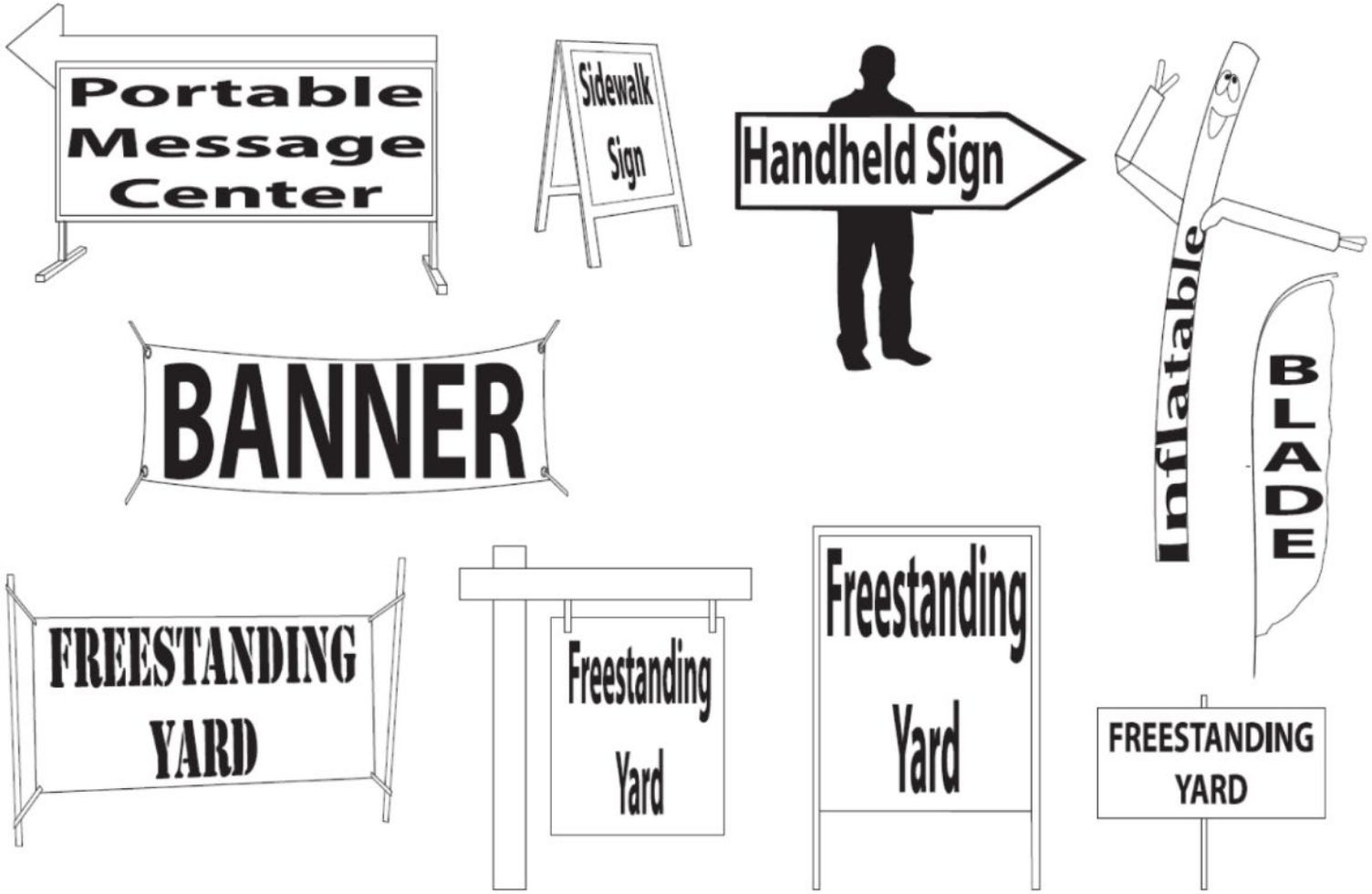
38. Painted Wall Sign: A sign painted directly onto the exterior wall of a building containing a logo, business name, or advertisement. May also be referred to as a Mural-Advertising.
39. Permanent Sign. A sign constructed of durable materials, attached to the ground or a building in a manner provided by the building code.
40. Pole Sign: An on-premise sign built on a freestanding frame, mast, or pole(s) with a clearance greater than three (3) feet.
41. Portable Sign: A sign not permanently attached to, mounted upon, or affixed to a building, structure, or the ground, and which is easily moved. Examples include A-Frame Signs, T-Frame Signs, and signs on wheels. Portable Sign does not include a Temporary Sign carried by a person or animal.
42. Portable Message Center Sign: A sign not permanently affixed to the ground, building, or other structure, which may be moved from place to place, including, but not limited to, signs designed to be transported by means of wheels. Such signs may include changeable copy.
43. Projecting Sign: A sign other than a wall sign that is attached to and projects from a building face.
44. Public Sign: A sign of a noncommercial nature and in the public interest, erected by or upon the order of a public officer in the performance of his/her public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, and other similar signs, including signs designating hospitals, libraries, schools, and other institutions or places of public interest or concern. This includes all signs erected by the City for government purposes.
45. Roof Sign: Any sign or part of sign erected upon, against, or directly above a roof or on top of or above the parapet or cornice of a building.
    (a) Integral Roof Sign: A roof sign positioned between an eave line and the peak or highest point on a roof, substantially parallel to the face of a building.
    (b) Above-Peak Roof Sign: A roof sign positioned above the peak of a roof or above a parapet or cornice.
46. Rotating Sign: A sign that revolves or turns or has external sign elements that revolve or turn. Such sign may be power-driven or propelled by the force of wind or air.
47. Sidewalk Sign: A portable, stand-alone sign comprised of panel(s) or face(s) that act as a frame or stand on a base. May also be referred to as Sandwich Board Sign, A-Frame Sign, or T-Frame sign.
48. Snipe Sign: A sign made of any material when such sign is tacked, taped, nailed, posted, pasted, glued, or otherwise attached to or placed on public property or in the public right-of-way such as, but not limited to, a utility pole, street sign, utility box, fire hydrant, tree, street furniture, or items located on public property; except for A-frame and T-frame signs.

49. Street Pole Banner Sign: A display containing changeable copy which is mounted from brackets perpendicular to a street light pole or other freestanding armature structure.
50. Temporary Signs: Any sign constructed of cloth, canvas, fabric, plywood, or other light materials and intended for display for a short period of time.
51. Traffic Control Device Sign: Any Government Sign located within the right-of-way that is used as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Federal Highway Administrator as the National Standard. A traffic control device sign includes those Government Signs that are classified and defined by their function as regulatory signs (that give notice of traffic laws or regulations), warning signs (that give notice of a situation that might not readily be apparent), and guide signs (that show route designations, directions, distances, services, points of interest, and other geographical, recreational, or cultural information).
52. Unlawful Vehicle Sign: A sign which covers more than twenty (20) square feet of the vehicle and/or equipment which identifies a business, products, or services, and which is attached to, mounted, pasted, painted, or drawn on a motorized vehicle or piece of equipment, and is parked and visible from the public right-of-way; unless said vehicle or piece of equipment is used for transporting people or materials in the normal day-to-day operation of the business.
53. Wall Sign: A sign permanently fastened to a wall or parapet of a building or structure in such a manner that the wall or vertical surface of the structure is the supporting structure. For a sign that is painted on a wall, see Painted Wall Sign.
54. Window Sign: A sign applied or attached to a window or visible through a window from the public right-of-way. Window Signs do not include merchandise in a window display.

Figure 10-3 (a): Permanent Signs Example



Figure 10-3 (b): Temporary Signs Example



10-4 General Sign Regulations

Construction, Permits, Clearances and Projections, Inspections, Maintenance, Fees, Violations, and Enforcement. All signs shall be erected, reinstalled, altered, repaired, relocated, permitted, and inspected in compliance with this Article.

a. Permanent Sign; Registration of Installers: No person, firm, or corporation shall engage in the business of installing, altering, repairing, or removing any sign within the corporate limits of the City, unless he/she is registered as Contractor with the City.

b. Revocation of Registration; Sign Installers:

1. The City Council, by a majority vote, shall have the power to revoke the registration of any sign installer pursuant to this article, upon recommendation of the Building Official, if such registration was fraudulent, or if the sign installer is shown to be grossly incompetent or has twice, within a 12-month period, been found in violation of any provisions of this article. This penalty shall be cumulative and in addition to any and all penalties prescribed for the violation of the provisions of this article.

2. Before registration can be revoked, notice shall be issued in writing enumerating the charges against him/her, and he/she shall be entitled to a hearing before the City Council, by appealing in writing no later than five (5) business days from the date of receipt of the notice. The registrant shall be given an opportunity to present testimony, oral or written, and shall have the right of cross-examination. All such testimony before the City Council shall be given under oath. The City Council shall have the power to administer oath, issue subpoenas, and compel the attendance of witnesses in such cases.

c. Certificate of Insurance

Every person applying for registration as a Registered Sign Installer shall present evidence to the Building Official that he/she has an insurance policy providing:

1. Worker's compensation insurance.

2. Minimum public liability and property damage insurance for the general public in the amounts of: one million dollars ($1,000,000.00) for each person, one million dollars ($1,000,000.00) each accident, and one hundred thousand dollars ($100,000.00) property damage, executed by an insurance company authorized to do business in the State of Nebraska and acceptable to the City.

3. The City of Columbus shall be named a Certificate Holder, on the above liability and property damage insurance.

4. A thirty (3) day written notice shall be given to the Building Official in the event of expiration or of proposed cancellation of the insurance policy.

d. Permit Procedures

1. Applicability. A sign permit, approved by the Building Official, shall be required before the erection, construction, alteration, placing, or locating of all applicable signs and/or sign parts within corporate limits of the City or the extra-territorial jurisdiction conforming to this title. A change of sign copy within an unaltered cabinet or on an unaltered outdoor advertising sign is exempt from requiring a permit.

2. Plans Submittal. A copy of plans and specifications shall be submitted to the Building Official for each sign regulated by this title. When requested by the Building Official, the applicant shall furnish a certification of the structural integrity of the sign, the reuse of existing elements, and its installation by a Nebraska registered professional engineer or architect with specialization in structures.
3. Incomplete Applications. In the event insufficient information is received to issue a permit, the Community Development Department will request the balance of required information. If no response is received within thirty (30) calendar days of the request, said application will become null and void and information will no longer be kept on file. Any fees paid will be forfeited by applicant.
4. Expiration. If the work authorized by a permit issued under the provisions of the Community Development Department has not been completed within six (6) months after the date of issuance, the permit shall become null and void.
5. Appeals. Any person or persons aggrieved by the decision of the Building Official to approve or disapprove a sign permit, as provided by this Code section, may appeal such decision to the Board of Adjustment.
6. Application Fees. Fees as prescribed in this article are set forth in the City of Columbus Comprehensive Fee Schedule.
   (a) Where work, for which a permit is required, for this article, is started prior to obtaining the prescribed permit, the fee specified in the City of Columbus Comprehensive Fee Schedule shall be doubled. The payment of such double fees shall not relieve any person from fully complying with the requirements of this article in the execution of the work or from any other penalties prescribed herein.
   (b) A separate electrical permit is required for the hook-up of an electric sign. Fees are set forth in the City of Columbus Comprehensive Fee Schedule.

e. Design Standards

1. Design; General Requirements. Signs shall be designed and constructed to comply with the provisions of the City of Columbus code for use of materials, loads, and stresses.
2. Design; Drawings and Specifications. Where a permit is required, as provided in the adopted edition of the International Building Code, construction documents shall be required. These documents shall show the location, dimensions, materials, and required details of construction, including loads, stresses, and anchors

   Design; Clearances and Projections. All signs must maintain the following clearances and projections as well as any clearances and projections outlined in this Article.

   (a) Clearances: The lowest point of a sign must maintain the following minimum vertical clearances, unless otherwise stated in this Article:
      (1) Seven (7) feet, six (6) inches over sidewalks;
      (2) Fifteen (15) feet over parking lots;
      (3) Eighteen (18) feet over driveways.

(b) Projections: The projection regulation below shall stand, unless otherwise stated in this Article

(1) No sign or sign structure shall project into any street right-of-way.

(2) No sign or sign structure shall project into any public alley right-of-way.

3. Design; Wind Load. Signs and sign structures shall be designed and constructed to resist wind forces as specified in the City adopted edition of the International Building Code.

4. Design; Seismic Loads. Signs and sign structures shall be designed and constructed to resist seismic forces as specified in the City adopted edition of the International Building Code.

5. Design; Working Stresses. In outdoor signs, the allowable working stresses shall conform to the requirements in the City adopted edition of the International Building Code. The working stresses of wire rope and its fastenings shall not exceed twenty-five percent (25%) of the ultimate strength of the rope of fasteners.

Exceptions:

(a) The working strength of chains, cables, guys, or steel rods shall not exceed one-fifth (⅕) of the ultimate strength of such chains, cables, guys, or steel.

6. Design; Footing Design and Loading. The footing design and/or loading of signs shall be certified by an architect or engineer registered in the State of Nebraska with specialization in structures.

7. Design; Identification. Every sign and awning erected in the City shall be plainly marked with the name of the person/company erecting such sign or awning, including the permit number under which it was erected. Every electric sign and awning shall have plainly marked thereon the voltage, amperage, rating, and the name of the person/company manufacturing such sign or awning. It shall be unlawful for any person to remove from any sign or awning the identification tag. However, whenever a sign or awning company assumes the maintenance of a sign or awning erected by another, he/she shall place his/her identification thereon. The identification tag shall be maintained so it is legible at all times.

f. Construction Standards

1. Construction; General. A sign shall not be erected in a manner that would confuse or obstruct the view of or interfere with building exit signs, required by the International Building Code, or with official traffic signs, signals, or devices.

Signs shall not be erected, constructed, or maintained so as to obstruct any fire escape or any window, door, or other opening used as a means of egress, or so as to prevent free passage from one part of a roof to other part thereof. A sign shall not be attached in any way, shape or manner to a fire escape, nor be placed in such manner as to interfere with any opening required for ventilation.

The supports for all signs or sign structures shall be placed in or upon private property and shall be securely built, constructed and erected in conformance with the requirements of this Code.

2. Construction; Materials. Materials of construction for signs and sign structures shall be of the quality and grade as specified for buildings in the City adopted edition of the International Building Code.

   (a) Awnings and Canopies: Shall comply with the requirements of the City adopted International Building Code.

3. Construction; Anchorage. Members supporting unbraced signs shall be so proportioned that the bearing loads imposed on the soil in either direction, horizontal or vertical, shall not exceed the safe values. Braced ground signs shall be anchored to resist the specified wind or seismic load acting in any direction. Anchors and supports shall be designed for safe bearing loads on the soil and for an effective resistance to pullout amounting to a force twenty-five percent (25%) greater than the required resistance to overturning. Anchors and supports shall penetrate to a depth below ground greater than that of the frost line.

   Signs attached to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts, or approved expansion screws of sufficient size and anchorage to safely support the loads applied.

   No wooden blocks, plugs, or anchors used in connection with screws or nails shall be considered proper anchorage, except in the case of signs attached to wood framing.

   No anchor or support of any sign shall be connected to, or supported by, an unbraced parapet wall, unless such wall is designed in accordance with the requirements of parapet walls, specified for seismic zones as defined in the City adopted edition of the International Building Code.

4. Construction; Display Surfaces. Display surfaces in all types of signs may be made of metal, glass, approved plastics, or wood where permitted elsewhere by this article. Glass thickness and area limitations shall be as set forth in Table 10-1.

   Sections of approved plastics on wall signs shall not exceed two hundred twenty-five (225) square feet in area.

Exceptions:

   (a) Section of approved plastics on signs other than wall signs may be of unlimited area if approved by the Building Official.

   (b) Section of approved plastics on wall signs shall be separated three (3) feet laterally and six (6) feet vertically by the required exterior wall construction.

      (1) Sections of approved plastics on signs other than wall signs may be contiguous if approved by the Building Official.

5. Construction; Approved Plastics. Notwithstanding any other provisions of this Code, plastics that burn at a rate not faster than two and a half (2 ½) inches per minute when tested in accordance with ASTM D635 shall be approved for use as the display surface material and for the letters, decorations, and facings on signs and outdoor display structures. Signs erected within five (5) feet of an exterior wall in which there are openings shall be constructed of noncombustible material.

6. Construction; Electrical. Clearance from overhead power lines. When installed, signs shall maintain clearance from overhead power lines as follows:

   (a) Less than seventy hundred fifty (750) volts: Seven (7) feet horizontally and vertically

   (b) Over seven hundred fifty (750) volts: Ten (10) feet horizontally and vertically

   The term "overhead conductors" as used in this article means any electrical conductor, bare or insulated, installed above the ground, except such conductors as are enclosed in iron pipe or other material covering of equal strength.

7. Construction; Illumination. A sign shall not be illuminated by means other than electrical and electrical devices and wiring shall be installed in accordance with the requirements of NFPA 70. An open spark or flame shall not be used for display purposes unless specifically approved.

   Signs that require electrical service shall comply with NFPA 70. Every electric sign installed in the City shall bear the label of an approved testing agency and shall meet the applicable articles of the National Electric Code as adopted by the City.

8. Construction; Inspection. All ground, monument, and pole signs must have a footing inspection approved prior to the placement of the footing and foundation materials. The City requires property lines to be clearly marked at the time of footing inspection, by identified corner pins with string line or survey markers. All signs must have a footing inspection approved by the Community Development Department. It shall be the responsibility of the permit holder to call for these required inspections.

Table 10-1: Maximum Size of Exposed Glass Panel

Any Dimension (in)	Area (in^2)	Minimum Thickness of Glass (in)	Type of Glass
30	500	1/8	Plain, plate, or wired
45	700	3/16	Plain, plate, or wired
144	3600	¼	Plain, plate, or wired
Over 144	Over 3600	¼	Wired

g. Maintenance and Alterations

1. Maintenance. Sign and sign support structures, together with their braces, guys, supports and anchor, shall be kept in repair and in proper state of preservation. The display surfaces of signs shall be kept neatly painted or posted at all times. Any sign or component thereof which is found to be defective must be repaired or replaced in accordance with the current requirements of this Code.

   The changing of moveable parts of an approved sign that is designed for such changes, or repainting of display matter shall not be deemed an alteration.

2. Alterations. No such sign may be enlarged, modified, or altered in any way; however, reasonable repairs may be permitted. Alterations also include the removal and replacement of the sign housing, cabinet, or decorative elements. Any alteration shall require a permit. A change of sign copy within an unaltered cabinet or on an unaltered outdoor advertising sign is not considered an alteration.

h. Nonconformance

1. Nonconformance of Signs. Where a sign exists at the effective date of adoption or amendment of the ordinance codified in this title or at the effective date of this Article, such sign shall be deemed a lawful nonconforming sign as it remains, subject to the following provisions:

   (a) No such sign may be enlarged or altered in a way which increases its nonconformity; however, reasonable repairs and alterations may be permitted.

   (b) Should such a sign be destroyed by any means to an extent of sixty (60) percent or more of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Article.

j. Violations and Enforcement

2. Violation a Public Nuisance. If any person erects, alters, relocates, or maintains a sign in violation of the provisions of the sign standards, it is declared a public nuisance, and the City Attorney is authorized to bring an action in a court of competent jurisdiction to enjoin such person from continuing the violation.

3. Violation Declared a Civil Infraction. It shall be a civil infraction for any person to violate any of the provisions of the sign standards.

4. Discontinuance of Signs. If a sign or sign structure is in disrepair to a point of over fifty percent (50%) of the sign's total replacement value, the City Manager or designee may order the structure removed, at the owner's expense.

5. Removal of Abandoned, Prohibited, and Illegal Signs by the Building Official. The Building Official shall enforce the sign standards in accordance with one or more of the following procedures:

   (a) Administrative Enforcement.

      (1) For any abandoned, discontinued, prohibited, or illegal sign, the Building Official or designee may send notice, via certified mail, to the record owner or occupier of the property to abate the nuisance within a reasonable time.

      (2) The Building Official shall specify in the notice the nature of the complaint and penalties and abatement remedies for the violation. Abatement remedies shall consist of one or both of the following remedies:

         a. Removal of the sign; or

         b. Obtaining the required permits and bringing the sign into compliance with the sign standards.

(b) Summary Abatement: The Building Official or designee may immediately remove any dangerous sign or sign that creates an imminent threat to public safety. The Building Official may immediately remove any prohibited sign or illegal sign that is located within the public right-of-way. Illegal signs located within the public right-of-way are hereby determined to create an imminent threat to public safety.

(c) Civil Citation: The Building Official or designee may issue or cause to be issued a civil citation or civil complaint to any person violating the provisions of the sign standards.

(1) Location.

a. Right-of-Way. Signs are prohibited in any public right-of-way or public property, including streets, sidewalks, parks, and public facilities unless otherwise stated in this Article or approved by the City of Columbus.

b. Ingress/Egress Clearance. No sign shall interfere with any driveway or access way or any means of ingress or egress to any building.

c. Vision Clearance Triangle. Signs shall not be located within the vision clearance triangle as defined: No sign shall be built to a height of more than 30 inches above the established curb grade on the part of the lot within a vision clearance triangle where the street curb or edge of pavement radius is less than or equal to 20 feet. The vision clearance triangle shall be the greater clear zone area of 1) a triangle measured from the property line to a point 13 feet in each direction from the intersection along the property line or 2) a triangle measured from the extensions of the back of curb to a point 40 feet in each direction from the intersection. Where the street curb or edge of pavement is greater than 20 feet, the vision clearance triangle shall extend 10 feet from the end of the radius point along the curb or pavement edge. No sign shall be placed in such area which will materially obstruct the view of drivers approaching the street intersection at the discretion of the Building Official. See Figure 7-2(a) for a depiction of Vision Clearance measurement.

10-5 Prohibited and Exempt Signs

a. *Prohibited Signs.* The following signs are prohibited in all zoning districts:

1. Abandoned or Obsolete Signs, if present for a continuous period of six (6) months.
2. Balloon Signs.
3. Blinking Signs.
4. Flashing Signs.
5. Moving Signs.
6. Off-Premise Signs on Public Property, unless approved by the City.
7. Off-Premise Permanent Signs on Private Property. Other than Outdoor Advertising Signs, see Section 10-14 Outdoor Advertising Signs; Regulations for New Installations.
8. Roof Signs.
9. Signs with exposed raceways or pan-channels.
10. Snipe or Bandit Signs.

b. *Exempt Signs.* The following signs are exempt from regulation of Article 10. Not exempt signs shall be erected within the vision clearance triangle and must meet all other applicable building codes.

1. City of Columbus Special Event Sign. A sign advertising a public event, providing that specific approval for the event, and associated signage, is granted by the City of Columbus.
2. Historic Markers.
3. Integral Signs.
4. Public Signs.
5. Seasonal Decorations. Signs pertaining to recognized national holidays and national observances.
6. Signs, which are not visible from a public right-of-way, private way, court, or from a property, other than that on which the sign is installed.
7. Signs located entirely inside the premises of a building or enclosed space, other than Window Signs.
8. Signs on a vehicle, other than an Unlawful Vehicle Sign.
9. Signs protected by Federal/State law.
10. Traffic Control Device Signs.
11. Works of graphic art painted or applied to building walls which contain no logos, advertising, or business identification messages.

10-6 Method of Measurement for Regulations

Permitted Sign Budget. The permitted sign budget is the square footage of the area allowed for permanent signage on the premises. The permitted sign budget is a function of the property's frontage on a street or private way. To calculate the permitted sign budget of a property, follow the instructions below:

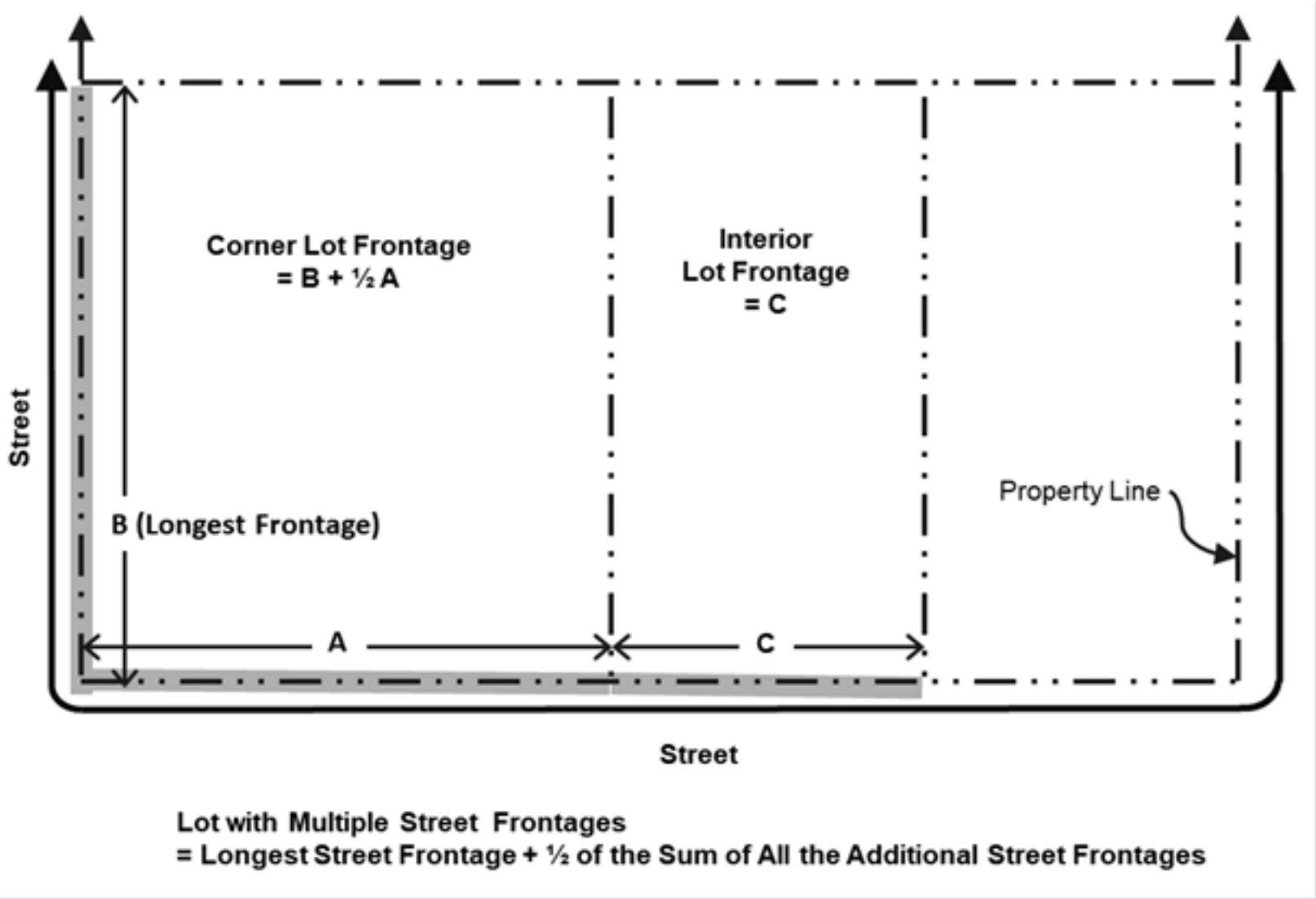
1. Identify the zoning of the premises.
2. Measure the total street frontage as the length of a premise fronting a public or private street (excluding alleys). See Figure 10-6(a). For multiple frontage properties, the total street frontage shall be calculated as the longest street frontage, plus one-half the length of all additional street frontages.
3. Determine the Calculated Permitted Sign Budget by multiplying the total street frontage length by the zoning district multiplier found in Table 10-2.
4. Find the permitted sign budget by using the lesser of the Calculated Permitted Sign Budget or Maximum Permitted Sign Budget shown in Table 10-2. Compare the Calculated Permitted Sign Budget in step 3 to the Maximum Permitted Sign Budget for the premise's zoning district:
   (a) If the Calculated Permitted Sign Budget, in step 3, is over the Maximum Permitted Sign Budget shown in Table 10-2 than the permitted sign budget is limited to the Maximum Permitted Sign Budget.
   (b) If the Calculated Permitted Sign Budget, in step 3, is under the Maximum Permitted Sign Budget shown in Table 10-2 than the permitted sign budget is greater of the Calculated Permitted Sign Budget or the allowable minimum.

Table 10–2: Permitted Permanent Sign Budget by District

	Zoning Districts								
	AG	**RR**	**R1, R2**	**R3, NTR**	**O, LC**	**UC**	**Downtown Business District**	**B1, B2**	**ML/C-1, MH**
Multiplier for Calculated Permitted Sign Budget	0. 5	1	1	1	0. 5	0. 75	1. 5	1. 5	2
Allowable Minimum Permitted Sign Budget (sq. ft.)	4 RU, 100 NRU	4 RU, 25 NRU	4 RU, 25 NRU	150	200	400	250	400	400
Maximum Permitted Sign Budget (sq. ft.)	4 RU, 100 NRU	4 RU, 25 NRU	4 RU, 25 NRU	150 RU, 300 NRU	400	800	500	800	800

RU: Residential Uses includes all residential uses plus permitted home based businesses and excludes multi-family and non-traditional residential use types.
NRU: Non-Residential Uses includes all non-residential uses plus multi-family and non-traditional residential use types.

Figure 10-6 (a): Lot Frontage Determination

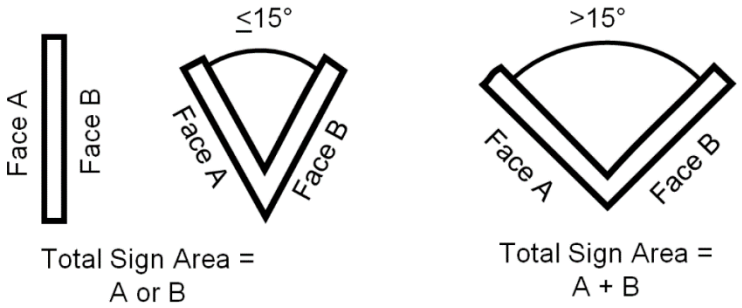


Lot with Multiple Street Frontages
= Longest Street Frontage + ½ of the Sum of All the Additional Street Frontages

a. *Sign Area.* Sign area is measured or calculated as follows:

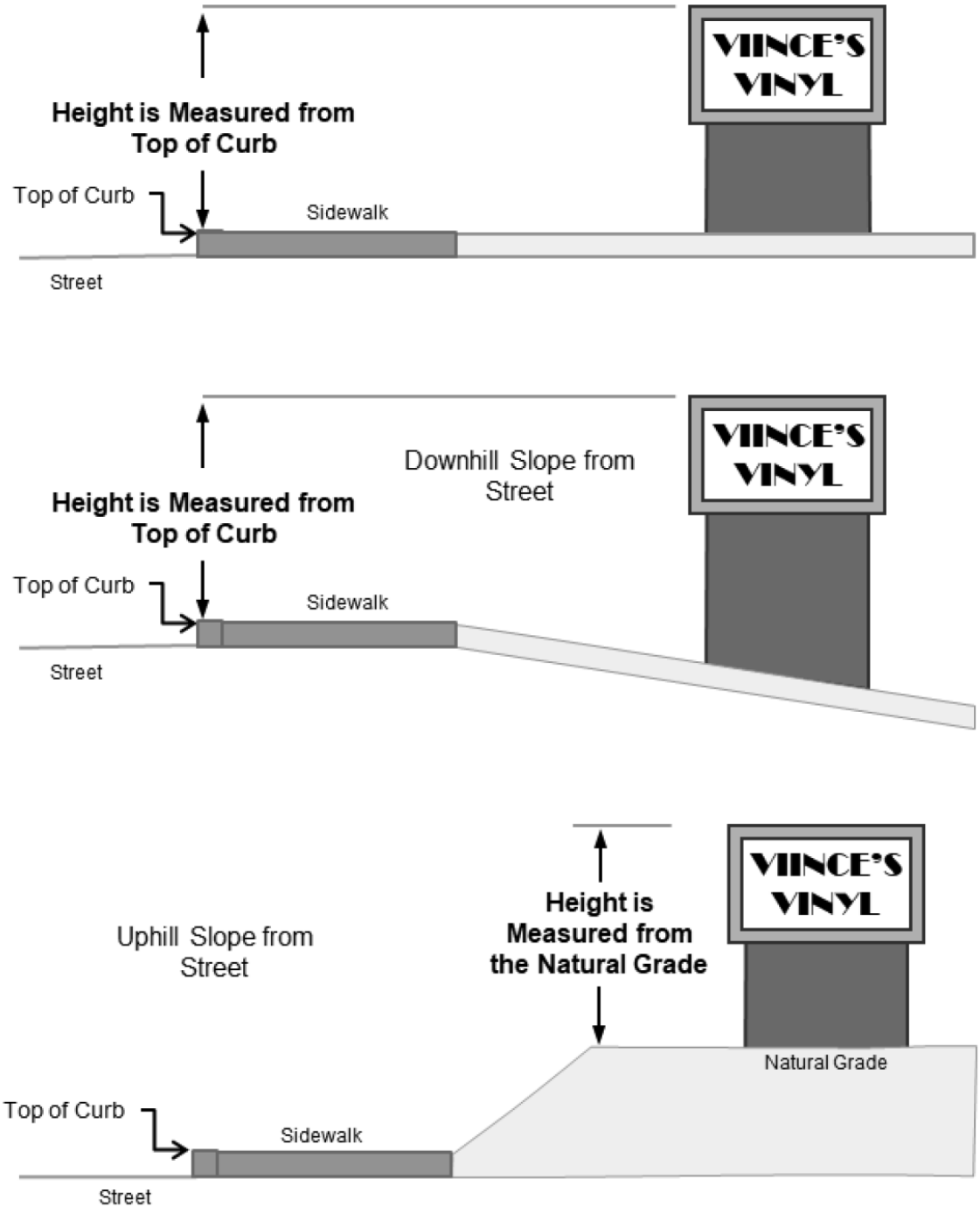
1. *Wall Sign with Background Panel.* The background panel area shall be calculated by measuring the area contained within the sum of the smallest rectangles, squares, triangles, parallelograms, circles, or ellipses that comprises the background panel.
2. *Wall Sign without Background Panel.* The area of a sign consisting of copy mounted as individual letters or graphics against a wall, fascia, or parapet of a building surface or another surface, which has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy. This area shall be measured as the sum of the smallest rectangles, squares, triangles, parallelograms, circles, or ellipses that will enclose each letter, word, graphic, or discrete visual element in the total sign.
3. *Sign with Illuminated Background.* The area of a sign with copy mounted, affixed, or painted on an illuminated surface, illuminated element, or a building or structure, is measured as the entire illuminated surface or illuminated element which contains sign copy.
4. *Signs with Two (2) or More Faces.* Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except that only one (1) face of a double-faced sign shall be considered in determining the sign area when both faces are parallel and the farthest distance between faces does not exceed four (4) feet, or when the interior angle of the sign faces does not exceed fifteen (15) degrees if the boards are in a "V". See Figure 10-6(b), below, for a graphic representation.

Figure 10-6 (b): Formulas for Determining Sign Area for Signs with Two or More Faces



b. *Measurement of Sign Height.* The height of a detached sign shall be measured as the vertical distance from the average finished grade of the ground below the sign, excluding any filling, berming, mounding, or excavating for the purposes of increasing the height of the sign, to the top edge of the highest portion of the sign. The maximum height allowed for a detached sign is shown in Table 10-5. For the purposes of this section, average finished grade shall be considered the lower of: (a) the lowest elevation where the base of the sign meets ground level; or (b) the top of the curb of the nearest public street adjoining the property upon which the sign is erected; or (c) the grade of the land at the principal entrance to the lot on which the sign is located. See Figure 10-6(c) for Measurement of Sign Height graphic.

Figure 10-6 (c): Measurement of Sign Height



c. *Setback.* The setback of a sign is measured from the property line to the line projected to the ground plane of the nearest portion of the sign.

10-7 Permitted Permanent Sign Type by Zoning District

Table 10 - 3: Permitted Permanent Signs by Type and Zoning District

	AG	RR	R1, R2	R3, NTR	O	LC	UC	Downtown Business District	B1	B2, outside of DBD	ML/C-1, outside of DBD	MH
Detached Signs												
Ground	NRU	NRU	N	P	P	P	P	P	P	P	P	P
Monument	NRU	NRU	N	P	P	P	P	P	P	P	P	P
Pole	NRU	N	N	N	N	N	N	N	N	P	P	P
Billboard	N	N	N	N	N	N	N	P(A)	P(A)	P(A)	P(A)	P(A)
Attached Signs												
Awning	N	N	N	P	P	P	P	P	P	P	P	P
Canopy	N	N	N	P	P	P	P	P	P	P	P	P
Marquee	N	N	N	N	P	P	P	P	P	P	P	P
Painted Wall	N	N	N	N	N	N	N	P	P	N	N	N
Projecting	N	N	N	N	N	N	P	P	P	P	P	P
Wall	NRU	NRU	NRU	P	P	P	P	P	P	P	P	P
Other Regulated Signs												
Access Point	P	N	N	P	P	P	P	P	P	P	P	P
Commercial Center Identification	P	N	N	N	P	P	P	P	P	P	P	P
Electronic Information*	N	N/SP*	N/SP*	NRU	P	P	P	P	P	P	P	P
Numeric Display	N	N	N	NRU	P	P	P	P	P	P	P	P

N = Not Permitted
P = Permitted
NRU = Permitted for Non-Residential Uses includes all non-residential uses plus multi-family and non-traditional residential use types
P(A) = Permitted along expressways
SP = Special Use Permit; can only be obtained by education and religious uses
* Electronic Information Sign requires issuance of a Special Use Permit pursuant of Section 12-3

10-8 Illumination/Lighting Sign Elements

Lighting, when installed, must be positioned in such a manner that light is not directed onto an adjoining property or onto a public street or highway, and in accordance with the Outdoor Lighting provisions. No sign illumination shall impair vehicular or pedestrian circulation on the same premise or adjoining properties. Permitted illumination/lighting elements for signs is outlined in Table 10-4 below.

Table 10 - 4: Permitted Permanent Signs by Type and Zoning District

Illumination Type												
	AG	**RR**	**R1, R2**	**R3, NTR**	**O**	**LC**	**UC**	**Downtown Business District**	**B1**	**B2, outside of DBD**	**ML/C-1, outside of DBD**	**MH**
Indirect	P	N	NRU	NRU	P	P	P	P	P	P	P	P
Direct	P	N	NRU	NRU	P	P	P	P	P	P	P	P
Internal	P	NRU	N	NRU	P	P	P	P	P	P	P	P
Neon	N	N	N	NRU	N	N	P	P	P	P	P	P
Flame	N	N	N	N	N	N	N	N	N	N	N	N
Bare Blub	N	N	N	N	N	N	N	P	P	N	N	N

N: Not Permitted

NRU: Permitted for Non-Residential Uses includes all non-residential uses plus multi-family and mobile home park development use types.

(A/L): Permitted along arterial and local collector streets.

10-9 Sign Type Supplemental Regulations: Permanent Signs

a) Detached Signs. Ground, Monument, and Pole signs. Table 10-5 below regulates detached signs.

Table 10-5: Permitted Site Development Standards for Detached Signs by Zoning Districts

Regulation Item ***(All Detached Signs, Except Where Noted)***	**Zoning Districts**								
	AG	**RR, R-1, R-2**	**R-3, NTR**	**O**	**LC, UC**	**DBD**	**B-1**	**B-2**	**MLC-1, MH**
# Permitted Per Premise	1	1	1 per Street Frontage, Maximum of 2	1	1 per Street Frontage, Maximum of 2	1	1 per Street Frontage, Maximum of 2	1 per Street Frontage, Maximum of 2	1 per Street Frontage, Maximum of 2
Separation of Signage Per Linear Foot of Premise Street Frontage	NA	NA	1 per 150	NA	1 per 300	NA	1 per 200	1 per 300	1 per 300
Maximum Sign Area per Sign (sq. ft.)	32	32	32	100	150	100	150	200	200
Maximum Height (ft.) Above Natural Grade									
Ground	15	6	6	15	15	15	15	15	15
Monument	15	6	6	15	25	15	25	25	25
Pole	N	N	N	30	45	30	N	45	45
Front Yard Setback (ft.)	25	5	2	2	2	0	-	2	2
Side Yard Setback (ft.)	10	10	2	2	2	0	-	2	2

NA - Not Applicable
N - Not Permitted

b) Attached Signs. Awning, Canopy, Marquee, Painted Wall, Projecting, and Wall signs. Table 10-6, below, regulates all attached signs, unless otherwise stated in the supplemental regulations. Table 10-6 outlines the maximum size allowed for an attached sign, based on the zoning district as well as the maximum percentage of street façade coverage, per premise, for all attached signs. No premise may exceed either criterion. The street façade shall be measured, in order to determine the maximum percentage of street façade coverage.

Table 10-6: Permitted Site Development Standards for Attached Signs by Zoning Districts

Regulation Item	Zoning Districts							
	AG	RR R-1 R-2 R-3 NTR	O	LC UC	DBD	B-1	B-2	MLC-1 MH
Maximum Size of Attached Sign (square feet)	100	32	50	150	150	300	300	300
Maximum % of Street Façade	15%	15%	15%	20%	20%	25%	20%	25%

c) Awnings and Awning Signs. Awnings and awning signs, where permitted, are subject to the following regulations:

(a) The copy area of an awning sign shall not exceed twenty-five (25%) of the total face area of the awning. The combined area of all front-facing awning panels shall not exceed thirty-five percent (35%) of the total wall area, per side of building.

(b) Awnings shall not extend above the eave or parapet of the building facade and shall be a minimum of seven (7) feet six (6) inches above the sidewalk or grade, whichever is higher.

(c) Awnings may project no more than nine (9) feet from the building facade to which they are mounted and shall not extend over any area utilized by motor vehicles. Within the DBD District, an awning sign shall not be within five (5) feet of the back of curb line's vertical plane.

(d) Any awning extension beyond six (6) feet shall have plans stamped by a Nebraska licensed architect or professional engineer, certifying the structural integrity of the wall and associated structures to carry all imposed loads.

2. *Canopy Signs.* Canopy signs, where permitted, are subject to the following regulations:
   (a) The copy area of a canopy sign shall not exceed twenty-five (25%) of the total face area, per side of the canopy.
   (b) All canopies and canopy signs must maintain the minimum clearances, projections, design, and construction standards outlined in the City Code.
3. *Marquees and Marquee Signs.* Marquee signs, where permitted, are subject to the following regulations:
   (a) The maximum projection of any marquee or marquee sign shall be as follows:
      (1) Three (3) feet over sidewalks less than twelve (12) feet wide.
      (2) Eight (8) feet over sidewalks twelve (12) feet wide or more.
   (b) All marquee and marquee signs must maintain the minimum clearances and projections and design and construction standards outlined in the of City Code.
4. *Projecting Signs.* Projecting signs are subject to the following general regulations.
   (a) The maximum projection of any projecting sign shall be as follows:
      (1) Three (3) feet over sidewalks less than twelve (12) feet wide.
      (2) Five (5) feet over sidewalks twelve (12) feet wide or more.
   (b) Within the DBD District, a projecting sign shall not be within five (5) feet of the back of curb line's vertical plane. Each projecting sign must maintain at least a twelve (12) foot vertical clearance over sidewalks.
   (c) Projecting signs must minimize the visible support structure.
5. *Wall Signs and Painted Wall Signs.* Wall signs are subject to the following general regulations:
   (a) A wall sign must be parallel to the wall to which it is attached.
   (b) A wall sign shall not extend more than eighteen (18) inches from the wall to which it is attached.
   (c) A wall sign may not extend beyond the corner of the wall to which it is attached, except where attached to another wall sign, it may extend to provide for the attachment.
   (d) A wall sign may not extend beyond its building's roof line.
   (e) A wall sign in the DBD District attached to a building on its front property line may encroach upon public right-of-way by no more than eighteen (18) inches. Such a wall sign shall provide minimum clearance of eight (8) feet, six (6) inches.

2. *Other Regulated Signs.* Access Point, Commercial Center Identification, Electronic Information, and Numeric Display signs, where permitted, are subject to the following supplemental regulations.
   1. *Access Point Signs.* Access Point Signs, where permitted, are subject to the following supplemental regulations based on the level of permission. An access point sign shall be constructed as a detached ground or monument sign type and does not count against the Permitted Sign Budget.

(a) NRU Access Point Signs:

(1) Limited to one (1) sign at each on-property driveway or access point off of a public street or access road, and one (1) additional sign at any critical decision point internal to the premise.

(2) Shall not exceed four (4) sq ft. in maximum size and three (3) ft. in maximum height.

(b) In R3 and NTR:

(1) Limited to one (1) sign denoting the entrance for a residential subdivision at each major access point off of an arterial or local collector.

(2) Shall not exceed thirty-two (32) sq. ft. in maximum size and four (4) ft. in maximum height.

2. *Commercial Center Identification Signs.* Commercial Center Identification Signs, where permitted, are subject to the following regulations:

(a) A Commercial Center Identification Sign shall only be a wall sign, painted wall sign, or detached sign type.

(b) The sign shall display no more than the name and location of the commercial center.

(c) Each sign shall be subject to all other regulations for attached and detached signs set forth in this Article.

3. *Electronic Information Signs.* Electronic Information Signs, where permitted, are subject to the following regulations:

(a) Electronic Information Signs shall be set back a minimum of two (2) feet from any property line.

(b) No more than one (1) Electronic Information Sign is permitted per premise.

(c) The closest point of any Electronic Information Sign shall be a minimum of one hundred (100) feet from the closest point of any residential use structure.

(d) No Electronic Information Sign shall be programmed in a way that suggests or resembles a traffic control device, such as a traffic signal.

(e) Electronic Information Signs shall be programmed in a way that no sign shall flash or blink and the image, message, or lighting pattern shall hold for a minimum of two (2) seconds, however, full animation video is allowable provided such video does not flash or blink.

(f) The surface/face illumination of any sign shall not exceed one thousand two hundred fifty (1,250) Nits after dusk or seven thousand five hundred (7,500) Nits during daylight hours. Such illuminated sign shall be equipped with a sensor and/or timer or other device to automatically adjust the day/night light intensity levels in accordance with the standard set herein.

(g) Electronic Information Signs shall be deducted from the total sign budget allowed for the premise.

4. *Numeric Display Signs.* Numeric Display Signs, where permitted, are subject to the following regulations:
   (a) Numeric Display Signs shall be set back a minimum of two (2) feet from any property line.
   (b) Numeric Display Signs shall not be located within the vision clearance triangle.
   (c) Numeric Display Signs shall be no larger than twenty-five (25) square feet in area, and if illuminated, shall not flash or blink.
   (d) All illuminated Numeric Display Signs shall not exceed one thousand two hundred fifty (1,250) Nits after dusk or seven thousand five hundred (7,500) Nits during daylight hours. Such illuminated signs shall be equipped with a sensor and/or timer or other device to automatically adjust the day/night intensity level in accordance with the standards set herein.
   (e) Numeric Display Signs shall be deducted from the total sign budget allowed for the premise.

10-10 Master Sign Plan; Permanent Signs

a. *Purpose.* The purpose of this section is to provide flexibility, encourage development in accordance with adopted plans and policies, and promote superior sign design and a well-organized visual environment. The Master Sign Plan process will be submitted, reviewed, and approved at an administrative level through the Community Development Department. The Master Sign Plan process was created for mixed-use, larger-scale, and/or unique developments. A Master Sign Plan may be submitted to the City for review and approval for the uses and/or developments listed below:
   1. Multiple-tenant commercial, office, employment, or multi-family residential uses.
   2. A multiple-building complex for a single commercial or employment use in a project exceeding eight (8) net acres.
   3. Stand-alone office/employment buildings exceeding one hundred thousand (100,000) square feet.
   4. Indoor or Outdoor Entertainment and Recreation uses.
   5. Hospitals.
   6. Schools.
   7. Hotels and Commercial Lodging having at least one hundred twenty-five (125) guest rooms and a full-service restaurant or conference and meeting rooms.
   8. Regional retail shopping malls.
   9. Religious assemblies exceeding one and a half (1. 5) acres of total lot area.
   10. Other similar uses may request to be approved for the Master Sign Plan submission. It is the discretion of the building official to accept or deny this request.

b. *Conditions.* Development Services Staff may attach conditions, requirements, or standards necessary to assure that the signs covered by the Master Sign Plan will not be materially detrimental to persons or property in the vicinity. In making its determination, the City shall not base any condition on the message content of a sign. Outdoor Advertising Signs shall not be included in a Master Sign Plan.

c. *Evaluation Criteria.* Master Sign Plans shall be evaluated based on all of the following criteria:

   1. *Placement.* All signs shall be placed where they are visible and legible. Factors to be considered include its location relative to traffic movement, access points, site features, and other structures; orientation relative to viewing distances and viewing angles; spacing; and pedestrian and traffic safety considerations. Wall Signs may be approved on building walls, other than the wall of the space occupied by the tenant in commercial centers in which some tenants have little or no visibility from the street.

   2. *Quantity.* The number of signs that may be approved within any development shall be sufficient to provide necessary facilitation of internal circulation of vehicular and pedestrian traffic and way finding for safety of the occupants of vehicles and pedestrians. Factors to be considered shall be those that impact safety and land development character considerations such as the size of the development and the number of development sub-areas.

   3. *Size.* All signs shall be no larger than necessary for visibility and legibility. Factors to be considered in determining appropriate size include topography, volume and speed of traffic, viewing distances and angles, proximity to adjacent uses, and placement of display. In no event shall a Master Sign Plan contain a detached sign that exceeds the maximum height standard permitted by this Article.

   4. *Design Features and Materials.* Sign design themes and materials shall be compatible with the architecture, colors, materials of the project, and compatible with surrounding development.

   5. *Site Development Standards.* The City may not reduce any site development standard to less than fifty (50) percent of any minimum standard, nor may any site development standard be allowed to be more than one hundred fifty (150) percent of the maximum standard. For safety purposes, no sign shall be permitted to reduce the setback, or be placed within the vision clearance triangle.

   6. *Permitted Sign Budget.* An applicant may request use of the Calculated Permitted Sign Budget or Maximum Permitted Sign Budget, whichever is larger for the site.

d. *Review of Master Sign Plan.* Applicant shall submit the completed Master Sign Plan application and submit all required documentation to the Community Development Department. All applications for a Master Sign Plan shall be considered and approved by the building official. In no event does the submittal of a Master Sign Plan guarantee an applicant's approval of all requests.

e. Master Sign Plan Approval.

   1. *Action.* The City shall approve or approve with modifications and/or conditions, an application for a Master Sign Plan subject to the requirements of this Chapter and based on compliance with the Purpose and Evaluation Criteria, outlined previously in this Section. An action of the City shall be accompanied by "findings of fact", giving the reasons for the action. The City may request additional information to assist in the review process.

2. *Limitations of Administrative Approval.* This Section sets the parameters of the Master Sign Plan process; anything beyond these parameters is outside the boundary for administrative review.

3. *Permitting.* After approval of a Master Sign Plan, the applicant is responsible for applying for a sign permit for each sign or group of signs.

f. *Modifications/Amendments to Master Sign Plan.* Minor amendments to a Master Sign Plan may be approved administratively. Minor amendments include such changes which are determined to have little to no visual impact or improved visual impact and are consistent with the intent of the original approval.

g. *Noncompliance.* The applicant shall follow the approved Master Sign Plan. Any violation or noncompliance will result in a written notification of violation or noncompliance. The applicant shall be required to bring signage into compliance, at applicant's expense within the time specified in the written notification.

h. *Termination.* If no substantial signage development has taken place for three (3) years following approval of the Master Sign Plan, the Master Sign Plan shall be considered null and void. If a premise with an approved Master Sign Plan becomes compliant with the current standards of this Article, the property owner may request, in writing to the Community Development Department, the termination of the Master Sign Plan.

10-11 Permitted Temporary Sign Type By Zoning District

a. *General Regulations.* All temporary signs shall follow the regulations set forth in Section 10-11. Temporary signs are permitted by type and zoning district as outlined in Table 10-7, below.

1. *Location.* For any off-premise, temporary sign, the sign owner shall have written approval from the property owner of where such sign will be located.

2. *Maintenance.* All temporary signs shall be maintained in sound condition. Any sign that exhibits deterioration of structure or materials may be removed subject to the provisions of this Section.

3. *Removal.* The building official or his/her designee shall order the removal of any sign not in compliance with any provisions of this Section. If the owner of the premise on which such sign is located, or the owner of the sign if unlawfully located on public property, fails to remove such sign, the building official or his/her designee shall be authorized to remove the sign. Any costs associated with the removal of a sign may be assessed to the owner of the property.

Table 10-7: Permitted Temporary Signs by Type and Zoning District

Sign Types	Permit Required	Sign Types								
		AG	RR	R-1 R-2 R-3 NTR	O LC UC	B-1	B-2	DBD	ML/C-1	MH
Banner	Yes*	P	P	P	P	P	P	P	P	P
Blade	No	P	N	N	P	P	P	P	P	P
Flag	No	P	P	P	P	P	P	P	P	P
Freestanding Yard	Yes*	P	P	P	P	P	P	P	P	P
Handheld	No	N	N	N	N	P	P	P	P	P
Inflatable/ Air-Activated	No	N	N	N	N	P	P	P	P	P
Portable Message Center	Yes	P	N	N	N	P	P	P	P	P
Sidewalk	Yes	N	N	N	N	N	N	P	N	N
Window	No	P	P	P	P	P	P	P	P	P

*Banner and Freestanding Yard Signs thirty-two (32) square feet or larger require a Sign Permit.
N - Not Permitted
P - Permitted

10-12 Sign Type Supplemental Regulations: Temporary Signs

a. *Banner Signs.* Banner Signs, where permitted, are subject to the following supplemental regulations.

1. Banner Signs may be an on-premise sign and must comply with all applicable building codes.
2. Banner Signs shall be attached to a street facing, vertical façade. No Banner Sign shall be attached to a roof.
3. Non-Residential Uses: Includes all non-residential uses plus multi-family and Non-Traditional Residential use types. Number permitted, total sign area of premise, and maximum area is dependent on the street frontage of the lot as shown in Table 10-8 below.
4. Banner Signs are allowed on a temporary-basis of no more than thirty (30) days per occurrence, with a limit of two (2) occurrences per calendar year per premise.

Table 10-8: Permitted Banner Sign Number and Size by Street Frontage

Street Frontage (feet)	Number Permitted	Total Sign Area of Premise (square feet)
Less than 75	2	16
75-300	2	36
Greater than 300	3	64

b. *Blade Signs.* Blade Signs, where permitted, are subject to the following supplemental regulations.

1. Blade Signs are restricted to on-premise signage, and may be placed within the required depth of landscaping with one (1) Blade Sign allowed per fifty (50) feet of street frontage with a maximum of five (5) per premise. Lots with less than fifty (50) feet of street frontage are allowed one (1) Blade Sign. Blade Signs are allowed within the public right-of-way, only within the DBD District.
2. Any Blade Sign must be anchored into the ground or secured in a portable based design for such function.
3. For safety purposes, any Blade Sign must be setback a minimum of fifteen (15) feet from any overhead utilities and outside of the vision clearance triangle as defined in Figure 7-2(a).
4. No Blade Sign shall be wider than three and a half (3. 5) feet, at the widest point. No Blade Sign shall have a height higher than eighteen (18) feet. The height of a Blade Sign is measured from grade and includes the full length of the supporting pole.
5. Blade Signs may only be displayed during the hours of operation for the on-premise business, service, activity, or event.

c. *Flag Signs.* Flag Signs, where permitted, are subject to the following supplemental regulations.

1. All Flag Signs shall meet clearance standards found this article.
2. Flag Signs, when fully extended, shall not extend into the public right-of-way.
3. Any Flag Sign on a flag pole shall comply with the setback and height regulations found in Section 7-2.

d. *Freestanding Yard Signs.* Freestanding Yard Signs, where permitted, are subject to the following supplemental regulations.

1. Freestanding Yard Signs may be an on-premise or off-premise sign and may be placed within the landscaping depth, but are not permitted in public right-of-way.
2. Freestanding Yard Signs which are larger than thirty-two (32) square feet are allowed on a temporary-basis of no more than thirty (30) days per occurrence, with a limit of two (2) occurrences per calendar year per premise.
3. For safety purposes, any Freestanding Yard Sign must be out of the vision clearance triangle as defined in Figure 7-2(a).

Table 10-9: Permitted Freestanding Yard Sign Number and Size by Street Frontage

Street Frontage (feet)	Number Permitted	Total Sign Area of Premise (square feet)	Maximum Height (feet)
Less than 75	2	16	6
75-300	3	36	8
Greater than 300	4	64	10

Handheld Signs. Handheld Signs, where permitted, are subject to the following supplemental regulations.

4. Handheld Signs are restricted to be on the same premise as the business, service, activity, or event that is being advertised.
5. Any person carrying a Handheld Sign is prohibited from obstructing the sidewalk or standing in the right-of-way.
6. Handheld Signs may only be displayed during the hours of operation for the on-premise business, service, activity, or event.
7. Lighting, bullhorns, amplified sounds, and mannequins are prohibited as display aspects of Handheld Sign.

e. *Inflatable Signs/Air-Activated Signs.* Inflatable or Air-Activated Signs, where permitted, are subject to the following supplemental regulations.

1. Inflatable Signs and Air-Activated Signs are restricted to on-premise and must comply with all applicable building and electrical codes.
2. For safety purposes, any Inflatable Sign or Air-Activated Sign must be fastened to the ground or a structure so that it cannot shift more than three (3) feet, horizontally, under any condition.
3. The minimum setback for any Inflatable Sign or Air-Activated Sign is equal to or greater than the height of the sign, from all property lines and overhead utility lines and shall remain outside of any vision clearance triangle as defined in Figure 7-2(a).
4. Maximum Height: Twenty-five (25) feet.
5. Only one (1) Inflatable Sign or Air-Activated Sign shall be allowed on a premise at any time.
6. Inflatable Signs and Air-Activated Signs may only be displayed during the hours of operation for the on-premise business services.

f. *Portable Message Center Sign.* Portable Message Center Signs, where permitted, are subject to the following supplemental regulations.

1. Portable Message Center Signs are restricted to on-premise advertisement and must comply with all applicable building and electrical codes and shall be anchored securely to the ground.
2. Portable Message Center Signs with any electronic message shall comply with all supplemental regulations of Electronic Information Signs, Section 10-9.
3. No Portable Message Center Sign shall exceed six (6) feet in height.
4. No Portable Message Center Sign shall be larger than thirty-two (32) square feet.
5. Only one (1) Portable Message Center Sign shall be allowed on a premise at any time.
6. Portable Message Center Signs are allowed on a temporary-basis of no more than ten (10) days per occurrence, with a limit of six (6) occurrences per calendar year per premise.

g. *Sidewalk Signs.* Sidewalk Signs, where permitted, are subject to the following supplemental regulations.

1. Sidewalk Signs are allowed in the right-of-way on sidewalk pavement, provided a minimum of six (6) feet of clearance remains for clear passage of pedestrians.
2. No Sidewalk Sign shall exceed three (3) feet in height.
3. No Sidewalk Sign shall exceed six (6) square feet, per side or three (3) feet in width.
4. Only one (1) Sidewalk Sign is allowed per business, service, activity, or event.
5. For safety reasons, no encroachments shall be made near corners of sidewalks or where crosswalks are present. This area shall be defined with a fifteen (15) foot area, beginning at the curb line at all corners or ends of blocks.
6. Sidewalk Signs shall not obstruct pedestrian or handicap accessibility to buildings, emergency exits, or parking spaces.

7. Sidewalk Signs may only be displayed during the hours of operation for the on-premise business, service, activity, or event.
8. No illumination is allowed for Sidewalk Signs.

10-13 Outdoor Advertising Signs

a. *Conformance Required.* No billboard sign shall be erected, placed maintained, converted, enlarged, reconstructed or structurally altered which does not comply with all the regulations established in this article.

b. *Maintenance.* For the purposes of this section, maintenance shall mean the routine repairing, restoring, or replacing of the sign to its constructed condition with the same type of materials used in the original sign structure and face, or to approved upgraded materials.

c. Required Maintenance for Nonconforming Signs.

   1. Cleaning and painting of the structure including supports, faces trim, ladders, catwalks, railings and any other structural features and the immediate area around the sign structure.
   2. Changes in advertising messages and content including use of a vinyl overlay or wrap. If structural modifications are required to secure the vinyl overlay or wrap, a sign permit is required and said changes must be approved by the building official.
   3. Faces and trim shall be maintained, replaced or repaired as necessary. The same number of faces, or less shall be maintained and the size of any given face shall not be increased.
   4. Lighting system may be added or replaced on any billboard as long as the lighting complies with Section 8-7 of the Columbus Land Development Ordinance, requiring shielded, sharp cutoff, downcast lighting fixtures. Existing fixtures may be repaired with like equipment. Changes or additions of lighting fixtures shall require an electrical permit and said changes shall be approved by the permitting agency.
   5. Safety features including ladders, catwalks, safety cables and railings may be replaced, repaired or added. Said safety features shall be designed to conform to accepted industry standards. A sign permit shall be required if safety features are added and said changes must be approved by the building official.

d. *Reconstruction and Modification of Existing Nonconforming Outdoor Advertising Signs.* No sign shall be reconstructed or modified except as specified in paragraph E below. The following shall constitute a substantial change to a sign and are therefore not considered maintenance or acceptable reconstruction and are herein prohibited:

   1. Any change in the location of the sign.
   2. Any increase in the size or dimension or height of the sign.
   3. The addition of additional face or faces.
   4. An increase in the number of poles supporting the structure.
   5. An increase in the height of the poles.

e. *Modifications to Existing Nonconforming Outdoor Advertising Signs.* An existing legal or nonconforming sign may be modified or reconstructed as follows:

1. The structural supports may be replaced with like materials or upgraded to steel.
2. Any existing sign damaged by any cause, natural or manmade, may be replaced or repaired to original condition, or modified as stated in 1. Above, provided there is no increase in size, height, or number of faces. Nonconforming roof-mounted signs that are damaged by any cause in excess of fifty (50) percent of their replacement value shall be permanently removed.
3. Message area attachment systems may be changed or updated provided the area of the message surface is not increased.
4. A sign required to be moved to a new location because of a local, state or federal project requires approval of the new location by the building official and the relocated sign need not comply with all regulations in force and effect at the time the relocation is approved, except those regulations which effect safety.

f. *Electronic Changeable Message Signs.* Electronic Changeable Message Signs, hereinafter known as ECMS, are considered outdoor advertising signs and shall be subject to the following requirements:

1. For each ECMS face erected, a minimum of two (2) existing sign faces must be permanently removed.
2. The proposed ECMS must be located where one of the existing structures was removed to meet the 2: 1 replacement requirement, or, if at a new location, the ECMS must meet all Code requirements pertaining to outdoor advertising signs and meet the 2: 1 replacement requirement.
3. No two ECMS structures may have sign facings erected less than five thousand (5,000) feet apart measured from the center of the monopole along a line parallel with the expressway. ECMS structures may be located on either side of the highway; however, each sign must only be visible from one direction of travel and must comply with the five thousand (5,000)-foot spacing on each side.
4. The ECMS sign faces shall not be more than three hundred (300) square feet in size and shall be no taller than thirty-five (35) feet.
5. Each advertisement displayed must remain fixed for at least ten (10) seconds. If there is more than one (1) advertisement per face, then when any advertisement changes, the entire face shall remain fixed for at least ten (10) seconds.
6. When an advertisement is changed, it must be accomplished within an interval of two (2) seconds or less.
7. Each ECMS must contain a default mechanism that will freeze the sign in one position if a malfunction occurs.

10-14 Outdoor Advertising Signs; Regulations for New Installations

Within the total amount of sign area permitted to them, some parcels in the B-2, ML/C-1 and MH districts may elect to devote a portion of their sign budgets to installation of an outdoor advertising sign, subject to the conditions contained in this section. For installation of new Electronic Changeable Message Signs (ECMS) refer to the regulations provided in Section 10-13 of this Article.

a. *Location.* Eligible properties must be located within one hundred (100) feet of the right-of-way line of Highways 30 or 81.

b. *Impact on Business Identification and Other Signage.* Utilization of this provision does not entitle any parcel to additional permitted sign area and the area of the sign counts against the total sign area permitted the parcel. The outdoor advertising sign shall count as a detached sign for the purpose of calculating the total number of permitted detached signs.

c. Maximum Size and Height.

1. The size of an outdoor advertising sign shall not exceed three hundred (300) square feet.

2. The maximum height of such a sign shall be thirty-five (35) feet.

d. Separation Factors.

1. Where permitted along other settings, outdoor advertising signs shall be separated by one thousand (1,000) feet from any other outdoor advertising sign of any size and three hundred (300) feet from any other detached sign.

2. Any such outdoor advertising sign shall be separated by two hundred (200) feet from any property in a residential zoning district, including RR through R-3, and NTR.

f. Other Standards.

3. New installations of stacked signs or other installations of two (2) signs facing the same direction on a single structure are prohibited. Double-faced, back-to-back signs are permitted, provided that the angle formed by the sign faces does not exceed fifteen (15) degrees.

4. Side-by-side signs are not permitted regardless of which direction they face.

10-15 Additional Regulations for the Downtown Business District

a. Definition and Application

These additional regulations apply to that area bounded by 10th Street and 15th Street and 21st Avenue and 32nd Avenue, all public rights-of-way or portions thereof located within these boundaries, and all buildings or structures abutting, adjoining, or bordering the same.

b. Projection Signs

1. No sign other than a public service sign shall project more than 18 inches from any facade or wall of a building to which it is attached.

2. Lighted canopy signs may extend no more than 48 inches from any facade or wall of a building to which it is attached.

c. Temporary Sign

   1. Items such as or similar to streamers, ribbons, spinners, or similar moving, fluttering, or revolving devices used for the purpose of advertising or attracting attention shall not be permitted for a period longer than 30 days.

   2. Signs pertaining to special events which refer to particular periods of time such as conventions, fairs, meetings, sales, exhibitions, and vacancy announcements shall be permitted provided that such signs shall be erected subsequent to approval by the Mayor, City Council, and Chief of Police; and that such signs shall be removed when no longer applicable in time.

d. Public Agency Signs

   1. The provisions in this section shall not apply to the signs erected by federal, state, county, or city governmental agencies, including traffic, informational, and ornamental Christmas or other seasonal decorations.

e. Nonconforming Signs

   1. Every sign erected before the effective date of this section shall not be replaced, expanded, enlarged, modified, or changed in any manner except in conformance with this section.

   2. Affected nonconforming signs must be removed or modified to conform to this section within 30 days after receiving written notification by the City of the violation.

11 ARTICLE ELEVEN: NONCONFORMING DEVELOPMENT

11-1 Purpose

Article Eleven shall be known as the Nonconforming Development Regulations. The purposes of these regulations are:

(a) To allow for reasonable use of legally created lots of record which do not meet current minimum requirements for their respective zoning districts;

(b) To provide for reasonable use of legally constructed structures which do not meet current site development regulations for their respective zoning districts;

(c) To allow for the reasonable continuation of legally established uses which do not meet current use regulations for their respective zoning districts;

(d) To limit the continuation and provide for the gradual replacement of nonconforming uses.

11-2 Regulations Additive

Regulations for nonconforming uses are in addition to regulations for nonconforming structures. In the event of a conflict, the most restrictive regulation shall apply.

11-3 Nonconforming Lots

a. Pre-Existing Lots of Record

Nonconforming lots of record existing at the time of the adoption of this chapter shall be exempt, unless otherwise provided, from the minimum lot area and lot width requirements of each zoning district. Such lots may be developed with any use allowed by the regulations for the district and must comply with all other site development regulations set forth by the Columbus Land Development Ordinance.

b. Reductions Due to Public Acquisition

If a portion of a legally existing lot in any district is acquired for public use, the remainder of this lot shall be considered a conforming lot.

11-4 Nonconforming Structures

These regulations apply to buildings and structures which were constructed legally under regulations in effect before the effective date of this Ordinance.

a. Continuation

A lawful nonconforming structure existing on the effective date of this Ordinance may be continued, repaired, maintained, or altered, subject to the provisions of this Article.

b. Additions or Enlargements to Nonconforming Structures

1. A lawful nonconforming structure may be added to or enlarged if the addition satisfies one or more of the following conditions:

(a) The enlargement or addition, when considered independently of the existing building, complies with all applicable setback, height, off-street parking, and landscaping requirements;

(b) The nonconforming building and impervious surface coverages on the site are not increased and the building, after the addition, conforms to height and off-street parking regulations applicable to its zoning district;

(c) The addition projects no further into a required side yard setback than the existing building; the length of the side wall of the addition is the smaller of 25 feet or 50 percent of the length of the existing nonconforming side wall; and the enlarged building complies with building and impervious coverage, front and rear yard setbacks, and height regulations applicable to its zoning district.

2. No permitted addition to a nonconforming structure may place a wall within ten feet of a window of an adjacent pre-existing residential structure.

3. Nonconforming buildings shall be limited to one addition or enlargement pursuant to these regulations.

c. Moving of Nonconforming Structures

A lawful nonconforming building or structure shall not be moved in whole or in part to another location on its lot unless every part of the structure conforms to all site development regulations applicable to its zoning district.

d. Repair of Nonconforming Structures

A lawful nonconforming building damaged by fire, explosion, storm, or other calamity, except flood damages, may be repaired and reconstructed provided there is no increase in the degree of nonconformity. Repair and reconstruction within the designated floodplain shall be in conformance with floodplain development regulations.

e. Conversion of a Conforming Building

A conforming building shall not be changed in any way that will result in a nonconforming development.

f. Applicability of Landscaping and Screening Regulations

Provided the pre-existing use continues, a pre-existing structure, building, or development shall be exempt from Section 8-1, Landscaping and Screening Regulations. However, any of the following action on or after the effective date of this Ordinance shall be subject to Section 8-1:

(a) Expansion of a structure, building or parking lot

(b) Development onto an adjacent lot

11-5 Nonconforming Uses

a. Continuation of Nonconforming Uses

Any nonconforming use lawfully existing on the effective date of this Ordinance may continue, subject to the limitations of this Section.

b. Enlargement of Nonconforming Uses

A building or structure housing a lawful nonconforming use may not be added to or enlarged.

c. Abandonment of Nonconforming Use

If any structure or property used as a lawful nonconforming use becomes vacant or unused for a continuous period of six months, any subsequent use must conform to all use regulations applicable to the property's zoning district.

d. Change of Use

A lawful nonconforming use may be changed only to a use type permitted in a zoning district that is equal or less intensive than that normally required for the previous use.

e. Allowance for Repairs

Repairs and maintenance of a structure occupied by a nonconforming use may be made, provided that no structural alterations are made other than those required by law.

f. Damage or Destruction of Structures

Should a structure occupied by a lawful nonconforming use be damaged to the extent that the cost of restoration exceeds 50 percent of the assessed value of the structure, the nonconforming use shall no longer be permitted.

g. Nonconforming Uses and Conditional and Special Use Permits

A lawful pre-existing use which would require a Special Use Permit in its zoning district shall be presumed to have the appropriate Permit and shall be considered a conforming use. The use shall be subject to the regulations governing lapses or revocation of Permits, set forth in Section 12-1.

12 ARTICLE TWELVE: ADMINISTRATION AND PROCEDURES

12-1 Purpose

The Administration and Procedures Provisions establish the methods for implementation of the Columbus Land Development Ordinance. These provisions include procedures for reviewing specific uses and developments within certain zoning districts; amending the Columbus Land Development Ordinance; and granting variances.

12-2 Site Plan Review Procedure

a. Purpose

The Site Plan Review Procedure provides for the administrative review in addition to plan review required by other sections of the Columbus Municipal Code of projects that have potentially significant effects on traffic circulation or a significant effect on land uses in adjacent neighborhoods. The procedure provides for review and evaluation of site development features and possible mitigation of unfavorable effects on surrounding property.

b. Administration

The Building Official shall review, evaluate and act on all site plans submitted pursuant to this procedure. An applicant may appeal a denial of any application to the Board of Adjustment.

All applications or requests for the approval of plans for alleys, off-street parking, loading, non-residential driveways, non-residential curb cuts, and access to an egress from property, shall be submitted to the Building Official. Upon review, the Building Official shall have the authority to either approve or deny said application or request.

c. Uses Requiring Site Plan Review

All uses shall follow the Site Plan review procedure prior to the issuance of a building permit.

d. Application Requirements

An application for a Site Plan Review may be filed by the owner(s) of a property or the owners' authorized agent with the Building Official. The application shall include the following information:

1. Name, mailing and email address of the applicant.
2. Owner, address, and legal description of the property.
3. A description of the nature and operating characteristics of the proposed use.
4. A site plan, drawn to a scale sufficient to permit adequate review and dimensioned as necessary, showing the following information:
   (a) The date, scale, north point, title, name of owner, and name of person preparing the site plan;
   (b) The location and dimensions of boundary lines, easements, and required yards and setbacks of existing and proposed buildings and site improvements;

(c) The location, size, and use of proposed and existing structures on the site;

(d) The location of all proposed site improvements, including parking and loading areas, pedestrian and vehicular access, sewers, sidewalks, utilities, service areas, required temporary and permanent stormwater treatment facilities, fencing, screening, landscaping, and lighting;

(e) A topographic survey of the site and adjacent public rights-of-way.

(f) Identification of all federal, state and local environmental features, including, but not limited to: floodplain, floodways, wetlands, and other environmental features.

(g) Identification of all adjacent zoning districts and use types.

(h) Any other information that may be required for review by the Building Official.

5. The Site Plan must be stamped by a Nebraska Registered Professional Engineer.

e. Administrative Action and Appeal

The Building Official must act upon each complete application within twenty-one working days of filing. An applicant may appeal a denial to the Board of Adjustment. The Board of Adjustment shall consider the appeal at the first available meeting after the filing of the appeal.

f. Review and Evaluation

1. The Building Official or the Board of Adjustment shall review and approve the site plan based on the criteria established in Table 12-1 and conformance with applicable regulations in this Columbus Land Development Ordinance.

2. The Building Official or the Board of Adjustment shall make the following findings before approval of the site plan:

(a) The proposed development, together with any necessary modifications, is compatible with the criteria established in Table 12-1;

(b) Any required modifications to the site plan are reasonable and are the minimum necessary to minimize potentially unfavorable effects;

(c) The site plan conforms to the Columbus Land Development Ordinance.

g. Modification of Site Plan

The Building Official or Board of Adjustment may require modification of a site plan as a prerequisite for approval. Required modifications may be more restrictive than base district regulations and may include, but not be limited to, additional landscaping or screening; installation of erosion control measures; improvement of access or circulation, rearrangement of structures on the site; or other modifications deemed necessary to protect the public health, safety, or welfare.

h. Term and Modification of Approval

1. A Site Plan Approval shall become void two years after the date of approval, unless the applicant receives a Building Permit and diligently carries out development prior to the expiration of this period.
2. The Building Official may approve an application to modify a previously approved site plan if he/she determines that the modification does not affect findings related to the criteria set forth in Table 12-1.
3. The Building Official may revoke a Site Plan Approval if he/she determines that the development is not complying with the terms and conditions of the approval. Such revocation may be appealed to the Board of Adjustment.

i. Approval to Run with Land

An approval pursuant to this section shall run with the land until such time as a change in use has the potential to significantly affect the traffic circulation or land uses in adjacent neighborhoods.

12-3 Special Use Permit Procedure

a. Purpose

The Special Use Permit Procedure provides for public review and discretionary City Council approval for uses within zoning districts which have unusual site development or operating characteristics that could adversely affect surrounding properties.

b. Administration

The Planning Commission shall review and evaluate each application and transmit its recommendation to the City Council. The City Council shall review, evaluate, and act upon all applications submitted pursuant to this procedure.

c. Application Requirements

An application for a Special Use Permit may be filed by the owner(s) of a property or by the property owner's authorized agent with the Community Development Office. Any such application will not be deemed submitted until all of the information set forth below is included. It is the responsibility of the applicant to provide all of the requested information. Incomplete applications will not be placed on the Planning Commission Agenda until all such missing information is provided. Such application shall be submitted to the Community Development Office at least 21 calendar days (including holidays) before the Planning Commission meeting at which the public hearing on the application may be held subject to administrative official approval to proceed. A complete submission must be provided prior to the staff recommendation that the permit application is to be acted on the Planning Commission. The application shall include the following information and be submitted on a form approved by the Community Development Office:

1. Name, email and mailing address and phone number of the property owner who is making application or said property owner's authorized agent.
2. Legal Representation: Name of Firm, attorney, phone number, email and mailing address
3. Owner, address and legal description of the property.

4. A description of the nature and operating characteristics of the proposed use.
5. A site plan, when requested by the building official, which includes all information as described in Section 12-2.
6. Excavation and Material Extraction Special Use Permits applications must include a proposed post development site plan including anticipated final contours and features.
7. The special use requested and the current zoning.
8. Be signed by the property owner or the property owner's duly authorized agent.

TABLE 12-1: Criteria for Site Plan Review and Special Use Permits

CRITERIA		APPLICATION TO	
Land Use Compatibility		**Site Plan Review**	**Special Use Permit**
Development Density	Site area per unit or floor area ratio should be similar to surrounding uses if not separated by major natural or artificial features.		X
Height and Scale			
Height and Bulk	Development should minimize differences in height and building size from surrounding structures. Differences should be justified by urban design considerations.	X	X
Setbacks	Development should respect pre-existing setbacks in surrounding areas. Variations should be justified by site or operating characteristics.	X	X
Building Coverage	Building coverage should be similar to that of surrounding development if possible. Higher coverage should be mitigated by landscaping or site amenities.	X	X

TABLE 12-1: CRITERIA FOR SITE PLAN REVIEW AND SPECIAL USE PERMITS

CRITERIA		APPLICATION TO	
Site Development		**Site Plan Review**	**Special Use Permit**
Frontage	Project frontage along a street should be similar to lot width.	X	X
Parking and Internal Circulation	Parking should serve all structures with minimal conflicts between pedestrians and vehicles.	X	X
	All structures must be accessible to public safety vehicles.	X	X
	Development must have access to adjacent public streets and ways. Internal circulation should minimize conflicts and congestion at public access points.	X	X
Landscaping	Landscaping should be integral to the development, providing street landscaping, breaks in uninterrupted paved areas, and buffering where required by surrounding land uses. Parts of site with sensitive environmental features or natural drainage-ways should be preserved to the extent possible.	X	X
Building Design	Architectural design and building materials should be compatible with surrounding areas or highly visible locations.		X
Operating Characteristics			
Traffic Capacity	Project should not reduce the existing level of traffic service on adjacent streets. Compensating improvements will be required to mitigate impact on street system operations.	X	X
Land Use Compatibility			
External Traffic Effects	Project design should direct non-residential traffic away from residential areas.	X	X
Operating Hours	Projects with long operating hours must minimize effects on surrounding residential areas.	X	X

TABLE 12-1: CRITERIA FOR SITE PLAN REVIEW AND SPECIAL USE PERMITS

CRITERIA		APPLICATION TO	
Operating Characteristics		**Site Plan Review**	**Special Use Permit**
Outside Storage	Outside storage areas must be screened from surrounding streets and less intensive land uses.	X	X
Public Facilities			
Sanitary Waste Disposal	Developments within 300 feet of a public sanitary sewer must connect to sewer system. Individual disposal systems, if permitted, shall not adversely affect public health, safety, or welfare.	X	X
	Sanitary sewer must have adequate capacity to serve development.	X	X
Storm Water Management	Development should handle storm water adequately to prevent overloading of public storm water management system.	X	X
	Development should not inhibit development of other properties.	X	X
	Development should not increase probability of erosion, flooding, landslides, or other run-off related effects.	X	X
Utilities	Project must be served by utilities if the property is located within 300 ft of said utility.	X	X
Comprehensive Plan	Projects shall be consistent with the comprehensive development plan of Columbus.		X

d. Approval Process

1. The Planning Commission, following ten days notice as required by Paragraph 12-3 (f), shall hold a public hearing on each proposed Special Use Permit and following such public hearing, shall recommend action to the City Council.
2. The City Council, after the ten days notice as required by Paragraph 12-3 (f) and after public hearing, shall act on the Special Use Permit. The City Council may apply any reasonable conditions to the approval of the permit.
3. The applicant shall be responsible for preparing and furnishing in proper form a “draft” Ordinance including any reasonable conditions recommended by the Planning Commission sufficiently in advance of the City Council Meeting for review by City staff and for distribution to the Mayor and members of the City Council. A “final” ordinance for said special use permit shall be thereafter submitted by applicant for action by the City Council. Applicant’s attorney shall work with the City Attorney on review and final versions.

e. Required Notice and Publication

Prior to consideration of and/or approval of a Special Use Permit by the Planning Commission and by the City Council, notice of public hearing before the Planning Commission and before the City Council shall be provided as follows:

1. Posted Notice: A notice shall be posted by the applicant in a conspicuous place on or near the property upon which action is pending. Such notice shall be not less than 18 inches in height and 24 inches in width with a white or yellow background and black letters not less than one and one-half inches in height. Such posted notice shall be placed on or near such premises that it is easily visible from the street and shall be posted at least ten days before the date of such hearing. It shall be the duty of the applicant to make sure the signs are laminated or otherwise protected from the weather so that they remain visible and legible for said ten-day period. It shall be unlawful for any person to remove, mutilate, destroy or change such posted notice prior to such hearing. It shall be the responsibility of the applicant to make sure the signs remain posted for said ten-day period and in the event any sign is removed, mutilated, destroyed or changed, it shall be the duty of the applicant to promptly post a new sign for the remainder of the ten-day period.
2. Notice by Publication: At least ten days before the date of hearing the City Clerk shall have published in a newspaper having a general circulation in the City of Columbus a Notice of the time, place and subject matter of such hearing.
3. Notice by Personal Service or Mail: At least 10 days prior to the date of the hearing the applicant shall either:

   (a) personally serve, or

   (b) mail to the last known address, written notice of such hearing to each of the following:

      (1) the owners of the real estate which is the subject of the Special Use Permit;

      (2) all properties whether in whole or in part which are located within 300 feet of the real estate which is the subject of the Special Use Permit; and

(3) the Board of Education of each school district in which the real estate which is the subject of the Special Use Permit is located.

If the record title owners of any real estate included in such proposed change be non-residents of the municipality, a written notice of such hearing shall be mailed by certified mail to their last-known address at least ten days prior to the date of such hearing.

4. Exception: The provisions of Subsection 1 "Posted Notice" and Subsection 3 "Notice by Personal Service or Mail" shall not apply in the event of a proposed change in the application of Special Use Permits throughout entire areas of an existing zoning district or of the City or parts thereof, or in the event of a proposed change in such regulations, restrictions or districts governing said Special Use Permits.
5. Affidavit of Notice Compliance: The applicant shall be responsible for filing with the Community Development office prior to 3:00 PM on the date of the hearing an Affidavit of Notice Compliance. Said Affidavit shall verify that the "Posted Notice" requirements set forth in Subsection 1 above and that the "Notice by Personal Service or Mail" requirements set forth in Subsection 3 above were both complied with.

f. Scope of Approval

The City Council may, at its discretion, apply a Special Use Permit to a specific owner or applicant. The City Council may establish special site development or operational regulations as a condition for approval of a Special Use Permit.

g. Lapse, Revocation or Completion of Permit

1. A Special Use Permit shall become void two years after its effective date if the applicant has not carried out development or occupancy during that period.
2. The City Council may revoke a Special Use Permit should the operation of the use subject to such permit violate the conditions under which the permit was granted.
3. Completion of a Special Use Permit for resource extraction and excavation shall include a final record drawing site plan.

h. Previously Approved Permits

Any special use approved under regulations in effect before the effective date of this Ordinance shall be considered to have a valid Special Use Permit, subject to requirements imposed at the time of its approval or six (6) months from said failure to pass a motion to approve this special use permit.

i. Non-Approval of Special Use Permit; Waiting Period

In the event that a Special Use Permit as provided in this Article is not approved by the City Council, no new request shall be made for the same or a substantially similar Special Use Permit within six (6) months of said non-approval thereof or six (6) months from said failure to pass the same.

12-4 Amendment Procedure

a. Purpose

The Amendment Procedures describe the methods by which changes may be made in the text of the Columbus Land Development Ordinance (text amendment) and/or the official boundaries of zoning districts (rezoning).

b. Initiation of Amendments

1. Text amendments may be initiated by the Planning Commission or City Council.
2. Rezonings may be initiated by a property owner or authorized agent; the Planning Commission; or the City Council.

c. Rezoning Application Requirements

An application for a rezoning may be filed with the Community Development Office. Any such application will not be deemed submitted until all of the stated information is included. It is the responsibility of the applicant to provide all of the requested information. Incomplete applications will not be place on the Planning Commission Agenda until all such missing information is provided. Such completed application shall be submitted to the Community Development Office at least 21 calendar days (including holidays) before the Planning Commission meeting at which time the public hearing on the application may be held subject to administrative official approval to proceed. A complete submission must be provided prior to the staff recommendation that the permit application is to be acted on the Planning Commission. The application shall include the following information and shall be submitted on a form approved by the Community Development Office:

1. Name, email, mailing address and phone number of the property owner who is making application or said property owner's authorized agent.
2. Legal Representation: Name of Firm, attorney, phone number, email and mailing address
3. Owner, address, email address and legal description of the property.
4. A description of the reason for the rezoning application and the nature and operating characteristics of the proposed use.
5. An aerial image depicting the proposed development on the property and the existing surrounding zoning classifications. A site plan, when requested by the building official, which includes all information as described in 12-2 Site Plan Review Procedure.
6. The current zoning and the requested zoning.
7. Be signed by the property owner or the property owner's duly authorized agent.

d. Amendment Process

1. The Planning Commission, following ten days notice as required by 12-4 Amendment Procedure, shall hold a public hearing on each proposed text amendment or rezoning amendment and, following such public hearing, shall recommend action to the City Council. The Planning Commission may recommend as part of its recommended approval of a rezoning any conditions reasonably related to the interest of public health, safety, morals and the general welfare.
2. The City Council, after ten days notice as required by Section 12-4 and after public hearing, shall act on the proposed amendment. The City Council may impose any reasonable conditions on the approval of the rezoning, provided said conditions are reasonably related to the interest of public health, safety, morals and the general welfare. In furtherance thereof, the City Council may condition rezoning on the adoption of an agreement between the developer and the City.
3. The applicant shall be responsible for preparing and furnishing in proper form a "draft" ordinance including any reasonable conditions recommended by the Planning Commission sufficiently in advance of the City Council Meeting for review by City staff and for distribution to the Mayor and members of the City Council. A "final" ordinance for said re-zoning shall be thereafter submitted by applicant for action by the City Council.

e. Required Notice and Publication

Prior to consideration of amending, supplementing, changing, modifying, or repealing this ordinance by the Planning Commission and by the City Council, notice of public hearing before the Planning Commission and before the City Council shall be provided as follows:

1. Posted Notice: In the case of rezonings, a notice shall be posted by the applicant in a conspicuous pace on or near the property upon which action is pending. Such notice shall be not less than 18 inches in height and 24 inches in width with a white or yellow background and black letters not less than one and one-half inches in height. Such posted notice shall be so placed on or near such premises that is easily visible from the street and shall be so posted at least ten days before the date of such hearing. It shall be the duty of the applicant to make sure the signs are laminated or otherwise protected from the weather so that they remain visible and legible for said ten-day period. It shall be unlawful for any person to remove, mutilate, destroy or change such posted notice prior to such hearing. It shall be the responsibility of the applicant to make sure the signs remain posted for said ten-day period and in the event any sign is removed, mutilated, destroyed or changed, it shall be the duty of the applicant to promptly post a new sign for the remainder of the ten-day period.
2. Notice of Publication: In the case of text amendments and rezonings, at least ten days before the date of hearing the City Clerk shall have published in a daily newspaper having a general circulation in the City of Columbus a Notice of the time, place and subject matter of such hearing.

3. Notice by Personal Service or Mail: In the case of rezonings, at least 10 days prior to the date of the hearing, the applicant shall either:

   (a) personally serve, or

   (b) mail to the last known address, written notice of such hearing to each of the following:

      (1) the owners of the real estate to be zoned or rezoned;

      (2) the owners of all real estate located within 300' of the real estate to be zoned or rezoned; and

      (3) the Board of Education of each school district in which the real estate to be zoned or rezoned is located.

      If the record title owners of any real estate included in such proposed change be non-residents of the municipality, a written notice of such hearing shall be mailed by certified mail to their last-known address at least ten days prior to the date of such hearing.

4. Exception: The provisions of Subsection 1 “Posted Notice” and Subsection 3 “Notice by Personal Service or Mail” shall not apply (1) in the event of a proposed change in such regulations, restrictions, districts, or boundaries throughout the entire areas of an existing zoning district or of the City, or (2) in the event additional or different types of zoning districts are proposed, whether or not such additional or different districts are made applicable to areas, or parts of areas, already within a zoning district of the City, or (3) text amendments; in such instances only the requirements heretofore set forth in Subsection 2. “Notice of Publication” above shall be applicable.

5. Affidavit of Notice Compliance: The applicant shall be responsible for filing with the Community Development office on the date of the hearing an Affidavit of Notice Compliance. Said Affidavit shall verify that the “Posted Notice” requirements set forth in Subsection 1 above and that the “Notice by Personal Service or Mail” requirements set forth in Subsection 3 above were both complied with.

f. Non-Approval of Proposed Amendment; Waiting Period

In the event that a proposed amendment or change as provided in this Article is not approved by the City Council, no new request shall be made for the same or substantially similar amendment or change within six (6) months of said non-approval thereof or six (6) months from said failure to pass the same.

12-5 Extension of the Extra-Territorial Jurisdiction

There shall be an automatic extension of the extra-territorial jurisdiction due to annexation or incorporation of any addition into the City. The City Council with the recommendation of the Planning Commission, shall zone properties within the newly established Jurisdiction concurrent with, or within 90 days thereafter, of the adoption of the annexation ordinance or resolution incorporating said property into the City. The zoning shall consider the Comprehensive Development Plan of the City of Columbus and the present use of the land. In the event the City takes no action within the time period, said property within the newly established Jurisdiction shall be deemed as zoned RR, Rural Residential.

12-6 Building Permits and Certificates of Occupancy

a. Administration and Enforcement

The Building Official shall administer and enforce this ordinance.

If the Building Official shall find that any of the provisions of this ordinance are being violated, he/she shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He/she shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions.

b. Building Permits Required

No building or other structure shall be erected, moved, added to, or structurally altered without a permit therefore, issued by the Building Official. No building permit shall be issued by the Building Official except in conformity with the provisions of this ordinance, unless he/she receives a written order from the Board of Adjustment in the form of an administrative review, special exception, or variance as provided by this ordinance.

c. Application for Building Permit

All applications for building permits shall include a complete site plan and shall include plans drawn to scale and an electronic copy, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Building Official, including the existing or proposed building or alterations; existing or proposed uses of the building and land; the number of families and/or persons, and the number of units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of, this ordinance.

One copy of the plans shall be returned to the applicant by the Building Official, after he/she shall have marked such copy either as approved or disapproved and attested the same by his/her signature on such copy. The electronic copy of the plans shall be retained by the Building Official.

d. Certificates of Occupancy for New, Altered, or Non-Conforming Uses

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a Certificate of Occupancy is issued by the Building Official stating that the proposed use of the building or land conforms to the requirements of this Ordinance and that all plans submitted with the application for building permit have been completed. Prior to the issuance of a Certificate of Occupancy, the Building Official, or his/her designee, shall conduct a final inspection of said building or premises to determine compliance with the requirements of the Columbus City Ordinances and it shall be the duty of the property owner to cooperate with said final inspection.

e. Expiration of Building Permit

1. If the work described in any building permit has not begun within 180 days from the date of issuance thereof, said permit shall expire; it shall be cancelled by the building official; and written notice thereof shall be given to the persons affected.
2. If the work described in any building permit has not been completed within two years of the date of issuance thereof, said permit shall expire and be cancelled by the Building Official, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new building permit has been obtained.
3. The expiration date of a building permit may be established for a period longer than two years if established at the time that such permit is issued by the City. The Building Official may, at his/her discretion extend the expiration period of the building permit.

f. Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates of Occupancy

Building permits or certificates of occupancy issued on the basis of plans and applications approved by the Building Official authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Use, arrangement, or construction which varies from the approved permit shall be deemed a violation of this ordinance, and punishable as provided by Section 12-14 hereof.

12-7 Schedule of Fees, Charges and Expenses

The City Council shall establish by resolution a schedule of fees, charges, and expenses and a collection procedure for building permits, re-zoning application fees, special use permit application fees, board of adjustment filing fees, site plan review, certificates of zoning compliance, appeals, and other matters pertaining to this ordinance.

The schedule of fees shall be posted in the office of the Building Official, and may be altered or amended only by the City Council.

Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application for appeal.

12-8 Board of Adjustment

a. Establishment

1. A Board of Adjustment is hereby established to provide relief in situations of hardship or to hear appeals as provided by this Section. The Board shall consist of five regular members, plus one additional alternate member who shall attend and vote only when one of the regular members is unable to attend for any reason. At least one member of the Board shall be a member of the Planning Commission, and the loss of membership on the Planning Commission by such member shall also result in his or her immediate loss of membership on the Board of Adjustment and the appointment of another Planning Commission member to the Board. At least one member of the Board shall reside outside of the corporate boundaries of the City, but within its extra-territorial zoning jurisdiction.
2. Each member shall be appointed by the Mayor with the approval of the City Council for a three-year term and is removable for cause by the appointing authority upon written charges and after public hearings. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. The Chairman of the Board shall be elected annually by the members of the Board. All members of the Board shall serve without compensation.
3. The Board of Adjustment shall adopt rules and regulations in accordance with this ordinance and the laws of the State of Nebraska pursuant to Sections 19-901 to 19-914 of Nebraska Revised Statutes. Meetings shall be held at the call of the Chairman and at such other times as the Board may determine. Such chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings and records shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact. The Board shall keep a record of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record. A majority of the Board shall constitute a quorum for the transaction of business.

b. Procedure for Appeals

1. Appeals shall be made to the Board of Adjustment within reasonable time of the cause of the appeal through the office of the Building Official in written form as determined by the Building Official. The Board shall fix a reasonable time for the hearing of the appeal and shall decide the appeal within thirty days of the date of the public hearing. An appeal stays all proceedings in furtherance of the action, unless the Building Official certifies to the Board that by reason of the facts stated in the certificate, a stay would, in his/her opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by the District Court on notice to said officer and on due cause shown.
2. The Board shall provide a written notice to the appealing party of the date and time set for public hearing. The Board shall provide a minimum of ten days' notice of a public hearing on any question before it by publication in a newspaper of general circulation in the City of Columbus setting forth the time, place and subject matter of such hearing. Notice of hearing shall be posted by the

appealing party in a conspicuous place on or near the property upon which action is pending. Such notice shall be not less than 18 inches in height and 24 inches in width with a white or yellow background and black letters not less than one and one-half inches in height. Such posted notice shall be so placed upon such premises that it is easily visible from the street and shall be so posted at least ten days before the date of such hearing. It shall be the duty of the appealing party to make sure the signs are laminated or otherwise protected from the weather so that they remain visible and legible for said ten-day period. It shall be unlawful for any person to remove, mutilate, destroy or change such posted notice prior to such hearing. It shall be the responsibility of the appealing party to make sure the signs remain posted for said ten-day period and in the event any sign is removed, mutilated, destroyed or changed it shall be the duty of the appealing party to promptly post a new sign for the remainder of the ten-day period. The appealing party shall be responsible for filing with the Building Official on the date of the hearing an Affidavit of Posting Notice. Said Affidavit shall verify that the requirements concerning posting notice as set forth herein were complied with and said Affidavit shall be submitted on a form approved by the Building Official.

3. Upon the public hearing, any party may appear in person or by agent or attorney. The concurring vote of four out of five members of such board as so composed shall be necessary to reverse any order, requirement, decision or determination of any Building Official, or to decide in favor of the appellant on any matter upon which it is required to pass under any zoning ordinance, or to affect any variation in such ordinance.

12-9 Powers and Duties of the Board of Adjustment

1. The Board of Adjustment shall have only the following powers and duties:

   (a) Administrative Review To hear and decide appeals where it is alleged there is error in any order, requirement, decisions or determination made by the Building Official in the enforcement of this Ordinance or any regulation relating to the location or soundness of structures.

   (b) Interpretation of Zoning Map To hear and decide in accordance with the provisions of any zoning regulation, requests for interpretation of any map.

   (c) Variances to Relieve Hardships Relating to Property To authorize, upon appeal, variances from the strict application of this Ordinance where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the zoning regulations; or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, such strict application would result in peculiar and exceptional practical difficulties to or exceptional and undue hardships upon the owner of such property.

(1) Requirements for Grant of a Variance. No such variance shall be authorized by the Board unless it finds that:

a. Strict application of the zoning ordinance will produce undue hardship;

b. Such hardship is not shared generally by other properties in the same zoning district and in the same vicinity;

c. The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance;

d. The granting of such variance is based upon reason of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit, or caprice;

e. The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable a general regulation to be adopted as an amendment to this Zoning Ordinance.

(2) Findings by Board. The Board of Adjustment shall make findings that the requirements of Section 12-9 have been met by the applicant for a variance.

(3) Conditions for Grant of Variance.

a. In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and punishable under Section 12-14 of this Ordinance.

b. Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

c. No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(d) Board has Powers of Building Official on Appeals: Reversing Decisions of Building Official

In exercising the above-mentioned powers, the Board of Adjustment may, so long as such action is in conformity with the terms of this Ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decisions, or determination as ought to be made, and to that end shall have the powers of the Building Official from whom the appeal is taken. The concurring vote of four members of the Board shall be necessary to reverse any order, requirements, decision, or determination of the Building Official, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to affect any variation in the application of this ordinance.

12-10 Appeals from the Board of Adjustment

Any person or persons, or any board, taxpayer, officer, department, board or bureau of the city aggrieved by any decision of the Board of Adjustment may seek review of such decision by the District Court for the County in the manner provided by the laws of the State and particularly by 19-912 R.R.S. 1943 (Reissue 1991), and amendments thereto.

12-11 Duties of Building Official, Board of Adjustment, City Council, and Courts on Matters of Appeal

a. It is the intent of this ordinance that all questions of interpretation and enforcement shall be first presented to the Building Official, and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of the Building Official, and that recourse from the decisions of Board of Adjustment shall be to the courts as provided by law.

b. Under this ordinance the City Council shall have only the duties (1) of considering and adopting or rejecting proposed amendments or permits, or the repeal of this ordinance as provided by law, and (2) of establishing a schedule of fees and charges as stated in Section 12-1 of this ordinance.

12-12 Severability Clause

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

12-13 Complaints Regarding Violations

Whenever a violation of this ordinance occurs, or is allowed to have occurred, any person may file a written complaint. Such complaints stating fully the causes and basis thereof shall be filed with the Building Official. He/she shall record properly such complaint immediately, investigate, and take action thereon as provided by this ordinance.

12-14 Penalties for Violation

a. Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than $100.00 or imprisoned for not more than 30 days, or both and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

b. The owner or tenant of any building, structure, premises, or part thereof, any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

c. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation

12-15 Development Review Team (DRT)

a. Purpose

The DRT meets weekly with project representatives to identify opportunities and resolve potential issues before project and development plans are finalized. Through the DRT process all aspects of a project can be discussed including key issues and expectations such as site issues, time lines, processing of applications, phasing, design issues and code requirements. The DRT provides the best possible customer service by maintaining allowing close contact with project representatives, by providing thorough review and feedback on every major proposed project, and by working to resolve issues at the earliest possible stage of development.

b. Administration

Members of the DRT are the City Administrator, Chief Building and Code Official and/or other Building Officials, City Engineer, City Surveyor, Public Works Director and City Planner and Economic Developer. These members may invite other staff and professionals as they see fit based on project scope. If applicable, DRT members will visit the project location prior to the DRT meetings and be prepared to discuss all potential issues and opportunities. The DRT shall take notes during the meeting and shall provide those notes to all participates. The DRT and/or staff members of the DRT will provide professional recommendations to the Planning Commission and City Council. It is understood the information provided at the DRT meetings are preliminary in nature and thus final decisions or recommendations are not final and subject to review of official submittals for review.

c. Application Requirements

Project representatives will be provided an application for the DRT. Complete development plans are not necessary for the initial meeting however, as many details as possible are encourage to be shared in the application in order to jointly develop the most efficient and successful project. At a minimum the project representative shall provide:

(1) Project Representative information.

(2) Description of the project.

DRT members will reserve time, as set by resolution of the City Council, for DRT project review and meetings with project representatives.

Applications will be due seven (7) days prior to the meeting date desired by the project representative but subject to date, time, and DRT staff availability.

CHAPTER 1, ARTICLE 13: WIRELESS TELECOMMUNICATIONS FACILITIES SITING ORDINANCE

13 ARTICLE THIRTEEN: PART A - WIRELESS TELECOMMUNICATIONS FACILITIES SITING ORDINANCE

13-1 Purpose and Legislative Intent

The Telecommunications Act of 1996 affirmed the City of Columbus' authority concerning the placement, construction and modification of Wireless Telecommunications Facilities. The City of Columbus, Nebraska finds that Wireless Telecommunications Facilities may pose significant concerns to the health, safety, public welfare, character and environment of the City and its inhabitants. The City also recognizes that facilitating the development of wireless service technology can be an economic development asset to the City and of significant benefit to the City and its residents. In order to insure that the placement, construction or modification of Wireless Telecommunications Facilities is consistent with the City's land use policies, the City is adopting a Wireless Telecommunications Facilities application and permit process. The intent of this Ordinance is to minimize impact of Wireless Telecommunications Facilities, establish a fair and efficient process for review and approval of applications, assure an integrated, comprehensive review of environmental impacts of such facilities, and protect the health, safety and welfare of the City of Columbus, Nebraska.

13-2 Title

Article 13, Part A, shall be known and cited as the Wireless Telecommunications Facilities Siting Ordinance for the City of Columbus, Nebraska, and herein referred to as Article 13, Part A.

13-3 Severability

If any word, phrase, sentence, part, section, subsection, or other portion of this Article 13, Part A, or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed Application thereof, shall be severable, and the remaining provisions of Article 13, Part A, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

Any Special Use Permit issued for Wireless Telecommunications Facilities shall follow the Special Use Permit Rules and Procedures under Article 12.

13-4 Definitions

For purposes of Article 13, Part A, and where not inconsistent with the context of a particular section, the defined terms, phrases, words, abbreviations, and their derivations shall have the meaning given in this section. When not inconsistent with the context, words in the present tense include the future tense, words used in the plural number include words in the singular number and words in the singular number include the plural number. The word "shall" is always mandatory, and not merely directory.

a. "**Accessory Facility"** or "**Structure**" means an accessory facility or structure serving or being used in conjunction with Wireless Telecommunications Facilities, and located on the same property or lot as the Wireless Telecommunications Facilities, including but not limited to, utility or transmission equipment storage sheds or cabinets.

b. **"Applicant"** means any Wireless service provider submitting an Application for a Special Use Permit for Wireless Telecommunications Facilities.

c. **"Application"** means all necessary and appropriate documentation that an Applicant submits in order to receive a Special Use Permit for Wireless Telecommunications Facilities.

d. **"Antenna"** means a system of electrical conductors that transmit or receive electromagnetic waves or radio frequency or other wireless signals.

e. "**Certificate of Compliance**" means the certification from the City or the City's consultant that confirms the project was constructed and is in compliance with the conditions of the permit.

f. **"Collocation"** means the use of an existing Tower or structure to support Antennae for the provision of wireless services. A replacement tower that is constructed on the same site as an existing tower will be considered a co-location as long as the new tower is no taller than the old tower and that the old tower is removed in a reasonable short time frame after the new tower is constructed.

g. **"Commercial Impracticability"** or **"Commercially Impracticable"** means the inability to perform an act on terms that are reasonable in commerce; the cause or occurrence of which could not have been reasonably anticipated or foreseen and that jeopardizes the financial efficacy of the project. The inability to achieve a satisfactory financial return on investment or profit, standing alone, shall not deem a situation to be "commercial impracticable" and shall not render an act or the terms of an agreement "commercially impracticable".

h. **"Completed Application"** means an Application that contains all information and/or data necessary to enable an informed decision to be made with respect to an Application.

i. **"Council"** or **"City Council"** means the City Council of the City of Columbus, Nebraska.

j. **"Distributed Antenna System or DAS"** means a network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area or structure.

k. **"Eligibility Facility"** means a facility as defined in FCC 14-153.

l. **"Eligible Facility Permit**" means the official zoning permit approved and issued by the Community Development Director or his or her designee for application which meets the definition of an eligible facility.

m. **"FAA"** means the Federal Aviation Administration, or its duly designated and authorized successor agency.

n. **"FCC"** means the Federal Communications Commission, or its duly designated and authorized successor agency.

o. **"Height"** means, when referring to a Tower or structure, the distance measured from the pre-existing grade level to the highest point on the Tower or structure, even if said highest point is an Antenna or lightening protection device.

p. **“Modification”** or **“Modify”** means the addition, removal or change of any of the physical and visually discernable components or aspects of a wireless facility, such as antennas, cabling, equipment shelters, landscaping, fencing, utility feeds, changing the color or materials of any visually discernable components, vehicular access, parking and/or an upgrade or change out of equipment for better or more modern equipment. Adding a new wireless carrier or service provider to a Telecommunications Tower or Telecommunications Site as a co-location is a modification. A Modification shall not include the replacement of any components of a wireless facility where the replacement is identical to the component being replaced or for any matters that involve the normal repair and maintenance of a wireless facility without adding, removing or changing anything.

q. **“NIER”** means Non-Ionizing Electromagnetic Radiation.

r. **“Person”** means any individual, corporation, estate, trust, partnership, joint stock Company, association of two (2) or more persons having a joint common interest, or any other entity.

s. **“Personal Wireless Facility**” See definition for ‘Wireless Telecommunications Facilities’.

t. **“Personal Wireless Services”** or **“PWS”** or **“Personal Telecommunications Service” or “PTS”** shall have the same meaning as defined and used in the 1996 Telecommunications Act.

u. **“Planning Commission”** means the Planning Commission for the City of Columbus.

v. **"Repairs and Maintenance”** means the replacement of any components of a wireless facility where the replacement is identical to the component being replaced or for any matters that involve the normal repair and maintenance of a wireless facility without the addition, removal or change of any of the physical or visually discernable components or aspects of a wireless facility that will add to the visible appearance of the facility as originally permitted.

w. **“Right-of-Way”** means the area on, below, or above a public roadway, highway, street, sidewalk, alley, dedicated utility easement, or similar property, but not including a freeway as defined in Neb. Rev. Stat. Section 39-1302, the National System of Interstate and Defense Highways, or a private Easement.

x. “**Small wireless facility**” means a wireless facility that meets each of the following conditions: (1) the facilities (a) are mounted on structures 50 feet or less in height including the antennas or (b) are mounted on structures no more than 10 percent taller than other adjacent structures; (2) each antenna associated with the deployment is no more than three cubic feet in volume; (3) all other equipment associated with the structure, whether ground-mounted or pole-mounted, is no more than 28 cubic feet in volume; (4) the facilities do not require antenna structure registration under 47 C.F.R. part 17, as such regulation existed on January 1, 2019; (5) the facilities are not located on tribal lands, as defined in 36 C.F.R. 800.16(x), as such regulation existed on January 1, 2019; and (6) the facilities do not result in human exposure to radio frequency radiation in excess of the applicable safety standards specified in 47 C.F.R. 1.1307(b), as such regulation existed on January 1, 2019.

y. "**Specialized Mobile Radio"** or **"SMR"** means an analogue or digital trunked two-way radio system, operated by a service in the VHF, 220, UHF, 700,800 or 900 MHz bands.

z. **"State"** means the State of Nebraska.

aa. "**Stealth"** or **"Stealth Technology"** means to minimize adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such Wireless Telecommunications Facilities, which shall mean using the least visually and physically intrusive facility that is not technologically or Commercially Impracticable under the facts and circumstances.

bb. **"Telecommunications"** means the transmission and/or reception of audio, video, data, and other information by wire, radio frequency, light, and other electronic or electromagnetic systems.

cc. **"Telecommunications Site"** See definition for Wireless Telecommunications Facilities.

dd. **"Telecommunications Structure"** means a structure used in the provision of services described in the definition of 'Wireless Telecommunications Facilities".

ee. **"Temporary"** means temporary in relation to all aspects and components of Article 13, something intended to, or that does not exist for more than ninety (90) days.

ff. **"Tower**" means any structure designed primarily to support an antenna for receiving and/or transmitting a wireless signal.

gg. "**Wireless Telecommunications Facilities"** or **"WTF"** means and includes a **"Telecommunications Site"** and **"Personal Wireless Facility".** It means a structure, facility or location designed, or intended to be used as, or used to support Antennas or other transmitting or receiving devices. This includes without limit, Towers of all types and kinds and structures, including, but not limited to buildings, church steeples, silos, water towers, signs or other structures that can be used as a support structure for Antennas or the functional equivalent of such. It further includes all related facilities and equipment such as cabling, equipment shelters and other structures associated with the site. It is a structure and facility intended for transmitting and/or receiving radio, television, cellular, SMR, paging, 911, Personal Communications Services (PCS), commercial satellite services, microwave services and any commercial wireless telecommunication service not licensed by the FCC.

CHAPTER 1, ARTICLE 13: WIRELESS TELECOMMUNICATIONS FACILITIES SITING ORDINANCE

13-5 Overall Policy and Desired Goals for Eligible Facility and Special Use Permits for Wireless Telecommunications Facilities

a. In order to ensure that the placement, construction, and modification of Wireless Telecommunications Facilities protects the City's health, safety, public welfare, environmental features, the nature and character of the community and neighborhood and other aspects of the quality of life specifically listed elsewhere in Article 13, Part A, the City hereby adopts an overall policy with respect to an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities for the express purpose of achieving the following goals:

b. Requiring an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities for any new, co-location or modification of a Wireless Telecommunications Facility.

c. Implementing an Application process for person(s) seeking an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities.

d. Establishing a policy for examining an application for and issuing an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities that is both fair and consistent.

e. Promoting and encouraging, wherever possible, the sharing and/or co-location of Wireless Telecommunications Facilities among service providers.

f. Promoting and encouraging, wherever possible, the placement, height and quantity of Wireless Telecommunications Facilities in such a manner, including but not limited to the use of stealth technology, to minimize adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such Wireless Telecommunications Facilities, which shall mean using the least visually and physically intrusive facility that is not technologically or Commercially Impracticable under the facts and circumstances.

g. That in granting an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities, the City has found that the facility shall be the most appropriate site as regards being the least visually intrusive among those available in the City.

13-6 Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities Required; Exceptions

a. Except as otherwise provided by Article 13, no Person shall be permitted to site, place, build, construct, modify or prepare any site for the placement or use of, Wireless Telecommunications Facilities as of January 2, 2018, without having first obtained either an Eligible Facility Permit or a Special Use Permit for Wireless Telecommunications Facilities prior to the application for a building permit. Notwithstanding anything to the contrary in this section, no Permits for Wireless Telecommunications Facilities shall be required for those non-commercial exclusions noted in Section 13-7.

b. All legally permitted Wireless Telecommunications Facilities, constructed as permitted, existing on or before January 2, 2018, shall be allowed to continue as they existed, provided however, that any visible modification of an existing Wireless Telecommunications Facility will require the complete facility and any new installation to comply with this Article 13.

c. Any Repair and Maintenance of a Wireless Telecommunications Facilities does not require an Application for an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities.

13-7 Exclusions

The following shall be exempt from Article 13:

a. The City's fire, police, department of transportation or other public service facilities owned and operated by the local government.

b. Any facilities expressly exempt from the City's siting, building and permitting authority.

c. Over-the-Air reception Devices including the reception antennas for direct broadcast satellites (DBS), multichannel multipoint distribution (wireless cable) providers (MMDS), television broadcast stations (TVBS) and other customer-end antennas that receive and transmit fixed wireless signals that are primarily used for reception.

d. Facilities exclusively for private, non-commercial radio and television reception and private citizen's bands, licensed amateur radio and other similar non-commercial Telecommunications.

e. Facilities used exclusively for providing unlicensed spread spectrum technology i.e. Bluetooth or a 'Hot Spot', where the facility does not require a new tower, where the service is not to be used for commercial purposes, where there is no fee or charge for the use of the service and where the service is intended to be useable for less than 200'.

f. Small Wireless Facilities located in a right-of-way. Said right-of-way shall be deemed governed by the provisions of Neb. Rev. Stat. Section 86-1201 to Section 86-1244 known as the Small Wireless Facilities Deployment Act and by Article 13 and Article 15 of the Columbus Land Development Ordinance.

13-8 Eligible Facility Permit and Special Use Permit Application and Other Requirements.

a. All Applicants for an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities or any modification of such facility shall comply with the requirements set forth in Article 12 and Article 13, Part A, of the Zoning Ordinance. Applications for an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities must be made pursuant to Article 12 and Article 13, Part A, of the Zoning Ordinance. Upon the recommendation from the Planning Commission, the City Council is authorized to review, analyze, evaluate and make decisions with respect to granting or not granting or revoking Eligible Facility Permit or Special Use Permits for Wireless Telecommunications Facilities. The City may at its discretion delegate or designate other official agencies or officials of the City to review, analyze, evaluate and make recommendations to the Planning Commission and the City Council concerning matters involving Eligible Facility Permit or Special Use Permits for Wireless Telecommunications Facilities.

b. All applications for an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities shall be filed with the Community Development office pursuant to Section 12-3.

c. The City may reject applications not meeting the requirements stated herein or which are otherwise incomplete.

d. No Wireless Telecommunications Facilities shall be installed, constructed or modified until the Application is reviewed and approved by the City, and the Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities has been issued.

e. Any and all representations made by the Applicant to the City on the record during the Application process, whether written or verbal, shall be deemed a part of the Application and may be relied upon in good faith by the City.

f. An Application for an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities shall be signed on behalf of the Applicant by the person preparing the same and with knowledge of the contents and representations made therein and attesting to the truth and completeness of the information.

g. The Applicant must provide documentation to verify it has the right to proceed as proposed on the Site. This would require an executed copy of the lease with the landowner or landlord or a signed letter acknowledging authorization. If the applicant owns the site, a copy of the ownership record is required.

h. The Applicant shall include a statement in writing:

    1. That the applicant's proposed Wireless Telecommunications Facilities shall be maintained in a safe manner, and in compliance with all conditions of the Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities, without exception, unless specifically granted relief by the City in writing, as well as all applicable and permissible local codes, ordinances, and regulations, including any and all applicable City, State and Federal Laws, rules, and regulations;

    2. That the construction of the Wireless Telecommunications Facilities is legally permissible, including, but not limited to the fact that the Applicant is authorized to do business in the State.

i. Where a certification is called for in Article 13, such certification shall bear the signature and seal of a Registered Professional licensed in the State.

j. In addition to all other required information as stated in Article 13, all applications for the construction or installation of new Wireless Telecommunications Facilities or modification of an existing facility shall contain the information hereinafter set forth.

    1. A descriptive statement of the objective(s) for the new facility or modification including and expanding on a need such as coverage and/or capacity requirements;

    2. Documentation that demonstrates and proves the need for the Wireless Telecommunications Facility to provide service primarily and essentially within the City. Such documentation shall include propagation studies of the proposed site and all adjoining planned, proposed, in-service or existing sites that demonstrate a significant gap in coverage and/or if a capacity need, including an analysis of current and projected usage; for a new tower drive test data is required. If documentation is provided by the applicant that this site qualifies as an Eligible Facility, proof of need is not required;

3. The name, address and phone number of the person preparing the report;
4. The name, address, and phone number of the property owner and Applicant, and to include the legal name of the Applicant. If the site is a tower and the owner is different than the applicant, provide name and address of the tower owner;
5. The postal address and tax map parcel number of the property;
6. The Zoning District or designation in which the property is situated;
7. Size of the property stated both in square feet and lot line dimensions, and a survey showing the location of all lot lines;
8. The location of nearest residential structure;
9. The location, size and height of all existing and proposed structures on the property which is the subject of the Application;
10. The type, locations and dimensions of all proposed and existing landscaping, and fencing;
11. The azimuth, size and center-line height location of all proposed and existing antennae on the supporting structure;
12. The number, type and model of the Antenna(s) proposed with a copy of the specification sheet;
13. The make, model, type and manufacturer of the Tower and design plan stating the Tower's capacity to accommodate multiple users;
14. A site plan describing the proposed Tower and Antenna(s) and all related fixtures, structures, appurtenances and apparatus, including height above pre-existing grade, materials, color and lighting;
15. The frequency, modulation and class of service of radio or other transmitting equipment;
16. The actual intended transmission power stated as the maximum effective radiated power (ERP) in watts;
17. Signed documentation such as the "Checklist to Determine Whether a Facility is Categorically Excluded" to verify that the Wireless Telecommunication Facility with the proposed installation will be in full compliance with the current FCC RF Emissions guidelines (NIER). If not categorically excluded, a complete RF Emissions study is required to provide verification;
18. A signed statement that the proposed installation will not cause physical or RF interference with other telecommunications devices;
19. A copy of the FCC license applicable for the intended use of the Wireless Telecommunications Facilities;
20. A copy of the geotechnical sub-surface soils investigation, evaluation report and foundation recommendation for a proposed or existing Tower site and if existing Tower or water tank site, a copy of the installed foundation design.

k. The applicant will provide a written copy of an analysis, completed by a qualified individual or organization, to determine if the proposed new Tower or existing structure intended to support wireless facilities is in compliance with Federal Aviation Administration Regulation Part 77 and if it requires lighting. This requirement shall also be for any existing structure or building where the application increases the height of the structure or building. If this analysis determines that an FAA determination is required, then all filings with the FAA, all responses from the FAA, and any related correspondence shall be provided with the application.

l. Additional requirements for an Application for New Tower.

1. In the case of a new Tower, the Applicant shall be required to submit a written report demonstrating its meaningful efforts to secure shared use of existing Tower(s) or the use of alternative buildings or other structures within the City. Copies of written requests and responses for shared use shall be provided to the City in the Application, along with any letters of rejection stating the reason for rejection.

2. In order to better inform the public, in the case of a new Telecommunication Tower, the Applicant shall, prior to the public hearing on the application, hold a “balloon test”. The Applicant shall arrange to fly, or raise upon a temporary mast, a minimum of a three (3) foot in diameter brightly colored balloon at the maximum height of the proposed new Tower. The dates, (including a second date, in case of poor visibility on the initial date) times and location of this balloon test shall be advertised by the Applicant seven (7) and fourteen (14) days in advance of the first test date in a newspaper with a general circulation in the City. The Applicant shall inform the City, in writing, of the dates and times of the test, at least fourteen (14) days in advance. The balloon shall be flown for at least four consecutive hours sometime between 7:00 am and 4:00 pm on the dates chosen. The primary date shall be on a weekend, but in case of poor weather on the initial date, the secondary date may be on a weekday. A report with pictures from various locations of the balloon shall be provided with the Application.

3. The Applicant shall examine the feasibility of designing the proposed Tower to accommodate future demand for at least four (4) additional commercial applications, for example, future co-locations. The Tower shall be structurally designed to accommodate at least four (4) additional Antenna Arrays equal to those of the Applicant, and located as close to the Applicant's Antenna as possible without causing interference. This requirement may be waived, provided that the Applicant, in writing, demonstrates that the provisions of future shared usage of the Tower is not technologically feasible, is Commercially Impracticable or creates an unnecessary and unreasonable burden, based upon:
   (a) The foreseeable number of FCC licenses available for the area;
   (b) The kind of Wireless Telecommunications Facilities site and structure proposed;
   (c) The number of existing and potential licenses without Wireless Telecommunications Facilities spaces/sites;
   (d) Available space on existing and approved Towers.
4. Upon completing construction and before the issuance of the Certificate of Compliance, to ensure the tower was constructed as permitted, the applicant is to provide signed documentation of the Tower condition per the requirements of ANSI/TIA/EIA-222 (adopted by reference in the building code). Annex for Tower Maintenance, Condition Assessment and Inspection Procedures. The inspection report must be performed every three (3) years for a guyed tower and five (5) years for monopoles and self-supporting towers.
5. The owner of a proposed new Tower, and his/her successors in interest, shall negotiate in good faith for the shared use of the proposed Tower by other Wireless service providers in the future, and shall:
   (a) Respond within 60 days to a request for information from a potential shared-use Applicant;
   (b) Negotiate in good faith concerning future requests for shared use of the new Tower by other Telecommunications providers;
   (c) Allow shared use of the new Tower if another Telecommunications provider agrees in writing to pay reasonable charges. The charges may include, but are not limited to, a pro rata share of the cost of site selection, planning, project administration, land costs, site design, construction and maintenance financing, return on equity, less depreciation, and all of the costs of adapting the Tower or equipment to accommodate a shared user without causing electromagnetic interference;
   (d) Failure to abide by the conditions outlined above may be grounds for revocation of the Special Use Permit for Wireless Telecommunications Facilities.

m. The Applicant shall provide certification with documentation (structural analysis) including calculations that the Telecommunication Facility Tower and foundation and attachments, rooftop support structure, water tank structure, and any other supporting structure as proposed to be utilized are designed and will be constructed to meet all local, city, state and federal structural requirements for loads, including wind and ice loads.

n. If application is for a co-location or modification on an existing Tower, the applicant is to provide signed documentation of the Tower condition per the requirements of ANSI/TIA/EIA-222 (adopted by reference in the building code). Annex for Tower Maintenance, Condition Assessment and Inspection Procedures. The inspection report must be performed every three (3) years for a guyed tower and five (5) years for monopoles and self-supporting towers.

o. All proposed Wireless Telecommunications Facilities shall contain a demonstration that the Facility will be sited so as to minimize visual intrusion as much as possible, given the facts and circumstances involved and will thereby have the least adverse visual effect on the environment and its character and on the residences in the area of the Wireless Telecommunications Facility.

p. If the application is for a new Tower, a new Antenna attachment to an existing structure, or modification adding to a visual impact, the Applicant shall furnish a Visual Impact Assessment, which shall include:

    1. If a new Tower or increasing the height of an existing structure is proposed, a computer generated “Zone of Visibility Map” at a minimum of one mile radius from the proposed structure, with and without foliage shall be provided to illustrate locations from which the proposed installation may be seen.

    2. Pictorial representations of “before and after” (photo simulations) views from key viewpoints both inside and outside of the City as may be appropriate, including but not limited to state highways and other major roads; state and local parks; other public lands; historic districts; preserves and historic sites normally open to the public; and from any other location where the site is visible to a large number of visitors, travelers or residents. Guidance will be provided, concerning the appropriate key sites at the pre-application meeting. Provide a map showing the locations of where the pictures were taken and distance from the proposed structure.

    3. A written description of the visual impact of the proposed facility including; and as applicable the Tower base, guy wires, fencing and accessory buildings from abutting and adjacent properties and streets as relates to the need or appropriateness of screening.

q. The Applicant shall demonstrate and provide in writing and/or by drawing how it shall effectively screen from view the base and all related equipment and structures of the proposed Wireless Telecommunications Facility.

r. The Wireless Telecommunications Facility and any and all accessory or associated facilities shall maximize the use of building materials, colors and textures designed to blend with the structure to which it may be affixed and/or to harmonize with the natural surroundings, this shall include the utilization of stealth or concealment technology as may be required by the City.

s. All utilities at a Wireless Telecommunications Facilities site shall be installed underground whenever possible and in compliance with all Laws, Ordinances, rules and regulations of the City, including specifically, but not limited to, the most recently adopted versions of the National Electrical Safety Code and the National Electrical Code where appropriate.

t. At a Telecommunications Site, an access road, turn-around space and parking shall be provided to assure adequate emergency and service access. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce soil erosion.

u. All Wireless Telecommunications Facilities shall be constructed, operated, maintained, repaired, provided for removal of, modified or restored in strict compliance with all current applicable technical, safety and safety-related codes adopted by the City, State, or United States, including but not limited to the most recent editions of the ANSI Code, National Electrical Safety Code and the National Electrical Code, as well as accepted and responsible workmanlike industry practices and recommended practices of the National Association of Tower Erectors. The codes referred to are codes that include, but are not limited to, construction, building, electrical, fire, safety, health, and land use codes. In the event of a conflict between or among any of the preceding the more stringent shall apply.

v. A holder of an Eligible Facility Permit or Special Use Permit for a Wireless Telecommunications Facilities granted under Article 13, shall obtain, at its own expense, all permits and licenses required by applicable law, rule, regulation or code, and must maintain the same, in full force and effect, for as long as required by the City or other governmental entity or agency having jurisdiction over the applicant.

w. There shall be a pre-application meeting. The purpose of the pre-application meeting will be to address issues that will help to expedite the review and permitting process. A pre-application meeting shall also include a site visit if there has not been a prior site visit for the requested site.

x. An Applicant shall submit to the City the number of completed Applications determined to be needed.

y. The holder of an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities shall notify the City of any intended Modification of a Wireless Telecommunication Facility and shall apply to the City to modify, relocate or rebuild a Wireless Telecommunications Facility.

13-9 Location of Wireless Telecommunications Facilities

Applicants for Wireless Telecommunications Facilities shall locate, site and erect said Wireless Telecommunications Facilities in accordance with the following priorities, one (1) being the highest priority of selection and ten (10) being the lowest priority.

(1) On existing Towers or other structures on city owned properties, including the right-of-way.

(2) On existing Towers or other structures on other property in the City.

(3) A new Tower on City-owned properties, including the right-of-way.

(4) A new Tower on property in areas zoned MH, “General Industrial District.”

(5) A new Tower on property in areas zoned ML/C-1, “Light Industrial District.”

(6) A new Tower on property in areas zoned AG, “Agricultural District.”

(7) A new Tower on property in areas zoned B-2, “General Commercial District.”

(8) A new Tower on property in areas zoned B-1, “Central Business District.”

(9) A new Tower on property in areas zoned “O”, “Office District”, LC, “Limited Commercial District”, UC, “Urban Commercial District.”

(10) A new Tower on property in areas zoned RR, “Rural Residential District”, R-1, “Single-Family Residential District”, R-2, “Urban-Family Residential District”, R-3, “Multiple-Family Residential District”, and NTR, “Non-Traditional Residential District.”

b. If the proposed site is not proposed for the highest priority listed above, then a detailed explanation must be provided as to why a site of a higher priority was not selected. The person seeking such an exception must satisfactorily demonstrate the reason or reasons why such a permit should be granted for the proposed site, and the hardship that would be incurred by the Applicant if the permit were not granted for the proposed site.

c. An Applicant may not by-pass sites of higher priority by stating the site proposed is the only site leased or selected. An Application shall address co-location as an option. If such option is not proposed, the Applicant must explain to the reasonable satisfaction of the City why co-location is commercially or otherwise Impracticable. Agreements between providers limiting or prohibiting co-location shall not be a valid basis for any claim of Commercial Impracticability or hardship.

d. Notwithstanding the above, the City may approve any site located within an area in the above list of priorities, provided that the City finds that the proposed site is in the best interest of the health, safety and welfare of the City and its inhabitants and will not have a deleterious effect on the nature and character of the community and neighborhood.

e. The Applicant shall submit a written report demonstrating the Applicant's review of the above locations in order of priority, demonstrating the technological reason for the site selection. If appropriate, based on selecting a site of lower priority, a detailed written explanation as to why sites of a higher priority were not selected shall be included with the Application.

f. Notwithstanding that a potential site may be situated in an area of highest priority or highest available priority, the City may disapprove an Application for any of the following reasons.

1. Conflict with safety and safety-related codes and requirements;
2. Conflict with the historic nature or character of a neighborhood or historical district;
3. The use or construction of Wireless Telecommunications Facilities which is contrary to an already stated purpose of a specific zoning or land use designation;
4. The placement and location of Wireless Telecommunications Facilities which would create an unacceptable risk, or the reasonable probability of such, to residents, the public, employees and agents of the City, or employees of the service provider or other service providers;
5. Conflicts with the provisions of Article 13.

13-10 Shared Use of Wireless Telecommunications Facilities and Other Structures

a. The City, as opposed to the construction of a new Tower, shall prefer locating on existing Towers or others structures without increasing the height. The Applicant shall submit a comprehensive report inventorying existing Towers and other suitable structures within two (2) miles of the location of any proposed new Tower, unless the Applicant can show that some other distance is more reasonable and demonstrate conclusively why an existing Tower or other suitable structure cannot be used.

b. An Applicant intending to locate on an existing Tower or other suitable structure shall be required to document the intent of the existing owner to permit its use by the Applicant.

c. Such shared use shall consist only of the minimum Antenna Array technologically required to provide service primarily and essentially within the City, to the extent practicable, unless good cause is shown.

13-11 Height of Telecommunications Towers

a. The Applicant shall submit documentation justifying the total height of any Tower, Facility and/or Antenna requested and the basis therefore. Documentation in the form of propagation studies

b. Must include all backup data used to perform at requested height and a minimum of ten (10') feet lower height to allow verification of this height need. Such documentation will be analyzed in the context of the justification of the height needed to provide service primarily and essentially within the City, to the extent practicable, unless good cause is shown. The height limitations in this section shall supersede the height limitations set forth in Article 12.

c. No Tower constructed after the effective date of Article 13, including allowing for all attachments, shall exceed that height which shall permit operation without required artificial lighting of any kind in accordance with city, state, and/or any federal statute, law, local law, city ordinance, code, rule or regulation.

13-12 Visibility of Wireless Telecommunications Facilities

a. Wireless Telecommunications Facilities shall not be artificially lighted or marked, except as required by Law.

b. Towers shall be galvanized and/or painted with a rust-preventive paint of an appropriate color to harmonize with the surroundings and shall be maintained in accordance with the requirements of Article 13.

c. If lighting is required, Applicant shall provide a plan for sufficient lighting of as unobtrusive and inoffensive an effect as is permissible under state and federal regulations.

13-13 Security of Wireless Telecommunications Facilities

All Wireless Telecommunications Facilities and Antennas shall be located, fenced or otherwise secured in a manner that prevents unauthorized access. Specifically:

a. All Antennas, Towers and other supporting structures, including guy anchor points and wires, shall be made inaccessible to individuals and constructed or shielded in such a manner that they cannot be climbed or collided with; and

b. Transmitters and Telecommunications control points shall be installed in such a manner that they are readily accessible only to persons authorized to operate or service them.

13-14 Signage

Wireless Telecommunications Facilities shall contain a sign no larger than four (4) square feet in order to provide adequate notification to persons in the immediate area of the presence of RF radiation or to control exposure to RF radiation within a given area. RF radiation warning signage shall be posted on all four sides of the compound. A sign of the same size is also to be installed to contain the name(s) of the owner(s) and operator(s) of the Antenna(s) as well as emergency phone number(s). The sign shall be on the equipment shelter or cabinet and be visible from the access point of the site and must identify the equipment owner of the shelter or cabinet. On tower sites, an FCC registration sign as applicable is also to be present. The signs shall not be lighted, unless applicable law, rule or regulation requires lighting. No other signage, including advertising, shall be permitted.

13-15 Lot Size and Setbacks

All proposed Towers and any other proposed Wireless Telecommunications Facility structures shall be set back from abutting parcels, recorded rights-of-way and road and street lines by the greater of the following distances: A distance equal to the height of the proposed Tower or Wireless Telecommunications Facility structure plus ten percent (10%) of the height of the Tower or structure, or the existing setback requirement of the underlying Zoning District, whichever is greater. Any accessory structure shall be located so as to comply with the applicable minimum setback requirements for the property on which it is situated.

13-16 Retention of Expert Assistance and Reimbursement by Applicant

a. The City may hire any consultant and/or expert necessary to assist the City in reviewing and evaluating the Application, including the construction and modification of the site, once permitted, and any site inspections.

b. An Applicant shall deposit with the City escrow funds sufficient to reimburse the City for all costs of the City's consultant in providing expert evaluation and consultation to any agency of the City in connection with the review of any Application, including where applicable, the lease negotiation, the pre-approval evaluation, and the construction and modification of the site, once permitted. The initial deposit required for a new tower or facility is $8,500, and for an eligible facility is $5,000, unless said amount has been modified by City Council Resolution. The placement of the Initial Deposit with the City shall precede the pre-application meeting. The City will maintain a separate escrow account for all such funds. The City's consultants/experts shall invoice the City for its services related to the Application. If, at any time during the process this escrow account has a balance less than 30% of the Initial Deposit, (the Minimum Escrow Account Balance), the Applicant shall immediately, upon notification by the City, replenish said escrow account so that it has a balance of at least 50% of the Initial Deposit (the Replenished Escrow Account Balance). Such additional escrow funds shall be deposited with the City before any further action or consideration is taken on the Application. The Initial Deposit, Escrow Account Balance and Replenished Escrow Balance amounts may be modified by resolution of the Columbus City Council. In the event that the amount held in escrow by the City is more than the amount of the actual invoicing at the conclusion of the project, the remaining balance shall, upon request of the Applicant, be promptly refunded to the Applicant. If notified by the City that additional escrow is required, the Applicant may request copies of Consultants' and/or experts' invoices. If the Applicant finds errors in those invoices, Applicant may ask the City to audit those specific items for reasonableness and may request relief there from if not deemed reasonable by the City.

c. Notwithstanding the above, there shall be a cap of $17,000 as to the total consultant fees to be charged to applicant in a case. The foregoing does not prohibit the City from imposing additional reasonable and cost based fees for costs incurred should an applicant amend or change its application and the fee cap shall not apply as to any fees which the City determines to be attributable to the dilatory or otherwise bad faith actions of Applicant in providing a complete application or in proceeding with a public hearing.

d. The total amount of the funds needed as set forth in subsection (B) of this section may vary with the scope (lease negotiations and/or review) and complexity of the project, the completeness of the Application and other information as may be needed to complete the necessary review, analysis and inspection of any construction or modification.

13-17 Public Hearing and Notification Requirements

The procedure for obtaining a Special Use Permit for Wireless Telecommunications Facilities shall follow the procedure set forth in Section 12-3 of the Columbus Zoning Ordinance with the exception that no public hearing or notifications are required for Eligible Facility applications.

The procedures of Article 12 are amended for purposes of Special Use Permits for Wireless Telecommunication Facilities to require written notice of such public hearing to be given to the owners of all real estate located within 500 feet instead of 300 feet of the real estate, which is the subject of the Special Use Permit for Wireless Telecommunication Facilities.

13-18 Action on an Application for a Special Use Permit for Wireless Telecommunications Facilities

a. The City will undertake a review of an Application pursuant to the Special Use Permit procedure of Section 12-3 and shall act within a reasonable period of time given the relative complexity of the Application and the circumstances, with due regard for the public's interest and need to be involved, and the Applicant's desire for a timely resolution.

b. Except as modified herein, the Special Use Permit Procedure of Article 12 of the Zoning Ordinance shall be followed. The decision of the City Council shall be set forth in the minutes and shall be supported by substantial evidence contained in a written record. The burden of proof for the granting of a Special Use Permit for Wireless Telecommunications Facilities shall always be upon the Applicant.

c. If the City does not approve the Special Use Permit for Wireless Telecommunications Facilities or if such an ordinance fails to pass, then the Applicant shall be notified of such non-approval or failure to pass, in writing, within ten (10) calendar days of the City's action.

13-19 Action on an Application for an Eligible Facility Permit for Wireless Telecommunications Facilities

a. Authorization of an Eligible Facility Permit. For any Eligible Facility Permit application, a complete application shall be approved by the Community Development Director or his or her designee only if he or she determines that such complete application is in compliance with Article 13.

b. The burden of proof for the granting of an Eligible Facility Permit for Wireless Telecommunications Facilities shall always be upon the Applicant.

c. If the City does not approve the Eligible Facility Permit for Wireless Telecommunications Facilities, then the Applicant shall be notified of such non-approval or failure, in writing, within ten (10) calendar days of the City's action.

13-20 Extent and Parameters of Eligible Facility Permit and Special Use Permit for Wireless Telecommunications Facilities.

The extent and parameters of an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities shall be as follows:

a. Such Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities shall not be assigned, transferred or conveyed without the express prior written notification to the City.

b. Such Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities may, following a hearing upon due prior notice to the Applicant, be revoked, canceled, or terminated for a violation of the conditions and provisions of the Eligible Facility or Special Use Permit, or for a material violation of Article 13, after prior written notice to the holder of the Special Use Permit.

13-21 Application Fee

At the time that a Person submits an Application for an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities for a new Tower, such Person shall pay a non-refundable application fee therefor to the City in an amount as set by resolution by the Columbus City Council. If the Application is for an Eligible Facility Permit or Special Use Permit which involves modifying or co-locating on an existing Tower or other suitable structure, where no increase in height of the Tower or structure is required, or for a temporary facility the non-refundable fee shall be in an amount as therefor set by resolution by the Columbus City Council.

13-22 Small Cell / DAS Facilities

Small Cell Facilities have the potential to require either an Eligible Facilities Permit or a Special Use Permit depending on the proposed facility. The information required for an Eligible Facility or a Special Use Permit is required as outlined in Article 13.

Batch applications can be submitted to expedite the permitting process. Applicant will be required to maintain the Minimum Escrow Account Balances. The total amount of the funds needed may vary with the scope and complexity of the project. The Cap established in Section 13-16 does not apply for batch applications.

13-23 Performance Security

The Applicant and the owner of record of any proposed Wireless Telecommunications Facilities property site shall, at its cost and expense, be jointly required to execute and file with the City a bond, or other form of security acceptable to the City as to type of security and the form and manner of execution, in an amount of at least $75,000 for a Tower facility and $25,000 for a co-location on an existing tower or other structure and with such sureties as are deemed sufficient by the City to assure the faithful performance of the terms and conditions of Article 13, and conditions of any Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities issued pursuant to Article 13. The full amount of the bond or security shall remain in full force and effect throughout the term of the Special Use Permit for Wireless Telecommunications Facilities and/or until any necessary site restoration is completed to restore the site to a condition comparable to that, which existed prior to the issuance of the original Eligible Facility Permit or Special Use Permit, for Wireless Telecommunications Facilities.

13-24 Reservation of Authority to Inspect Wireless Telecommunications Facilities

In order to verify that the holder of a Special Use Permit for Wireless Telecommunications Facilities and any and all lessees, renters, and/or licensees of Wireless Telecommunications Facilities, place and construct such facilities, including towers and antennas, in accordance with all applicable technical, safety, fire, building, and zoning codes, laws, ordinances and regulations and other applicable requirements, the City may inspect all facets of said permit holder's, renter's, lessee's or licensee's placement, construction, modification and maintenance of such facilities, including, but not limited to, towers, antennas and buildings or other structures constructed or located on the permitted site.

13-25 Liability Insurance

a. A holder of an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities shall secure and at all times maintain public liability insurance for personal injuries, death and property damage, and umbrella insurance coverage, for the duration of the Special Use Permit for Wireless Telecommunications Facilities in amounts as set forth below:

   1. Commercial General Liability covering personal injuries, death and property damage: $1,000,000 per occurrence/$2,000,000 aggregate;
   2. Automobile Coverage: $1,000,000 per occurrence/ $2,000,000 aggregate;
   3. Workers Compensation and Disability: Statutory amounts.

b. For a Wireless Telecommunications Facility on City property, the Commercial General Liability insurance policy shall specifically include the City and its officers, Councils, employees, committee members, attorneys, agents and consultants as additional insureds.

c. The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the State and with a Best's rating of at least A.

d. The insurance policies shall contain an endorsement obligating the insurance company to furnish the City with at least thirty (30) days prior written notice in advance of the cancellation of the insurance.

e. Renewal or replacement policies or certificates shall be delivered to the City at least fifteen (15) days before the expiration of the insurance that such policies are to renew or replace.

f. Before construction of a permitted Wireless Telecommunications Facilities is initiated, but in no case later than fifteen (15) days after the granting of the Special Use Permit, the holder of the Eligible Facility Permit or Special Use Permit shall deliver to the City a copy of each of the policies or certificates representing the insurance in the required amounts.

13-26 Indemnification

a. Any application for Wireless Telecommunication Facilities that is proposed for City property, pursuant to Article 13, Part A, shall contain a provision with respect to indemnification. Such provision shall require the applicant, to the extent permitted by the Law, to at all times defend, indemnify, protect, save, hold harmless, and exempt the City, and its officers, Councils, employees, committee members, attorneys, agents, and consultants from any and all penalties, damages, costs, or charges arising out of any and all claims, suits, demands, causes of action, or award of damages, whether compensatory or punitive, or expenses arising therefrom, either at law or in equity, which might arise out of, or are caused by, the placement, construction, erection, modification, location, products performance, use, operation, maintenance, repair, installation, replacement, removal, or restoration of said Facility, excepting, however, any portion of such claims, suits, demands, causes of action or award of damages as may be attributable to the negligent or intentional acts or omissions of the City, or its servants or agents. With respect to the penalties, damages or charges referenced herein, reasonable attorneys' fees, consultants' fees, and expert witness fees are included in those costs that are recoverable by the City.

b. Notwithstanding the requirements noted in subsection (A) of this section, an indemnification provision will not be required in those instances where the City itself applies for and secures an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities.

13-27 Fines

a. In the event of a violation of Article 13, or any Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities issued pursuant to Article 13, Part A, the City may impose and collect, and the holder of the Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities shall pay to the City, fines or penalties as set forth below.

b. The holder of an Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities failure to comply with provisions of Article 13, Part A,, shall constitute a violation of Article 13, Part A, and shall subject the Applicant to the code enforcement provisions and procedures as provided in Section 12-14 of the Columbus Land Development Ordinance, Zoning Article of the City of Columbus and Article 86 of Nebraska Revised Statutes.

c. Notwithstanding anything in Article 13, Part A, the holder of the Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities may not use the payment of fines, liquidated damages or other penalties, to evade or avoid compliance with Article 13, or any section of Article 13. An attempt to do so shall subject the holder of the Eligible

Facility Permit or Special Use Permit for Wireless Telecommunications Facilities to termination and revocation of the Eligible Facility Permit or Special Use Permit for Wireless Telecommunications Facilities. The City may also seek injunctive relief to prevent the continued violation of Article 13, without limiting other remedies available to the City.

13-28 Default and/or Revocation

If a Wireless Telecommunications Facility is repaired, rebuilt, placed, moved, re-located, modified or maintained in a way that is inconsistent or not in compliance with the provisions of Article 13, or of the Eligible Facility Permit or Special Use Permit for Wireless Communications Facilities, then the City shall notify the holder of the Eligible Facility Permit or Special Use Permit in writing of such violation. A Permit holder in violation may be considered in default and subject to fines as set forth in Section 13-27 and if a violation is not corrected to the satisfaction of the City in a reasonable period of time said Eligible Facility Permit or Special Use Permit is subject to revocation.

13-29 Removal of Wireless Telecommunications Facilities

a. Under the following circumstances, the City may determine that the health, safety, and welfare interests of the City warrant and require the removal of Wireless Telecommunications Facilities.

    1. Wireless Telecommunications Facilities with a permit have been abandoned (i.e. not used as Wireless Telecommunications Facilities) for a period exceeding ninety consecutive (90) days or a total of one hundred-eighty (180) days in any three hundred-sixty five (365) day period, except for periods caused by force majeure or Acts of God, in which case, repair or removal shall commence within 90 days;

    2. Permitted Wireless Telecommunications Facilities fall into such a state of disrepair that it creates a health or safety hazard;

    3. Wireless Telecommunications Facilities have been located, constructed, or modified without first obtaining, or in a manner not authorized by, the required Eligible Facility or Special Use Permit for Wireless Telecommunications Facilities, or any other necessary authorization and the Eligible Facility or Special Permit for Wireless Telecommunications Facilities may be revoked.

b. If the City makes such a determination as noted in subsection (A) of this section, then the City shall notify the holder of the Eligible Facility or Special Use Permit for Wireless Telecommunications Facilities within forty-eight (48) hours that said Wireless Telecommunications Facilities are to be removed, the City may approve an interim temporary use agreement/permit, such as to enable the sale of the Wireless Telecommunications Facilities.

    The holder of the Eligible Facility or Special Use Permit for Wireless Telecommunications Facilities, or its successors or assigns, shall dismantle and remove such Wireless Telecommunications Facilities, and all associated structures and facilities, from the site and restore the site to as close to its original condition as is possible, such restoration being limited only by physical or Commercial Impracticability, within ninety (90) days of receipt of written notice from the City. However, if the owner of the property upon which the Wireless Telecommunications Facilities are located wishes to retain any access roadway to the Wireless Telecommunications Facilities, the owner may do so with the approval of the City.

c. If Wireless Telecommunications Facilities are not removed or substantial progress has not been made to remove the Wireless Telecommunications Facilities within ninety (90) days after the Permit for Wireless Communications Facilities holder has received notice, then the City may order officials or representatives of the City to remove the Wireless Telecommunications Facilities at the sole expense of the owner or Eligible Facility or Special Use Permit for Wireless Telecommunications Facilities holder.

   If the City removes, or causes to be removed, Wireless Telecommunications Facilities, and the owner of the Wireless Telecommunications Facilities does not claim and remove it from the site to a lawful location within ten (10) days, then the City may take steps to declare the Wireless Telecommunications Facilities abandoned and sell them and their components.

d. Notwithstanding anything in this Section to the contrary, the City may approve a temporary use permit/agreement for the Wireless Telecommunications Facilities, for no more than ninety (90) days, during which time a suitable plan for removal, conversion, or re-location of the affected Wireless Telecommunications Facilities shall be developed by the holder of the Eligible Facility or Special Use Permit for Wireless Telecommunications Facilities, subject to approval of the City, and an agreement to such plan shall be executed by the holder of the Eligible Facility or Special Use Permit for Wireless Telecommunications Facilities and the City. If such a plan is not developed, approved and executed within the ninety (90) day time period, then the City may take possession of and dispose of the affected Wireless Telecommunications Facilities in the manner provided in this Section.

13-30 Relief

Any Applicant desiring relief, waiver or exemption from any aspect or requirement of Article 13, may request such, provided that the relief or exemption is contained in the submitted Application for either a Eligible Facility or Special Use Permit for Wireless Telecommunications Facilities, or in the case of an existing or previously granted Eligible Facility or Special Use Permit for Wireless Telecommunications Facilities a request for modification of its Tower and/or facilities. Such relief may be temporary or permanent, partial or complete. However, the burden of proving the need for the requested relief, waiver or exemption is solely on the Applicant to prove. The Applicant shall bear all costs of the City in considering the request and the relief, waiver or exemption. No such relief or exemption shall be approved unless the Applicant demonstrates by clear and convincing evidence that, if granted the relief, waiver or exemption, it will have no significant effect on the health, safety and welfare of the City, its residents and other service providers.

CHAPTER 1, ARTICLE 13: WIRELESS TELECOMMUNICATIONS FACILITIES SITING ORDINANCE

13-31 Periodic Regulatory Review by the City

a. The City may at any time conduct a review and examination of Article 13.

b. If after such a periodic review and examination of this Ordinance, the City determines that one or more provisions of Article 13, should be amended, repealed, revised, clarified, or deleted, then the City may take whatever measures are necessary in accordance with applicable Law in order to accomplish the same. It is noted that where warranted, and in the best interests of the City, the City may repeal Article 13, at any time.

c. Notwithstanding the provisions of subsections (A) and (B) of this Section, the City may at any time and in any manner (to the extent permitted by Federal, State, or local law), amend, add, repeal, and/or delete one or more provisions of this Article 13.

13-32 Adherence to State and/or Federal Rules and Regulations

a. To the extent that the holder of a Eligible Facility or Special Use Permit for Wireless Telecommunications Facilities has not received relief, or is otherwise exempt, from appropriate State and/or Federal agency rules or regulations, then the holder of such a Eligible Facility or Special Use Permit for Wireless Telecommunications Facilities shall adhere to, and comply with, all applicable rules, regulations, standards, and provisions of any State or Federal agency, including, but not limited to, the FAA and the FCC. Specifically included in this requirement are any rules and regulations regarding height, lighting, security, electrical and RF emission standards.

b. To the extent that applicable rules, regulations, standards, and provisions of any state or federal agency, including but not limited to, the FAA and the FCC, and specifically including any rules and regulations regarding height, lighting, and security are changed and/or are modified during the duration of an Eligible Facility or Special Use Permit for Wireless Telecommunications Facilities, then the holder of such an Eligible Facility or Special Use Permit for Wireless Telecommunications Facilities shall conform the permitted Wireless Telecommunications Facilities to the applicable changed and/or modified rule, regulation, standard, or provision within a maximum of twenty-four (24) months of the effective date of the applicable changed and/or modified rule, regulation, standard, or provision, or sooner as may be required by the issuing entity.

13-33 Adherence to International Building Code

To the extent applicable, the holder of an Eligible Facility Permit or a Special Use Permit for Wireless Communication Facilities shall adhere to the latest version of the International Building Code adopted by the City of Columbus and towers shall be reviewed under the Structure Class III Standards as currently defined in TIA/EIA-222-G.

13-34 Conflict with Other Laws

Where Article 13, differs or conflicts with other laws, rules and regulations, unless the right to do so is preempted or prohibited by the city, state or federal government, Article 13, shall apply.

13-35 Effective Date

Article 13, shall be effective immediately upon passage and publication, pursuant to applicable legal and procedural requirements.

CHAPTER 1, ARTICLE 13: WIRELESS TELECOMMUNICATIONS FACILITIES SITING ORDINANCE

13-36 Authority

Article 13, is enacted pursuant to applicable authority granted by the state and federal government.

13-37 to 13-39 Reserved for Future Use.

CHAPTER 1, ARTICLE 13: WIRELESS TELECOMMUNICATIONS FACILITIES SITING ORDINANCE

: PART B - SMALL WIRELESS FACILITIES IN THE RIGHT-OF-WAY

13-40 Title

Article 13, Part B, shall be known and cited as “Small Wireless Facilities in the Right-of-Way” for the City of Columbus, Nebraska, and herein referred to as Article 13, Part B.

13-41 Severability

If any word, phrase, sentence, part, section, subsection, or other portion of this Article 13, Part B, or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed Application thereof, shall be severable, and the remaining provisions of Article 13, Part B, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

13-42 Definitions

For purposes of Part B of this Article, the definitions of this Section shall apply.

“**Antenna**” means communications equipment that transmits or receives electromagnetic radio frequency signals used in providing wireless services.

“Applicable Codes” means uniform building, fire, safety, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or local amendments to such codes so long as such amendments are not in conflict with the Small Wireless Facilities Deployment Act, Neb. Rev. Stat. Section 86-1201 et seq., and to the extent such codes have been adopted by the City and are generally applicable in the City.

“**Applicant**” means any person who submits an application and is a wireless provider.

“**Application**” means a written request submitted by an applicant to the City for (1) a permit to collocate small wireless facilities on an existing utility pole or wireless support structure or (2) a permit for the installation, modification, or replacement of a utility pole to support the installation of a small wireless facility.

“**City pole**” means a utility pole owned, managed, or operated by or on behalf of the City.

“**Collocate**” or “**collocation**” means to install, mount, maintain, modify, operate, or replace small wireless facilities on or adjacent to a wireless support structure or utility pole. Neither “collocate” nor “collocation” includes the installation of a new utility pole or new wireless support structure in the right-of-way.

“**Communications facility**” means the set of equipment and network components including wires, cables, and associated facilities used by a cable operator as defined in 47 U.S.C. 522(5), as such section existed on January 1, 2019, a telecommunications carrier as defined in 47 U.S.C. 153(51), as such section existed on January 1, 2019, a provider of information service as defined in 47 U.S.C. 153(24), as such section existed on January 1, 2019, or a wireless services provider, to provide communications services, including cable service as defined in 47 U.S.C. 153(8), as such section existed on January 1, 2019, an information service as defined in 47 U.S.C. 153(24), as such section existed on January 1, 2019, wireless services, or other one-way or two-way communications service.

“**Communications network**” means a network used to provide communications service.

“**Communications service**” means a cable service as defined in 47 U.S.C. 522, as such section existed on January 1, 2019, an information service as defined in 47 U.S.C. 153, as

such section existed on January 1, 2019, a telecommunications service as defined in 47 U.S.C. 153, as such section existed on January 1, 2019, or a wireless service.

"Communications service provider" means a cable operator as defined in 47 U.S.C. 522, a provider of information service as defined in 47 U.S.C. 153, or a telecommunications carrier as defined in 47 U.S.C. 153, as such sections existed on January 1, 2019. Communications service provider includes a wireless provider.

"**Decorative pole**" means a City pole that is specially designed and placed for aesthetic purposes.

"**FCC**" means the Federal Communications Commission.

"Fee" means a one-time nonrecurring charge.

"**Historic District**" means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places, in accordance with Stipulation VI.D.1.a (i)-(v) of the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the FCC codified at 47 C.F.R. part 1, Appendix C, as such regulation existed on January 1, 2019, or designated pursuant to state historic preservation law if such designation exists at the time of application.

"Law" means federal, state, or local law, statute, common law, code, rules, regulation, order, or ordinance.

"**Make-ready work**" generally means the modification or replacement of a City pole or associated lines, including the installation of guys and anchors on the same, required to accommodate a small wireless facility.

Microwireless facility" means a small wireless facility that is not larger in dimension than twenty-four inches in length, fifteen inches in width, and twelve inches in height and with any exterior antenna no longer than eleven inches.

"**Permit to occupy the right-of-way**" means a written authorization from the City issued pursuant to this Article which allows an applicant to site, place, construct, operate, maintain, repair, remove, modify, or prepare one or more small wireless facilities in the City's rights-of-way.

"Person" means an individual, a corporation, a limited liability company, partnership, an association, a trust, or any other entity or organization.

"**Pole**" means as a utility, lighting, or similar pole made of wood, concrete, metal, or other material, located or to be located within the right-of-way.

"**Public power supplier**" means a public power district or any other governmental entity providing electric service. Public power supplier includes a municipal electric supplier.

"**Rate**" means a recurring charge.

"**Right-of-way**" means the area on, below, or above a public roadway, highway, street, sidewalk, alley, dedicated utility easement, or similar property, but not including a freeway as defined in section 39-1302, the National System of Interstate and Defense Highways, or a private easement.

"**Routine maintenance**" means any inspections, tests, or repairs that (1) maintain a functional capacity, aesthetic standards, or structural integrity of a small wireless facility and

the associated utility pole or wireless support structure and (2) do not impede, damage, or disturb any portion of the right-of-way.

"**Small wireless facility**" means a wireless facility that meets each of the following conditions: (1) the facilities (a) are mounted on structures 50 feet or less in height including the antennas or (b) are mounted on structures no more than 10 percent taller than other adjacent structures; (2) each antenna associated with the deployment is no more than three cubic feet in volume; (3) all other equipment associated with the structure, whether ground-mounted or pole-mounted, is no more than 28 cubic feet in volume; (4) the facilities do not require antenna structure registration under 47 C.F.R. part 17, as such regulation existed on January 1, 2019; (5) the facilities are not located on tribal lands, as defined in 36 C.F.R. 800.16(x), as such regulation existed on January 1, 2019; and (6) the facilities do not result in human exposure to radio frequency radiation in excess of the applicable safety standards specified in 47 C.F.R. 1.1307(b), as such regulation existed on January 1, 2019.

"**Technically feasible**" means that by virtue of engineering or spectrum usage, the proposed placement for a small wireless facility, or its design or site location, can be implemented without a reduction in the functionality of the small wireless facility.

"**Utility pole**" means a pole located in the right-of-way that is used for wireline communications, lighting, the vertical portion of support structures for traffic control signals or devices or a similar function, or for the collocation of small wireless facilities and located in the right-of-way. "Utility Pole" does not include (1) wireless support structures or (2) any transmission infrastructure owned or operated by a public power supplier.

"**Wireless facility**" means equipment at a fixed location that enables wireless communications between user equipment and a communications network, including (1) equipment associated with wireless communications and (2) radio transceivers, antennas, coaxial or fiber-optic cable, regular power supply, and small back-up battery, regardless of technological configuration. Wireless facility includes small wireless facilities. "Wireless facility" does not include the structure or improvements on, under, or within the equipment, which is collocated; coaxial or fiber optic cable that is between wireless structures or utility poles or that is otherwise not immediately adjacent to, or directly associated with, a particular antenna; or a wireline backhaul facility.

"**Wireless infrastructure provider**" means any person, including a person authorized to provide telecommunications service in the State of Nebraska, when acting to build or install wireless communication transmission equipment, wireless facilities, or wireless support structures, but that is not a wireless services provider.

"**Wireless provider**" means a wireless services provider or a wireless infrastructure provider when acting as a co-applicant for a wireless services provider.

"**Wireless services**" means any services using licensed or unlicensed spectrum, including the use of Wi-Fi, whether mobile or at a fixed location, provided to the public using wireless facilities.

"**Wireless services provider**" means a person who provides wireless services.

"**Wireless support structure**" means a structure such as a guyed or self-supporting tower, billboard, building, or other existing or proposed structure designed to support or capable of supporting wireless facilities other than a structure designed solely for the collocation of small wireless facilities. Wireless support structure does not include a utility pole.

"**Wireline backhaul facility**" means an above-ground or underground facility used to transport communications services from a wireless facility to a communications network.

13-43 Purpose and Scope

This Article supplements the generally applicable right-of-way permitting provisions in Article 15 with specific provisions for the placement, permitting, and use of small wireless facilities in the City's right-of-way. In the event of a conflict between Article 15 and this Article, this Article shall control. This Article is intended to comply with the Small Wireless Facilities Deployment Act as adopted by the 106th Nebraska Legislature First Session, referred to in this Article as the "Act". Nothing in this Chapter shall restrict any authority of the City as provided in the Act.

A. *Applicability of this Article.* No person shall site, place, construct, operate, maintain, repair, remove, modify, or prepare any small wireless facility, any wireless support structure, any utility pole built or modified solely to accommodate a small wireless facility, or any other structure built solely to support a wireless facility, in the City's right-of-way, without first having received a permit from the City to occupy right-of-way pursuant to Article 15. Any small wireless facility, wireless support structure, or any utility pole or other structure built or modified solely to support a wireless facility, which is located outside the City's right-of-way, is not subject to this Article; however, such facilities and structures are subject to the City's Zoning Ordinance.

B. Exceptions and Limitations.

Notwithstanding subsection (A) above, the City shall not require an application, permit, or other approval or charge fees or rates for (a) routine maintenance of small wireless facilities; (b) replacement of small wireless facilities with small wireless facilities that are substantially similar in weight or windage or the same size or smaller; or (c) the installation, placement, maintenance, operation, or replacement of micro wireless facilities that are strung on cables between existing utility poles in compliance with the National Electrical Safety Code; provided, in all such cases, the City may require a permit to occupy the right-of-way for work that exceeds the original weight or windage or that requires excavation or closing of sidewalks or vehicular lanes within the right-of-way for such activities.

a. Nothing in this Article shall be construed (a) to allow any entity to provide communications services without complying with all laws applicable to such providers or (b) to authorize collocation, installation, placement, maintenance, or operation of any communications facility, including a wireline backhaul facility, other than a small wireless facility or a utility pole, in a right-of-way.

b. Except as provided in Article 13, Part B, a wireless provider shall have the right, as a permitted use not subject to zoning review or approval, to collocate small wireless facilities and install, maintain, modify, operate, and replace utility poles along, across, upon, and under the right-of-way so long as such facilities and poles do not obstruct or hinder the usual travel or public safety on such right-of-way or obstruct the legal use of such right-of-way by utilities or the safe operation of their systems or provision of service.

c. Article 13, Part B, Section 13-44 to Section 13-47 shall not apply to public power suppliers or to the collocation of small wireless facilities on utility poles owned, operated, or managed by a public power supplier.

13-44 Permits to Occupy the Right-of-Way

a. Application for Permits.

1. Applications for permits to occupy the right-of-way are available from the Community Development Office. Completed applications shall be submitted to the City's On-line permit application process. In addition to the information required by Section 15-3, applicants shall submit the following information with each completed application:

   (a) an attestation that the small wireless facilities covered by the application will be operational for use by a wireless services provider within nine months after the later of the completion of all make-ready work or the permit issuance date unless a delay is caused by lack of commercial power or communications transport facilities to the site; and

   (b) an attestation that each proposed small wireless facility satisfies each of the aesthetic and design standards set forth in Article 15, Section 15-5, except for such standards, if any, for which applicant is concurrently submitting a request for relief under Section 15-7; and

   (c) for any small wireless facilities collocated on utility poles or wireless support structures owned, operated, or managed by a person other than the City or a public power supplier, a copy of the authorization of such person consenting the application; and

   (d) if the collocation of the small wireless facility is on utility poles owned, operated, or managed by a public power supplier pursuant to a negotiated pole attachment agreement as provided in Neb. Rev. Stat. §86-1244(1), then a copy of said agreement; and

   (e) all permit fees required under Section 15-4; and

   (f) information directly related to the impairment of wireless service in the immediate area; and

   (g) construction and engineering drawings and information demonstrating compliance with the criteria set forth in Section 13-44; and

2. An applicant that collocates a small wireless facility within the City right-of-way or on a utility pole assumes the risk of any loss, damage to, or loss of use of any facilities which are damaged, destroyed, or taken out of service due to applicant's use or presence in or on the right-of-way, except to the extent such loss or damage is due to or caused by the negligence or willful misconduct of the City.

3. An applicant may file a consolidated application for up to five individual small wireless facilities instead of filing a separate application for each such facility. An applicant shall submit the information required under Section 15-3 for each small wireless facility covered by a consolidated application; otherwise, the applicant may submit a single set of documents that apply to all of the small wireless facilities covered by such a consolidated application. Each small wireless facility within a consolidated application shall be subject to individual review; provided, that a decision regarding all small wireless facilities shall be rendered in a single determination by the Community Development Director, or his designee and provided further that the denial of one or more small wireless facilities in a consolidated application shall not delay processing of any other small wireless facilities in the same application or be a basis upon which to deny the consolidated application as a whole.

b. Review of Permits.

1. Within 20 days after receiving an application, the Community Development Director, or his or her designee, shall determine and notify the applicant in writing whether the application is complete. If an application is incomplete, the City will specifically identify the missing information in writing. The 90-day processing deadline set forth in subsection (B)(2) below shall restart upon the first finding of incompleteness. The applicant may resubmit the completed application within 30 days without additional charge. Subsequent findings of incompleteness shall toll the 90-day processing deadline, and any subsequent review shall be limited to the specifically identified information subsequently completed. If the applicant makes any material changes in a resubmission, other than the material changes required by the City, the applicant shall be required to make a new application and submit a new application fee. Subsequent findings of incompleteness will toll the deadline from the time the City sends notice of the incompleteness to the time the applicant provides the missing information. The application processing deadline also may be tolled (a) if requested by applicant in order to accommodate applicant's request for relief submitted by applicant pursuant to Section 13-48 or (b) by agreement between the City and the applicant.

2. Unless tolled, the City will process an application no later than 90 days after receiving it. Subject to the tolling under subsection b.1 above, the application shall be deemed approved if the City fails to approve or deny the application within 90 days after receipt of the same. The City may extend the 90-day application processing deadline for a period of 10 business days if the City notifies the applicant in advance before the day on which approval or denial is originally due. Upon mutual agreement between the applicant and the City, the City may extend the period for consideration of an application for 30 days.

3. The City may propose technically feasible alternative utility pole locations; provided, the City shall not require the placement of small wireless facilities on any specific utility pole or category of poles or require multiple antenna systems on a single utility pole. The wireless provider shall cooperate with the City to address the City's reasonable proposal.

The term of each permit to occupy the right-of-way issued under this Article shall be set forth in the permit and shall be for a period not less than five years.

c. Denial of Permit Applications.

1. The City may deny an application for a proposed collocation of a small wireless facility or installation, modification or replacement of a utility pole that meets the requirements of this Article 13, Part B, if the proposed operation: (a) materially and demonstrably interferes with the safe operation of traffic control equipment or the right-of-way; (b) materially interferes with sight lines or clear zones for air or land transportation or pedestrians; (c) materially interferes with compliance with the federal Americans with Disabilities Act of 1990 or similar federal or state standards regarding pedestrian access or movement; (d) fails to comply with the spacing requirements set forth in Article 15 of the Columbus Land Development Ordinance; (e) fails to comply with applicable codes of general applicability which do not apply exclusively to wireless facilities; (f) fails to comply with the aesthetic and other design requirements set forth in Article 15, Section 13-46 and Section 15-5; or (g) designates the location of a new utility pole within seven feet in any direction of an electrical conductor unless the wireless provider obtains the written consent of the public power supplier that owns or manages the electrical conductor.

2. The City shall document the basis for denial, including any specific provisions of this Article or other applicable law on which the denial was based, and send such documentation to the applicant on or before the date the City denies the application. The applicant may cure the deficiencies identified by the City and resubmit the application within 30 days without paying an additional application fee, and the City shall have 30 days after receiving such resubmitted application to approve or deny the same; provided, such review shall be limited to deficiencies cited in the City's denial.

d. *Issuance of Permits.* All permits to occupy the right-of-way issued under this Article are issued subject to the conditions set forth in Section 15-3 and, in addition thereto, the following conditions:

1. The small wireless facilities covered by the application shall be operational for use by a wireless services provider no later than one year after the later of the completion of all make-ready work or the permit issuance date; provided, upon applicant's request, the City (a) shall grant a one-time extension for up to nine months if the applicant demonstrates that the delay is caused by the lack of commercial power to communications transport facilities to the site and (b) may grant one or more additional extensions on such terms as mutually agreed upon by the City and applicant.

2. The City may reserve space on the City's poles and the applicant shall cooperate with the City in any such reservation, except that the City shall first notify the applicant in writing that it is interested in reserving such pole space or sharing the trenches or bores in the area where the collocation is to occur. The applicant shall allow the City to place its infrastructure in the applicant's trenches or bores or on the utility pole as requested by the City, except that the City shall incur the incremental costs of placing the conduit or infrastructure as requested. The City shall be responsible for maintaining its facilities in the trenches and bores and on the City's pole.

e. *Renewal of Permits.* The City shall renew a permit issued hereunder for an equivalent duration as long as the applicant is in compliance with the criteria set forth in Section 13-44 as such criteria existed at the time the permit was granted.

13-45 Rates

a. *Applicability of Section*. The fees and taxes set forth in this Section shall apply to permits issued hereunder in lieu of the fees and taxes set forth in Section 15-4.

b. *Application Fees*. For each collocation of a small wireless facility on an existing or replacement City pole, the applicant shall pay the City the small wireless facility collocation application fee in the amount set forth in the Schedule of Fees. For each installation, modification, or replacement of a utility pole and the collocation of an associate small wireless facility on such pole, the applicant shall pay the City the small wireless facility site application fee in the amount set forth in the Schedule of Fees.

c. *Occupation Tax*. If applicable to applicant, the applicant shall pay the City an annual occupation tax for use of the right-of-way in the amount and manner provided in Chapter 111 of the Columbus City Code. If applicant is not required to pay an occupation tax under said Chapter, applicant shall pay the City the rate of $250 per small wireless facility per year.

d. *City Pole Rate*. For each City pole on which the applicant collocates a small wireless facility, the applicant shall pay annually the City pole rate in the amount set forth in the City's Schedule of Fees.

e. Make Ready Work Fees.

13-46 Aesthetic and Design Standards

The purpose of the standards set forth in this Section is to supplement the aesthetic and design standards set forth in Section 15-5. All small wireless facilities in the right-of-way to which Article 13, Part B, applies, shall comply with each standard set forth in in Section 15-5 and those set forth in this Section 13-46.

a. *Spacing of Ground Mounted Equipment and New Utility Poles*. All proposed ground mounted facilities and new utility poles shall be located pursuant to the spacing requirements of Section 15-5 from any other small wireless facility, provided, however, that such spacing requirements shall not prevent a wireless provider from serving any location.

b. *Additional Design Rules for Pole-Mounted Facilities.* All small wireless facilities proposed to be mounted on utility poles shall conform to the following guidelines:

   1. To the maximum extent technically feasible, and provided the limits of a small wireless facility are not exceeded, all antennae and all of each antenna's exposed elements and shroud transitions shall be mounted at the top of the proposed pole and shall be enclosed within a single cylindrical antenna shroud which (a) reasonably color-matches the pole; (b) should have a diameter no greater than 14 inches; (c) should have a uniform diameter once transitioned from the pole shaft; (d) should include only visually concealed cables, wires, and other components; and (e) should be no greater than 6 feet in height;

   2. All components of the facility, other than those described in subsection (B)(1) above, shall be placed below grade to the maximum extent technically feasible and, when undergrounding is not technically feasible, shall be fully enclosed with a base shroud that: (a) is structurally sound to fully support the pole while maximizing equipment volume; (b) is cylindrical and is as small as technically feasible with a maximum consistent diameter of 30 inches; (c) does not exceed a height of six feet from mounting surface; (d) reasonably matches pole color and finish; and (e) is as solid as feasible to visually conceal and lock all contents and wiring; and

3. Subject to the placement and other requirements in subsections (B)(1) and (B)(2) above, any components of a freestanding facility that are attached to support poles must be mounted so that all parts are at least seven feet or higher above adjacent surface grade.

c. Height Restrictions.

1. Any new or modified utility pole installed in a right-of-way shall not exceed the greater of (a) 5 feet in height above the tallest existing utility pole located within 500 feet of the new utility pole in the same right-of-way or (b) 50 feet above ground level.

2. New small wireless facilities in a right-of-way shall not extend more than the greater of (a) 50 feet in height, including antennae, or (b) more than 5 feet above an existing utility pole in place as of September 1, 2019 and located within 500 feet in the same right-of-way.

3. The City shall have the right, at its sole discretion, to consider and approve an application to install a utility pole or wireless support structure that exceeds the height limits in this subsection (C); provided, any facility which exceeds the height restrictions set forth in the definition of "small wireless facility" provided in Section 13-42 shall also be subject to the City's Zoning Ordinance.

d. *Decorative Poles (Streetlights)*. If decorative poles serving as streetlights have been installed in a neighborhood, small wireless facilities shall first be collocated on such poles at intersections as combination poles with streetlights, with poles mid-block as secondary sites so that removal of decorative streetlights mid-block is minimized and preservation of the intended decorative aesthetics is maximized. The City may, in its discretion authorize the replacement of a decorative pole but any replacement pole shall strictly conform to the design aesthetics of the decorative pole being replaced.

13-47 Independent Technical and Legal Review

In the event applicant is requesting make ready work on City poles, the City may request a deposit for such make ready work based on a good faith estimate.

13-48 Relief

Any applicant desiring to appeal from any aspect or requirement of this Article, may file an appeal with the Board of Adjustment pursuant to Section 12-8 of the Columbus Land Development Ordinance. Section 12-8 to Section 12-11 shall govern such appeals.

14 ARTICLE FOURTEEN: SEXUALLY ORIENTED BUSINESS

14-1 Purpose and Intent

It is the purpose of this section to regulate sexually oriented businesses to promote the health, safety, morals and general welfare of the citizens of the city, and to establish reasonable and uniform regulations to prevent the concentration of sexually oriented businesses within the city's jurisdiction. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent or effect of this section to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market.

14-2 Definitions

As used in this section, the following terms shall have the meanings indicated:

a. ADULT ARCADE – Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion-picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas."

b. ADULT BOOKSTORE or ADULT VIDEO STORE – A commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration any one or more of the following:

    1. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, videocassettes or video reproductions, slides or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas"; and/or

    2. Instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities."

c. A commercial establishment is not exempt from being categorized as an "Adult Bookstore" or "Adult Video Store" so long as one of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas."

d. ADULT CABARET – A night club, bar, restaurant or similar commercial establishment which regularly features:

    1. Persons who appear in a state of nudity; or

    2. Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or

    3. Films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

e. ADULT MOTEL – A hotel, motel or similar commercial establishment which:

   1. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, videocassettes, digital video discs or other electronic media, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions; or
   2. Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
   3. Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.

f. ADULT MOTION-PICTURE THEATER – A commercial establishment where, for any form of consideration, films, motion pictures, videocassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

g. ADULT STORE – A commercial establishment which, as one of its principal business purposes, offers for sale or rental for any form of consideration instruments, devices, “adult toys,” or paraphernalia which are designed for use in connection with “specified sexual activities.”

h. A commercial establishment is not exempt from being categorized as an “Adult Store” so long as one of its principal business purposes is the offering for sale of instruments, devices, “adult toys,” or paraphernalia which are designed for use in connection with “specified sexual activities.”

i. ADULT THEATER – A theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."

j. BUSINESS – An enterprise or entrepreneurial activity located in the City of Columbus’ jurisdiction, which includes all types of vocations, occupations, professions, enterprises, establishments (including sales of tangible personal property and furnishing of services), together with all devices, machines, vehicles and appurtenances used therein, any of which are conducted for private profit, gain, pecuniary benefit or advantage, either directly or indirectly.

k. CHIEF OF POLICE – The Chief of Police of the City of Columbus or its designated agent.

l. CITY – City of Columbus, Nebraska located in Platte County.

m. CITY COUNCIL – The City Council of the City of Columbus, Nebraska.

n. EMPLOYEE – Means a person who works or performs in and/or for a sexually oriented business, regardless of whether or not said person is paid a salary, wage, or other compensation by the operator of said business.

o. ESCORT – A person who, for consideration, agrees or offers to act as a companion, guide or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

p. ESCORT AGENCY -- A person or business association who furnishes, offers to furnish or advertises to furnish escorts as one of its primary business purposes, for a fee, tip or other consideration.

q. ESTABLISHMENT -- Includes any of the following:

   1. The opening or commencement of any sexually oriented business as a new business.
   2. The conversion of any existing business, whether or not a sexually oriented business, to any sexually oriented business.
   3. The addition of any sexually oriented business.
   4. The relocation of any sexually oriented business.

r. EXPIRATION DATE – Shall mean midnight of the date one (1) year after the license was issued.

s. LICENSEE – Any person, individual, partnership, corporation, firm, estate, trust, association, joint venture or other entity which a license to operate a sexually oriented business has been issued, as well as those listed as an applicant on the application for a license.

t. LICENSE YEAR – The period from the date of issuance to one (1) year after the license was issued.

u. NUDE MODEL STUDIO – Any place where a person who appears in a state of nudity or displays "specific anatomical areas" is provided to be observed, sketched, drawn, painted, sculptured, photographed or similarly depicted by other persons who pay money or any form of consideration.

v. NUDITY or STATE OF NUDITY:

   1. The appearance of a human bare buttocks, anus, male genitals, female genitals or female breasts; or
   2. The state of dress which fails to opaquely cover a human buttock, anus, male genitals, female genitals or areola of the female breast.

w. OPERATES OR CAUSES TO BE OPERATED – To cause to function or to put or keep in operation. A person may be found to be operating or causing to be operated a sexually oriented business whether or not that person is an owner, part owner or licensee of the business.

x. PERSON – An individual, proprietorship, partnership, corporation, association or other legal entity.

y. PREMISES – All lands, structures, lodges, stores, offices, sales rooms, warehouses and the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to or is otherwise used in connection with any such business within the city’s jurisdiction which is owned, leased or occupied by the business.

z. PRINCIPAL BUSINESS PURPOSE (Factors Determining) – A primary factor which shall be considered in determining the “principal business purpose” shall be whether the business publicly advertises such materials either through media or signs located on the exterior of its premises or signs located inside the business that can be seen from the exterior. Additional factors which may be considered are the gross income generated by adult materials compared to over-all gross income, and the amount of floor space, both retail and storage, devoted to adult materials.

aa. SEMI-NUDE – A state of dress in which clothing covers no more than the genitals, pubic region and areola of the female breast, as well as portions of the body covered by supporting straps or devices.

bb. SEXUAL ENCOUNTER CENTER – A business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:

1. Physical contact in the form of wrestling or tumbling between the opposite sex; or
2. Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.

cc. SEXUALLY ORIENTED BUSINESS – An adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion-picture theater, adult theater, escort agency, nude model studio or sexual encounter center.

dd. SPECIFIED ANATOMICAL AREAS – Shall mean and include any of the following:

1. human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areola, that are not completely and opaquely covered; or
2. human male genitals in a discernibly turgid state even if completely and opaquely covered.

ee. SPECIFIED SEXUAL ACTIVITIES – Includes any of the following:

1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy;
3. Masturbation, actual or simulated; or
4. Excretory functions as part of an or in connection with any of the activities set forth in Subsections 1 through 3 above.

ff. SUBSTANTIAL ENLARGEMENT – Of a sexually oriented business means the increase in floor area occupied by the business by more than 25% as the floor area exists.

gg. TRANSFER OF OWNERSHIP OR CONTROL – Of a sexually oriented business means and includes any of the following:

1. The sale, lease or sublease of the business;
2. The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange or similar means; or
3. The establishment of a trust, gift or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

14-3 Classification

Sexually oriented businesses are classified as they exist on the effective date of this section as follows:

1. Adult arcades;
2. Adult bookstores or adult video stores;
3. Adult cabarets;
4. Adult motels;
5. Adult motion-picture theaters;
6. Adult theaters;
7. Escort agencies;
8. Nude model studios; and
9. Sexual encounter centers.

14-4 Location of Sexually Oriented Businesses

a. All sexually oriented businesses shall be located and operated within an "ML/C-1" district with a special use permit.

b. A sexually oriented business cannot be operated within 300 feet of:
   1. A church;
   2. A public or private elementary or secondary school;
   3. A boundary of a residential or historic district;
   4. A park or recreational trail;
   5. A property line of a lot devoted to a residential use;
   6. A hospital; or
   7. A fairgrounds.

c. The operation, establishment, substantial enlargement or transfer of ownership or control of a sexually oriented business within 2,500 feet of another sexually oriented business is prohibited.

d. The operation, establishment or maintenance of more than one sexually oriented business in the same building, structure or portion thereof, or the increase of floor area of any sexually oriented business in any building, structure or portion thereof containing another sexually oriented business is prohibited.

e. For the purposes of subsection 2 of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church, public or private elementary or secondary school, or hospital or to the nearest boundary of an affected public park, residential district, historic district or residential lot.

f. For purposes of subsection 3 of this section, the distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which each business is located.

g. Any sexually oriented business lawfully operating on the effective date of this chapter that is in violation of subsections 1, 2, 3, or 4 of this section shall be deemed a nonconforming use. The nonconforming use will be permitted to continue for a period not to exceed three years, unless sooner terminated for any reason or voluntarily discontinued for a period of 30 days or more. Such nonconforming uses shall not be increased, enlarged, extended or altered, except that the use may be changed to a conforming use. If two or more sexually oriented businesses are within 2,500 feet of one another and otherwise in a permissible location, the sexually oriented business which was first established and continually operating at a particular location is the conforming use and the later-established business(es) is nonconforming.

h. A sexually oriented business fully operating as a conforming use is not rendered a nonconforming use by the location, subsequent to the grant or renewal of the sexually oriented business license, of a church, public or private elementary or secondary school, public park, residential district, historic district, residential lot or hospital within 300 feet of the sexually oriented business. This provision applies only to the renewal of a valid license, and does not apply when an application for a license is submitted after a license has expired or has been revoked.

14-5 Appeals, Exemption from Location Restrictions

1. If the City denies the issuance of a license to an applicant because the location of the sexually oriented business establishment is in violation of Article 14, Section 14-4, then the applicant may, not later than 10 calendar days after receiving notice of the denial, file with the City Clerk a written request for an exemption from the locational restrictions of Section 14-4.

2. If the written request is filed with the City Clerk within the ten-day limit, the City Council, shall consider the request. The City Clerk shall set a date for the hearing within 60 days from the date the written request is received.

3. A hearing by the City Council may proceed if at least five of the City Council members are present. The City Council shall hear and consider evidence offered by any interested person. The formal rules of evidence do not apply.

4. The City Council may, in its discretion, grant an exemption from the locational restrictions of Section 14-4 if it makes the following findings:

   (a) That the location of the proposed sexually oriented business will not have a detrimental effect on nearby properties or be contrary to the public safety or welfare;

   (b) That the granting of the exemption will not violate the spirit and intent of this chapter of the Zoning Code;

   (c) That the location of the proposed sexually oriented business will not downgrade the property values or quality of life in the adjacent areas or encourage the development of urban blight;

   (d) That the location of an additional sexually oriented business in the area will not be contrary to any program of neighborhood conservation nor will it interfere with any efforts of urban renewal or restoration; and

(e) That all other applicable provisions of this chapter will be observed.

5. The City Council shall grant or deny the exemption by a majority vote. Failure to reach a majority vote shall result in denial of the exemption. Disputes of fact shall be decided on the basis of a preponderance of the evidence. The decision of the City Council is final.
6. If the City Council grants the exemption, the exemption is valid for one year from the date of the City Council's action. Upon the expiration of an exemption, the sexually oriented business is in violation of the location restrictions of Section 14-4 until the applicant applies for and receives another exemption.
7. If the City Council denies the exemption, the applicant may not reapply for an exemption until at least 12 months have elapsed since the date of the City Council's action.
8. The grant of an exemption does not exempt the applicant from any other provisions of this chapter other than the locational restrictions of Section 14-4.

14-6 Signs for Sexually Oriented Businesses

a. No sign for a sexually oriented business shall contain flashing lights, words, lettering, photographs, silhouettes, drawings or pictorial representations that emphasize specified anatomical areas or specified sexual activities.

b. In addition to complying with all City of Columbus sign regulations, a sexually oriented business shall display a sign, clearly visible and legible at the entrance to the business, that gives notice of the adult nature of the sexually oriented business and of the fact that the premises is off limits to those under the age of 21 years.

15 ARTICLE FIFTEEN: PERMITS TO OCCUPY THE RIGHT-OF-WAY

15-1 Definitions

For purposes of this Article, the definitions of this Section shall apply**.**

a. "**Applicant**" means any person submitting an application for a permit under this Article.

b. "**Facilities**" means pipes, conduits, wires, cables, towers, switches, amplifiers, transformers, fiber optic lines, antennae, poles, ducts, conductors, lines, mains, vaults, appliances, attachments, equipment, structures, manholes, fixtures, appurtenances, and such other objects, devices, or components.

c. "**Franchise agreement**" means a franchise agreement, consent agreement, or similar agreement pursuant to which the City has granted a person the right to place facilities in its right-of-way.

d. "**Right-of-way (ROW)**" means the area on, below, or above a public roadway, highway, street, sidewalk, alley, dedicated utility, or similar property, but not including a freeway as defined in Neb. Rev. Stat. Section 39-1302, the National System of Interstate and Defense Highways, or a private easement.

e. "**Technically feasible**" means that by virtue of engineering or, if applicable, spectrum usage, the proposed placement, design, or site location of a facility can be implemented without a reduction in functionality.

15-2 Purpose; Scope; Exceptions

a. *Purpose.* This Article provides principles and procedures for the placement, construction, operation, maintenance, modification, repair, and removal of facilities in the rights-of-way. These principles and procedures are intended to protect the integrity of the City's rights-of-way and infrastructure and to promote the safe and orderly use of the rights-of-way among all right-of-way users. To achieve these purposes, it is necessary to require permits for all right-of-way uses, except as prohibited by law, and to establish uniform and nondiscriminatory rules which govern such permits.

b. *Scope*. This Article shall apply to all facilities located in the City's rights-of-way, subject to the limitations in this subsection (B), the exceptions provided in subsection (C) below, and preemption by applicable state or federal law. Any person in good-standing under a current, unexpired franchise agreement may continue to use the City's rights-of-way pursuant to the terms of such franchise agreement, unless otherwise prohibited by law, until the franchise agreement expires or is terminated. This Article shall not apply to the following right-of-way uses which are governed elsewhere as noted:

   1. Use of a right-of-way by an adjoining property owner as provided for under the Columbus Land Development Ordinance or the Columbus City Code.

   2. Use of the right-of-way by an adjacent business as approved by Resolution of the City Council or conducting other outdoor activities in the right-of-way as allowed by the Columbus City Code and approved by the City Administrator.

   3. Closure and use of a right-of-way for an event, provided such closure and use shall have been approved according to City of Columbus procedures.

c. *Exceptions*. The City shall not require an application, permit, or other approval or charge fees or rates under this Article for (1) routine maintenance of facilities where such maintenance is conducted by or on behalf of an applicant issued a permit for such facilities hereunder or (2) replacement of facilities with substantially similar facilities where such replacement is conducted by or on behalf of an applicant issued a permit for such facilities hereunder.

15-3 Permits

a. *Permit Required.* Unless otherwise specifically provided by law, it shall be unlawful for any person to lay, construct, operate, maintain, offer for lease, or make available for any use whatsoever, any facilities across, along, over, above, or under any public right-of-way for any private or commercial purpose unless such person has been issued a permit to occupy such right-of-way under this Article, unless said occupation is pursuant to a franchise agreement between user and the City.

b. *Permit Applications.* Applications for permits under this Article shall be made to the City of Columbus Engineering Department. Each such application shall include the following:

1. A complete set of construction plans for all facilities to be located in the right-of-way under the permit, bundled into a single file, formatted to 11” x 17”, which includes:

   (a) the name, location, address (if available), and GPS coordinates for the facilities;

   (b) labeled and dimensioned site plan and elevation plans of the facilities with, as applicable, key symbols, ROW lines, property lines, street information, topographical information, existing and proposed utilities, adjacent property uses, and easements;

   (c) structural plans of the facilities signed and stamped by a professional engineer licensed in Nebraska;

   (d) dimensions of the facilities, and a description of type, color, and finish of all visible construction materials;

   (e) accurate visual depictions or representations of all above-ground components of the facilities;

   (f) an applicant for a permit for a small wireless facility who is a wireless provider and submits an application for a permit to collocate small wireless facilities on an existing utility pole or wireless support structure or for a permit for approval for the installation, modification, or replacement of a utility pole to support the installation of a small wireless facility shall not be required to provide more information to obtain a permit than a communication service provider that is not a wireless provider, except as directly related to the impairment of wireless service in the immediate area of the proposed wireless facility and except that an applicant may be required to include construction and engineering plans and information demonstrating compliance with the criteria set forth below in Section 15-3 and Section 13-40, Section 13-44.

   (g) anticipated duration of project in calendar days; and

   (h) a copy of the current Franchise Agreement which allows said applicant to occupy the right-of-way, as allowed by State law and

   (i) proof that a flood plain development permit and approval as required by Section 5-23 and Section 5-25 of the Columbus Land Development Ordinance has been obtained, if applicable.

2. An attestation that the proposed facilities satisfy each of the aesthetic and design standards set forth in this Article, except for such standards, if any, for which applicant is concurrently submitting a request for relief under Section 15-7.
3. Evidence that, prior to commencement of any work in the right-of-way, pursuant to the application, the applicant will have the performance or construction bond required under this Article in place.
4. Evidence of the applicant's insurance required under this Article.
5. All applicable building and permit fees.
6. The deposit, if any, requested by the City pursuant to Section 15-6 for independent technical and legal review.
7. Such other submission requirements set forth in the City's published application form.
8. A statement disclosing any prior permit violations:
9. The city may deny a permit if the proposed application: (a) materially and demonstrably interferes with the safe operation of traffic control equipment or the right-of-way; (b) materially interferes with sight lines or clear zones for air or land transportation or pedestrians; (c) materially interferes with compliance with the federal Americans with Disabilities Act of 1990 or similar federal or state standards regarding pedestrian access or movement; (d) fails to comply with the spacing requirements set forth in Section 15-5; (e) fails to comply with applicable codes; (f) fails to comply with the aesthetic and other design requirements set forth in Section 15-5; or (g) designates the location of a new utility pole within seven feet in any direction of an electrical conductor unless the applicant obtains the written consent of the public power supplier that owns or manages the electrical conductor.

c. *Initial Review of Application; Completeness.* The City Engineer shall review the application and, within 20 days after receipt, shall notify the applicant in writing whether the application is complete. If an application is incomplete, the City will specifically identify the missing information in writing. The 90-day processing deadline shall restart upon the first finding of incompleteness. The applicant may resubmit the completed application within 30 days without additional charge. Subsequent findings of incompleteness shall toll the 90-day processing deadline, and any subsequent review shall be limited to the specifically identified information subsequently completed. If the applicant makes any material changes in a re-submission, other than the material changes required by the City, the applicant shall be required to make a new application and submit a new application fee. Subsequent findings of incompleteness will toll the deadline from the time the City sends notice of the incompleteness to the time the applicant provides the missing information. The application processing deadline also may be tolled if requested by applicant in order to accommodate applicant's request for relief submitted by applicant pursuant to Section 15-7 or otherwise by agreement between the City and the applicant.

d. *Final Review; Issuance; Denial. Unless tolled t*he City will review and process the application no later than 90 days after receiving it. The City may extend the 90-day application processing deadline for a period of 10 business days if the City notifies the applicant in advance before the day on which approval or denial is originally due. The City will notify the applicant in writing whether its application has been approved or denied. If the application is denied, the City shall document the basis for denial, including any specific provisions of this Article or other applicable law on which the denial was based. The applicant may cure the deficiencies identified by the City and resubmit the application within 30 days without paying an additional application fee.

e. *Term and Renewal.* The term of each permit to occupy the right-of-way issued under this Article shall be set forth in the permit. The applicant may apply to renew a permit issued hereunder for an equivalent duration and the City shall renew the permit for such period provided the applicant demonstrates compliance with the criteria set forth in in this Section. Applications for permit renewal may be submitted no earlier than 180 days prior to the expiration of the then current permit and no later than 90 days prior to the expiration of the then current permit. Notwithstanding the foregoing, permit renewals involving Section 13-44 of the Columbus Land Development Ordinance shall be processed in the manner provided for under applicable law including Section 13-44 of the Columbus Land Development Ordinance.

f. *Permit Conditions.* All permits to occupy the right-of-way issued under this Article are issued subject to the following conditions, and each applicant agrees, by accepting such permit, to be bound by the same:

    1. All facilities shall be constructed, operated, maintained, repaired, removed, modified, and restored in strict compliance with all current applicable technical, safety, and safety-related codes adopted by the City, the State of Nebraska, or the federal government. The applicant shall, at its sole cost and expense, inspect, keep, and maintain its facilities in the right-of-way in safe condition, in good order and repair, and as otherwise according to best industry practices.

    2. The applicant shall, at its sole cost and expense, promptly restore the right-of-way to its original condition after it completes work related to the facilities. The City may require an applicant to repair all damage to a right-of-way directly caused by the activities of the applicant in the right-of-way and return the right-of-way to equal or better condition to that before the damage occurred. If the applicant fails to make the repairs that are reasonably required by the City within 14 days after written notice, the City may undertake such repairs and charge the applicant the cost of such repairs. The City shall grant an extension of up to 10 days to complete such repairs if the applicant requests such extension within the original 14-day period. In the event of immediate threat to life or safety or to prevent serious injury, the City may immediately undertake to restore the site and then notify of and charge the applicant for all restoration costs.

    3. Except as provided for in Section 13-44 of the Columbus Land Development Ordinance, the applicant assumes the risk of any loss, damage to, or loss of use of any facilities which are damaged, destroyed, or taken out of service due to applicant’s use or presence in or on the right-of-way.

4. The applicant shall undertake only the activities enumerated in its permit to occupy the right-of-way and such permit shall not create a property right or grant authority to the applicant to infringe upon the rights of others who may own or have other interests in a right-of-way, utility easement, or other privately owned property. Except as otherwise provided in this Code or applicable state or federal law, any additions or changes to the facilities or activities enumerated in applicant's existing permit shall require a new permit.
5. Neither the applicant nor its facilities shall interfere with any traffic-control devices and other public works equipment; water, wastewater, stormwater, gas, electrical, or other public utility infrastructure; or the facilities of any other occupant of the right-of-way permitted hereunder.
6. The City shall have the right at any time to require a change of location of the facilities when in its judgement it becomes necessary or advisable as a matter of safety, or on account of a change of grade, resurfacing, repair, or reconstruction of any right-of-way. If the owner of such facilities has not moved or relocated the facilities within 30 days after the City requests the same in writing, the City may undertake such movement or relocation and charge the owner the costs of the same.
7. The City retains the right and privilege to cut or move any facilities, as the City may determine, in its sole discretion, to be necessary, appropriate, or useful in response to any public emergency. If circumstances permit, the City shall notify the applicant and provide an opportunity for applicant to move its own facilities prior to cutting or removing the facilities. In all cases, the City shall notify the applicant after cutting or removing the facilities as promptly as reasonably possible.
8. The applicant shall immediately notify the City in the event of an emergency regarding the applicant's facilities that may affect public health or safety, and such notice shall include, at a minimum, the nature of the emergency and the applicant's planned response to the emergency.
9. In addition to notifying the City, the applicant shall comply with the Nebraska One Call Notification Act before commencing any excavation or similar work in the right-of-way.
10. The applicant acknowledges that applications and all supporting written material applicant submits to the City may be public records subject to the Nebraska Public Records Law. While an applicant may designate any such public records as "proprietary" or "confidential", the City shall treat them as such only to the extent expressly permitted by the Nebraska Public Records Law and, other than the cost of the City's routine response to public records requests, the City shall be under no obligation to incur any costs to protect the same from disclosure.
11. Prior to commencement, and at all times during, any work performed by or on behalf of applicant in the right-of-way, the applicant shall maintain a performance or construction bond, in form acceptable to the City, equal to at least 100% of the estimated cost of the facilities and related work covered by the application.

12. During the term of any permit to occupy the right-of-way issued hereunder, the applicant shall maintain comprehensive general liability, automobile, workers compensation, employer's liability, and umbrella insurance in form and amount consistent with the City's published requirements for the same. All such insurance policies shall include the City and its agents as additional insureds and shall not be modified or cancelled by the applicant without 30 days prior written notice being given to the City along with proof of replacement coverage. Upon receipt of notice from its insurer(s), the applicant shall provide the City with 30-days prior written notice of any prospective cancellation. The applicant shall provide proof of replacement coverage prior to the effective cancellation date.
13. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, officials and employees from any and all damages, liabilities, injuries, losses, attorneys' fees, costs, and expenses, whether for personal injury, death, or property damage, arising out of or in any way related to the activities or performance of the applicant or its agents. In the event the applicant becomes aware of any actions or claims, the City shall promptly be notified by the applicant. In the event the City is a named defendant in any such claim or lawsuit, it is expressly agreed that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the applicant shall reimburse the City for any costs, expenses, and attorneys' fees directly and necessarily incurred by the City in the course of the defense.
14. In addition to all other remedies available to the City under this Code or other applicable law, the City may revoke an applicant's permit to occupy the right-of-way if the applicant fails to comply with any of the conditions set forth in this Article, and upon such revocation, may direct applicant, at applicant's cost, to remove applicant's facilities from the right-of-way and restore the right-of-way to its original condition. If the applicant fails to remove its facilities and restore the right-of-way within 30 days after the City's written request, the City may cause such work to be done and applicant shall reimburse the City for the costs of such work upon City's written demand for the same.

15-4 Fees and Taxes

Applicant shall pay any applicable building permit fee and the application fee set forth in the City's Schedule of Fees. Unless provided otherwise in this Ordinance, applicant shall pay the City an annual occupation tax for use of the right-of-way in the amount and manner provided under Chapter 111 of the Columbus City Code.

15-5 Aesthetic and Design Standards

The purpose of the standards set forth in this Section is to establish guidelines for the design, placement, and installation of facilities in the right-of-way. All facilities placed in the right-of-way pursuant to this Article shall comply with these standards; provided, the City Administrator may authorize the waiver of, partial relief from, or exemption from, any one or more of these standards pursuant to Section 15-7.

a. *Undergrounded Facilities.* When facilities are proposed in areas where other similar facilities are currently located underground, said facilities shall be placed underground to the extent technically feasible.

b. *Existing Aesthetics.* To the extent technically feasible, all ground-mounted facilities shall reasonably match the appearance of existing adjacent developments and infrastructure to promote a uniform appearance.

c. *Consolidation*. To the extent technically feasible: (1) facilities shall be designed to consolidate all ground-mounted components within approved singular enclosures and (2) all cables, wires, and conduits shall be concealed from view.

d. *Location*. Except as prohibited by law, the placement of proposed facilities with existing facilities shall be preferred over placement of facilities at new sites. If an applicant chooses not to place its facilities with available existing facilities, the applicant must document that location of its proposed facilities with available existing facilities is not technically feasible.

e. *Camouflage*. Facilities shall be designed to camouflage and conceal all above-ground components of such facilities to the extent technically feasible.

f. *Signs*. Ground-mounted facilities shall have a four inch by six-inch metallic sign permanently mounted between four feet and six feet from ground level and clearly visible to the public which provides the identifying information and emergency contact number for the owner of such facilities. No other signs, advertising, or banners are permitted on facilities except to the extent the same are mandated by state or federal law.

g. *Generators*. Generators are not permitted in the right-of-way.

h. *Lighting.* Lighting is not permitted on facilities except to the extent required or otherwise allowed by state or federal law.

i. *Historic Districts.* All ground-mounted facilities and new poles located in a historic district shall be subject to such other design and concealment standards required by the City for such districts to avoid or to remedy the intangible public harm of unsightly or out-of-character facilities deployed or which are inconsistent with the appearance of existing facilities. Without limiting the foregoing, all facilities located in the City's historic district shall be subject to the design and aesthetic standards for an historic overlay district set forth in the City's Zoning Ordinance.

j. *Traffic Signals*. Facilities shall not be allowed on traffic signal systems without permission from the authority or agency in control of said traffic signal systems.

k. *Placement Guidelines.* All facilities including ground mounted equipment and new utility poles proposed to be located at new sites:

   1. Shall be located in a manner or location that (a) does not obstruct, impede, or hinder the usual pedestrian or vehicular travel; (b) does not adversely affect public safety or impair legal access and use of the right-of-way; (c) conforms to applicable law (including the Americans with Disabilities Act of 1990) and right-of-way design standards, specifications, and design requirements, and (d) does not in any way create a risk to public health, safety, or welfare;

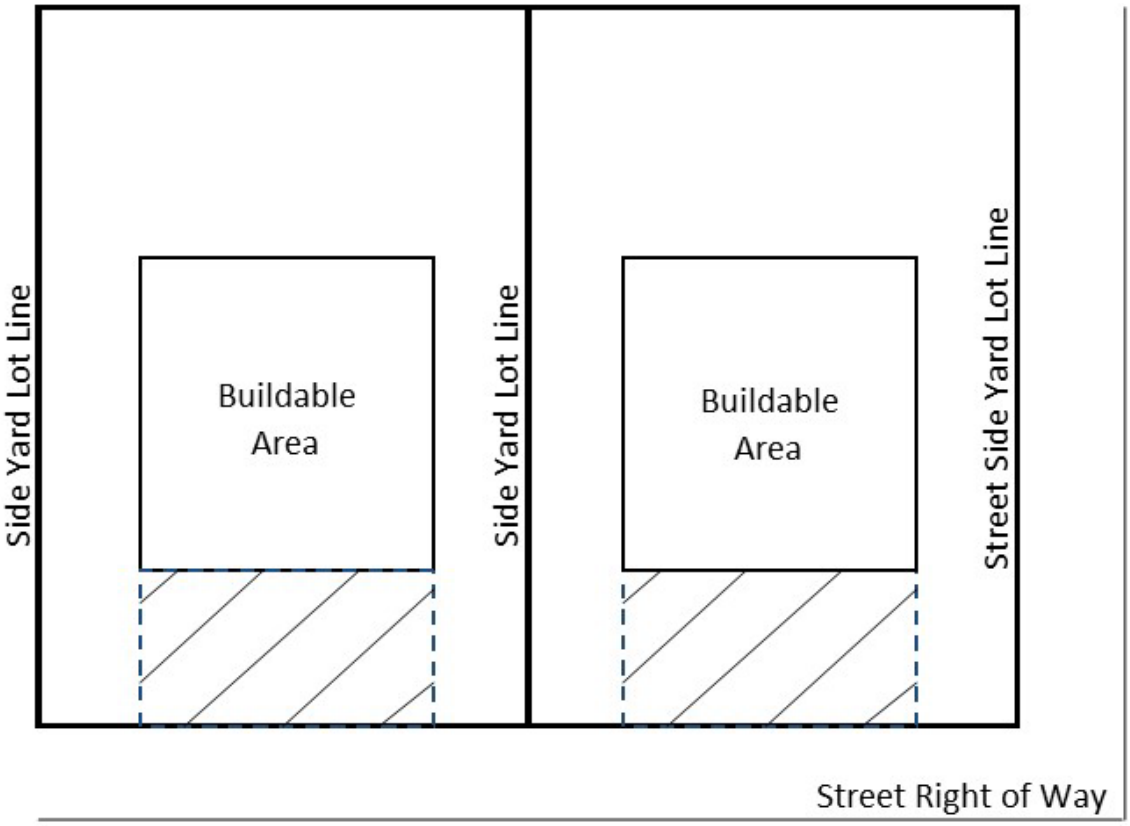
   2. Shall be located in a manner that does not significantly create a new obstruction to primary and inherently valuable sightline(s) of an adjacent property;

   3. Shall be located in alignment with existing trees, utility poles, and streetlights and placed to avoid disturbance within the critical root zone of any tree;

   4. All above ground facilities located in zones with no side yard setback, shall be located no more than 25 feet from either side yard lot line.

   5. Shall not be located in front of the buildable area of properties as shown in unless otherwise approved by the City.

Figure 15-5: Street Right of Way



6. Shall be located with separation from any low-pressure natural gas line or intermediate or high-pressure natural gas line and with appropriate clearance as approved from all existing utilities;
7. Shall not materially impact any existing bridges, culverts, or retaining walls; and
8. Shall be located outside of all American Association of State Highway Transportation Officials (AASHTO) clear zones and outside of clear sight triangles (at a minimum) as follows: (a) 5-foot leg pedestrian sight triangle at each residential driveway; (b) 10-foot leg pedestrian sight triangle at each driveway and alley; (c) 30-foot leg corner sight triangle; and (d) roadway sight triangles shall be based on AASHTO standards for each driveway, alley, and intersection.
9. Shall be located with a minimum separation distance of 150 feet from any other facilities including ground mounted equipment or new utility poles to the extent allowed by applicable law and technically feasible.

15-6 Independent Technical and Legal Reviews

Although the City intends for City staff to review permit applications to the extent feasible, the City may retain the services of an independent technical consultant and an attorney of its choice to provide technical and legal evaluations of applications submitted pursuant to this Article. The review may include, but is not limited to (a) the accuracy and completeness of the items submitted with the application; (b) the applicability of analysis and techniques and methodologies proposed by the applicant; (c) the validity of conclusions reached by the applicant; and (d) whether the proposed use of the right-of- way complies with this Article and other applicable provisions of this Ordinance or the Columbus City Code. To the extent permissible under applicable law, the applicant shall pay the reasonable cost for any independent technical consultant and reasonable attorneys' fees in advance through a deposit with the City, estimated by the City, within 10 business days of the City's request. That these shall be a reasonable approximation of cost. When the City requests such payment, the application shall be deemed incomplete until the deposit is received. In the event that such final costs and fees do not exceed the deposit amount, the City shall refund any unused portion within 60 days after a permit to occupy the right-of-way is issued or denied or withdrawn in writing by the applicant. If the costs and fees exceed the deposit amount, then the applicant shall pay the difference to the City before a permit to occupy the right-of-way is issued. The technical consultant and attorney shall provide an itemization of the final costs of the services provided and related fees.

15-7 Relief

Any applicant desiring to appeal from any aspect or requirement of this Article, may file an appeal with the Board of Adjustment pursuant to Section 12-8 of the Columbus Land Development Ordinance. Section 12-8 to Section 12-11 shall govern such appeals.

CHAPTER 2: SUBDIVISIONS

1 ARTICLE ONE: GENERAL PROVISIONS

1-1 Title

Chapter 2 of this Ordinance shall be known as the Subdivision Chapter of the Columbus Land Development Ordinance of the City of Columbus, Nebraska (CLDO), and shall be incorporated into the Columbus City Code as Title XV, Chapter 152.

1-2 Authority and Purpose

a. Authority

This Ordinance is adopted pursuant to the authority granted the City of Columbus under Section 16, Revised Statutes of the State of Nebraska, enabling cities of the First Class to regulate the development of land within their jurisdictions and to promote good planning practice.

b. Purposes

The purposes of this Chapter are to:

1. Serve the public health, safety, and general welfare of the city and residents of Columbus and its surrounding jurisdiction;
2. Provide for the orderly development and growth of the city by prescribing rules and standards insuring the functional arrangement of streets, public improvements, open spaces, community facilities, and utilities;
3. Promote the creation of well-planned and attractive residential, commercial, and industrial developments within the city and its jurisdiction;
4. Avoid excessive costs to the taxpayers of Columbus or the residents of the jurisdiction of the city for the provision of public services and utilities, while maintaining high standards for these services;
5. Protect the unique environment of the City of Columbus by avoiding environmental damage whenever feasible and appropriate; and by encouraging flexibility in the design of subdivisions;
6. Provide the City of Columbus with the ability to grow incrementally through the eventual annexation of new developments.

c. Consideration of Plans

The design of subdivisions shall consider all existing local and regional plans and policies for Columbus and its jurisdiction. These include, but not limited to, the Comprehensive Development Plan, Long Range Transportation Plan, Stormwater Management Plan, and State of Nebraska Board of Classifications and Standards.

d. Preservation of Natural Features and Drainage Patterns

1. In accordance with all Federal, State of Nebraska and local requirements and to the maximum extent possible, development shall be located to preserve natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impact and alteration of natural features and drainage patterns.

2. The subdivider shall give maximum consideration to the preservation of the following areas as open space or stormwater treatment facility or detention system, to the extent consistent with reasonable utilization of land:

   (a) Wetlands and other unique environmental areas, as defined in Section 404, Federal Water Pollution Control Act of 1972 and delineated on wetlands maps and policies prepared by the U. S. Fish and Wildlife Service, U.S. Army Corps of Engineers, State of Nebraska Department of Natural Resources, and the Lower Loup Natural Resource District.

   (b) Flood plain and floodway lands as defined by the Federal Emergency Management Agency, Flood Insurance Rate Map, and the City of Columbus Special Flood Hazard Areas.

e. General Guidelines for Subdivision Layout

   Subdivisions shall be designed to comply with the following overall performance objectives:

   1. Reduction and minimization of cut and fill.
   2. No increase of peak flow, area of runoff or encroachment of stormwater runoff onto other properties or the public storm sewer system.
   3. Provision of adequate access to lots, including alternative routes to lots and sites within the subdivision and minimization of cul-de-sacs over 350 feet.
   4. Respect for the urban character and traditional layout of Columbus, including providing continuity to established street and community facility networks; establishing linkages and connections between new development and existing parts of the city; and preserving historically and architecturally significant sites and buildings, determined as those sites or districts either listed on or determined to be eligible for listing on the National Register of Historic Places, as determined by the State Historic Preservation Officer.

f. Site Design Objectives and Approval

   The Planning Commission and City Council shall take the above Site Design objectives into account during their review and approval of subdivision applications.

1-3 Relationship to the Comprehensive Plan

1. The City of Columbus intends that this Subdivision Chapter and any amendments to it shall be consistent with the City's Comprehensive Plan. Should this Ordinance become inconsistent with the adopted Comprehensive Plan because of subsequent amendments to that plan, it is the City's intent to amend this ordinance to bring it into conformance with the plan.
2. The Subdivision Chapter shall supplement and facilitate the provisions of the Comprehensive Plan which includes the Long Range Transportation Plan, the Columbus Land Development Ordinance, the Official Zoning Map, and the City of Columbus's Capital or General Fund Budget.

1-4 Jurisdiction and Applicability

a. The provisions of this chapter shall be applicable to all property within the corporate limits of the City of Columbus and its extra-territorial jurisdiction as authorized by §16-902, Revised Statutes of Nebraska, 1943. In conjunction therewith, it is hereby designated that the City of Columbus will exercise the powers and duties granted by Sections 16-902 to 16-904, or Section 19-2402, Revised Statutes of Nebraska, 1943, over that portion of the territory located within two miles of the corporate limits of the City of Columbus as shown on the Extra-Territorial Jurisdiction Map. Boundaries of the Extra-Territorial Jurisdiction established by this ordinance shall be shown on the Extra-Territorial Jurisdiction Map maintained by the City Engineer. This map, together with all legends, references, symbols, boundaries, and other information, shall be adopted as a part of and concurrent with this ordinance. The Extra-Territorial Jurisdiction may be changed from time to time following the extension of City boundaries either by annexation or by additions brought into the City pursuant to the Subdivision Chapter of the Columbus Land Development Ordinance. Such changes shall be reflected on the Extra-Territorial Jurisdiction Map. The City Clerk and Engineer shall keep a complete record of all changes to the Extra-Territorial Jurisdiction Map.

b. No owner of real property within the City of Columbus and its jurisdiction may subdivide or plat such property into lots for buildings or any other use, streets, or other forms of dedication for public use without gaining approval pursuant to this Ordinance. In addition, no individual may sell, offer to sell, or construct buildings on any lots or parts of real property that are not subdivided as required by State law or this Ordinance.

1-5 Amendment

When necessary, this Ordinance may be amended through public hearing and recommendation by the Planning Commission to the City Council. The City Council shall then hold its own independent public hearing and action on amendments.

1-6 Fees

The City Council of the City of Columbus may establish reasonable fees sufficient to recover costs incurred for the processing and review of subdivision applications and other procedures included within this Ordinance.

1-7 Enforcement

The Administrative Official shall enforce the provisions of this Ordinance and shall bring violations or lack of compliance to the attention of the Planning Commission, City Council, or other appropriate agency.

1-8 Penalties

a. Violation of the provisions of this Ordinance shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than $100.00 or imprisoned for not more than 30 days, or both, and shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

b. An owner, developer, or subdivider of property; any architect or engineer; builder, contractor, agent, or any other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties provided in this section.

c. Notwithstanding this section, the City and the Administrative Official shall have the right to take any lawful action necessary to prevent or remedy any violation of this Ordinance or any agreement pursuant to or other condition of an approval of a subdivision application.

1-9 Interpretation, Conflict, and Severability

a. The Subdivision Chapter shall be held to provide the minimum requirements necessary for the promotion of the public health, safety, and welfare. If any provision of the Subdivision Chapter conflicts with any other provision of the Columbus Land Development Ordinance, any other Ordinance of the City of Columbus, or any applicable State or Federal law, the more restrictive provision shall apply.

b. Nothing in these provisions shall relieve any property owner or user from satisfying any condition or requirement associated with a previous approval, special permit, variance, development permit, or other permit issued under any local, State, or Federal ordinance or statute.

c. If any chapter, section, subsection, clause, or phrase of this Subdivision Chapter is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance or any other section of the City of Columbus's Columbus Land Development Ordinance.

2 ARTICLE TWO: DEFINITIONS

2-1 Purpose

Article Two shall be known as the Definitions. The purpose of these provisions is to promote consistency and precision in the interpretation of the Subdivision Ordinance. The meaning and construction of words as set forth shall apply throughout the Subdivision Ordinance, unless where modified in a specific section or where the context of such words or phrases clearly indicates a different meaning or construction.

2-2 Definitions of Terms

For the purposes of this Subdivision Ordinance, certain terms and words are hereby defined. Certain sections contain definitions which are additional to those listed here. Where terms are not specifically defined, their ordinarily accepted meanings or meanings implied by their context shall apply.

2-3 A.

1. Administrative Official: Chief Building and Code Official is responsible for the supervision and administration of the Subdivision Ordinance of the City of Columbus.
2. ADT or Average Daily Traffic: The average number of motor vehicles per day that pass over a given point or segment of street.
3. Alley: A public or private right-of-way generally designed to provide secondary access to the side or rear of a property whose principal frontage is on another street.
4. Applicant: An owner, developer, or subdivider submitting an application to divide property pursuant to this Ordinance.
5. Approving Authority: The City Council of the City of Columbus.
6. Administrative Subdivision: An adjustment of lot lines of no more than four lots without creating additional or elimination of any lots and requires no extensions of streets, sewers, utilities, or other municipal facilities; no additional street right-of-way or other public easement and complies with all pre-existing zoning requirements following subdivision.

2-4 B.

1. Bicycle Lane and Path: A designated lane on a roadway or an exclusive path separated from a roadway, designed specifically to accommodate the physical requirements of bicycling. Bicycle paths are ordinarily designed to accommodate other forms of non-motorized pedestrian recreation.
2. Best Management Practices (BMP). Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and education practices, maintenance procedures and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to storm water, receiving waters of storm water conveyance systems. BMPs also include treatment practices, operating procedures and practices to control site runoff, spillage or leaks, sludge or water disposal and drainage from raw materials storage.
3. Buffer: A landscaped area intended to separate and partially obstruct visual or other sensory effects of two adjacent land uses or properties from one another.

2-5 C.

1. Cartway: The actual surface area of a road used to accommodate motor vehicles, including moving traffic lanes, acceleration and deceleration lanes, and parking lanes. On a street with curbs, the cartway is measured from back of curbline to back of curbline. On streets without curbs, the cartway is measured between the outside edges of the established road surface.
2. Centerline Offset: The gap between the centerline of roads intersecting a common road from the same or opposite sides.
3. Channel: The bed or banks of a natural stream or drainage way, which convey the constant or intermittent flow of water, including storm run-off.
4. Common Area: An area within a development that is not individually owned or dedicated for public use, but is designed and designated for common or cooperative use within a development.
5. Comprehensive Plan: The Comprehensive Development Plan and Long Range Transportation Plan of the City of Columbus.
6. Concept Plan: A preliminary presentation, including any necessary documentation, of a proposed subdivision and/or future development plan, providing adequate information for the purpose of discussion or classification.
7. Conventional Subdivision: A subdivision, which literally meets all nominal standards of the Columbus Land Development Ordinance for lot dimensions, setbacks, street frontage, and other site development regulations.
8. Cul-de-sac: A local street with only one outlet and with an opposite end providing for the reversal of traffic.
9. Curb: A vertical or sloping edge of a roadway, intended to define the edge of the cartway and to channel or control drainage.

2-6 D.

1. Dedication: A grant of land to the City or another public agency for a public purpose.
2. Design Standards: Standards that set forth specific improvement requirements.
3. Detention Basin: An artificial or natural water collection facility, designed to collect surface or subsurface water and to control its rate of discharge, in order to prevent a net increase in the rate of water flow that existed prior to a development. Detention basin must have an overflow pipe or system connecting to the public storm sewer system.
4. Developer: The legal or beneficial owner(s) of any land included in a proposed development.
5. Development: A planning or construction project involving substantial improvement or change in the character and/or land use of a property.
6. Disturbed Area: Area of the land's surface disturbed by any work or activity upon the property by means including, but not limited to, grading, excavating, stockpiling soil, fill or other materials, clearing, vegetation removal, removal or deposit of any rock, soil or other materials or other activities which expose soil. Disturbed Area does not include the tillage of land that is zoned for and intent is for agricultural use.

7. Divided Street: A street whose moving lanes in opposite directions is separated by a physical barrier such as a median.
8. Drainage: The removal of surface or stormwater from land by drains, grading, or other means.
9. Drainage System: The system through which water flows.

2-7 E.

1. Easement: A right-of-way granted for limited use of private land for a public or quasi-public purpose and which the owner must maintain free of structures which obstruct or limit its use for such purpose.
2. Erosion: The wearing away of a land surface by water, wind, ice, or gravity.

2-8 F.

1. Final Approval: The final official action of the City Council, upon a recommendation by the Planning Commission, permitting the filing of a subdivision with the Platte County Register of Deeds and the conveyance of individual parcels and lots to subsequent owners. Final Approval follows the completion of detailed engineering plans, development agreements, posting of required guarantees, and other requirements of this Ordinance.

2-9 G.

1. Grade: The slope of a street or other public way, defined as a percentage or ratio of vertical change in elevation to horizontal change in distance.

2-10 H.

2-11 I.

2-12 J.

2-13 K.

1. Key Map: An aerial map a common engineering scale of not less than 1 inch to 600 feet showing the location of a development project or subdivision in reference to surrounding property. The map shall show existing streets and city limit lines. The area shown shall be sufficient to show how the proposed project or subdivision will fit into existing developments.

2-14 L.

1. Lot: A parcel of real property with a separate and distinct number shown on a plat, record or survey, parcel map, or subdivision map recorded in the office of the Platte County Register of Deeds. A lot is ordinarily established for the purpose of transfer of title and/or development which includes, but not limited to, lots for townhouses or clusters of row homes. All lots shall have a direct connection to a public or private street right-of-way regardless of ownership.
2. Lot Area: The size of a lot measured within its boundaries and expressed in terms of square feet or acres.
3. Lot Frontage: The portion of a lot extending along a public street, private street, or private drive line.

2-15 M.

1. Main: The principal artery of a system of continuous piping which conveys fluids and to which branches may be connected.
2. Major Subdivision: Any subdivision not defined and approved as an administrative subdivision or as a minor subdivision.
3. Minor Subdivision: An adjustment of lot lines of two or more lots without creating additional lots or a subdivision of land which creates no more than four lots from any single block or lot of an addition or subdivision, tract, or parcel of land; requires no extensions of streets, sewers, utilities, or other municipal facilities; no additional pubic right-of-way or easement; and complies with all pre-existing zoning requirements following subdivision.
4. Moving Lane: Any traffic lane within a cartway where traffic movement is the primary or sole function.
5. Municipal Separate Storm Sewer System (MS4): Publicly owned facilities which storm water is collected and/or conveyed including, but not limited to, any roads with drainage systems, municipal streets, gutters, curbs, catch basins, inlets, pipe storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage ditches/channels, reservoirs and other drainage structures.

2-16 N.

1. National Fire Protection Agency (NFPA)
2. Nebraska Department of Environment and Energy (NDEE): State agency formerly known as the Nebraska Department of Quality and includes some former divisions of the Nebraska Department of Health and Human Services.
3. Notice of Intent (NOI): Associated with the Nebraska Department of Environment and Energy, Construction Storm Water Permit.
4. National Pollutant Discharge Elimination System (NPDES): A permit issued by the Environmental Protection Agency or the Nebraska Department of Environment and Energy as authority delegated pursuant to 33 USC, section 1342(b) that authorizes the discharge of pollutants to waters of the state.

2-17 O.

1. Off-Site: Located outside the boundaries of the parcel that is the subject of an application.
2. Open Space: Any parcel or area of land or water that is retained in an open state and set aside for public or private use.

2-18 P.

1. Parking Lane: A lane located on the sides of streets, designated or allowing on-street parking of motor vehicles.
2. Pavement: An impermeable, hard surface, typically asphalt, asphaltic concrete, concrete, or brick or other masonry paver units.

3. Plat: A document, usually a map or maps, expressing the division of land into two or more lots or parcels, any one of which is ten acres or less. Plats include preliminary and final plats.

   (a) Preliminary Plat: A plat indicating the proposed layout of a development, including proposed public infrastructure and streets, stormwater treatment and detention system, and internal site layout and building information, intended for the purpose of preliminary approval by approving authorities but not for filing with the Platte County Register of Deeds.

   (b) Final Plat: The final plat of the subdivision which is presented for Final Approval. The Final Plat contains detailed information, legal survey and documentation and is designed to be filed with the Register of Deeds. Final plat must be consistent with the preliminary plat.

4. Private Street: Privately owned and maintained access to a lot or parcel and shall have a public easement for utility and fire access.

2-19 Q.

2-20 R.

1. Right-of-way: A strip of land, generally linear, occupied or intended to be occupied by a system that conveys people, traffic, fluids, utilities, or energy from one point to another. Rights-of-way may include streets and roads, crosswalks, bicycle paths, recreational trails, railroads or fixed guideway transit, electric transmission infrastructure, communication infrastructure, gas pipelines, water mains, sanitary mains, or storm sewer mains.

2-21 S.

1. Sanitary Sewer: A sewer that conducts sanitary wastes from a point of origin to a treatment or disposal facility. In developing areas, sanitary sewers normally include interceptor, outfall, and lateral sewers.

   (a) Interceptor: A sanitary sewer that serves as a trunk, collecting sewage generated by a number of individual developments.

   (b) Outfall: A sanitary sewer that may be developed to connect an individual subdivision or development to an interceptor sewer.

   (c) Lateral or Local: A pipe that connects individual buildings or groups of buildings to an outfall or interceptor sewer.

2. Septic System: An underground system, utilizing a watertight receptacle to receive the discharge of sewage, which provides for the decomposition of wastes produced by development on a single lot.

3. Sidewalk: A concrete or brick paved path provided for pedestrian use, usually located at the side of and detached from a road, but within the right-of-way.

4. Storm Sewer: A conduit which conducts storm drainage from a development or subdivision, ultimately to a treatment facility, drainage way or stream.

5. Storm Water Treatment Facility (STF). Permanent best management practices put in place to provide control and treatment of stormwater runoff after construction for land development is complete. These facilities are physical in nature and sometimes referred to as structural BMPs.
6. Street: A right-of-way, dedicated to public use, which provides a primary means of access to an abutting lot or parcel and to the street hierarchy system.
7. Street Hierarchy: The conceptual arrangement of streets based on function. Street types contained within the hierarchy include:
   (a) Private Street or Frontage Road
   (b) Local
   (c) Collector
   (d) Minor Arterial
   (e) Major Arterial
   (f) Expressway
8. Storm Water Management Plan (SWMP): City approved documentation supporting analysis, design, maintenance and inspection of storm water treatment facilities.
9. Storm Water Pollution Prevention Plan (SWPPP): A document which narrates the best management practices and activities to be implemented by a person during the construction activities, which identifies sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to storm water, storm water conveyance systems and/or receiving waters.
10. Subdivision: The division of a lot, tract or parcel into two or more lots, tracts, parcels, or other units of land for title transfer or development, when one of the resultants lots is equal to 10 acres or less. The term subdivision includes any time the creation of a public street or roadway is involved, but excludes the acquisition of land by the state, county, or city, by eminent domain or otherwise, for the creation, extension or widening of a public street or roadway. The term also includes re-platting and, when appropriate to the context, re-platting shall be subject to the rules and regulations contained in this chapter and shall apply to land previously subdivided.

2-22 T.

1. Topographic Survey: USGA elevation plan to the latest NAVD showing height, depth, size and location of all manmade and natural features and improvements on a given parcel of land and within all adjacent properties and rights-of-way, as well as the changes in elevation, using a 50-foot grid to achieve 1-foot contours throughout.

2-23 U-Z.

3 ARTICLE THREE: PROCEDURES AND ADMINISTRATION

3-1 Purpose

The purpose of this Article is to establish procedures for subdivision applications and for review and action on applications by the City Administration, Planning Commission and the City Council. The procedures are designed to assure adequate review and consideration of subdivision applications, while providing for an orderly and expeditious approval process. The Article provides procedures for the approval of three types of subdivisions: Administrative Subdivisions, Minor Subdivisions, and Major Subdivisions.

3-2 Administrative Subdivisions

a. Scope

The Administrative Subdivision procedure may be used when a proposed subdivision meets all of the following conditions:

1. The subdivision adjusts the lot lines of no more than four (4) existing lots within the City limits or no more than four (4) lots in the Extra Territorial Jurisdiction which are not adjacent to City limits without creating additional or eliminating any lots.
2. The subdivision is served by existing utilities and does not require the creation or extension of streets, utilities or public improvements and no new dedication of public rights of way or easements is involved.
3. Each lot resulting from the subdivision procedure will conform fully to all requirements of the zoning district that pertain to the lots; and each lot is developable according to the site development regulations of the zoning ordinance as evidenced by a site plan prepared by a licensed surveyor.
4. No part of the parcel, tract or lot has been the subject of a previous Administrative Subdivision or Minor Subdivision approval. Once an administrative or minor subdivision has been approved, neither the original nor the resulting parcel(s), tract(s), or lot(s) are eligible for a future administrative or minor subdivision.

b. Application and Approval Procedure

An application for an Administrative Subdivision may be approved under the following procedure:

1. The applicant submits an application on a form established by the Engineering Department and includes the supporting documents required for Administrative Subdivisions in Table 3-1. These documents shall include a plat of all lots and parcels that are affected by the action, prepared by a State of Nebraska Licensed Surveyor and a Certificate of Title prepared by a Licensed Registered Abstractor verifying the ownership of said property, all lienholders and real estate tax payment status. The application for final plat approval shall be submitted through the City's website application submittal platform

(a) Subdivision requested naming is subject to the approval of the Administrative Official. Ideally Subdivision naming would be consistent with the adjacent subdivision names. Subdivision names shall not be duplicated, or similar, and must be appropriate. Subdivision names, or similar naming, which are not contiguous cannot be used.

(b) Following submission, the Administrative Official shall review each application according to the following criteria within fourteen (14) working days:

(c) Compliance with the conditions contained in Section 3-2 above.

(d) Consistency with the Comprehensive Development Plan of the City of Columbus.

(e) Potential adverse environmental effects or effects on neighboring properties.

2. Following such review, the Administrative Official may approve the Administrative Subdivision. Such approval shall be denoted by signed certificate of approval. The signed plat must be filed by the Developer with the Platte County Register of Deeds. If the approved plat is not filed within 90 days of the approval by the Developer, such approval shall be null and void.
3. The Administrative Official retains the right to disapprove or not act on the Administrative Subdivision application. In the event of such action, the application may proceed through the Minor or Major Subdivision process. If the subdivision complies with the conditions of a Minor Subdivision application, it may be directed to that approval process. Otherwise, the proposed subdivision shall be deemed a Major Subdivision and proceed through the appropriate review and action process.
4. The Administrative Official shall keep a complete and accurate record of all administrative subdivision approvals.
5. Following approval of the Administrative Subdivision, it shall be the duty of the applicant's surveyor/engineer to provide the City with a hard copy and an electronic file in the format required by the City, of the newly formed Administrative Subdivision, including the Platte County Register of Deeds signed and stamped recording information.

3-3 Minor Subdivisions

a. Scope

The Minor Subdivision procedure may be used when a proposed subdivision meets all of the following conditions:

1. The subdivision adjusts the lot lines of two or more lots without creating additional lots; or creates no more than four lots from any single parcel, tract, block or lot. Minor subdivisions outside of City Limits, but adjacent to will be required to voluntarily annex.
2. The subdivision is served by existing utilities and does not require the creation or extension of streets, utilities, or public improvements and no new dedication of public right of way or easements is involved.

3. Each lot resulting from the subdivision procedure will conform fully to all requirements of the zoning district that pertain to the lots; and each lot is developable according to the site development regulations of the Columbus Land Development ordinance as evidenced by a site plan prepared by a licensed surveyor.
4. No part of the parcel, tract, block or lot has been the subject of a previous Administrative Subdivision or Minor Subdivision approval. Once an administrative or minor subdivision has been approved, neither the original nor the resulting parcel(s), tract(s), block(s) or lot(s) are eligible for future administrative or minor subdivision.
5. The Administrative Official reserves the right to request a Development Review Team (DRT) meeting as described in Section 3-4, Pre-Application Procedures, upon which all required of the DRT meeting must be met and followed.

b. Application and Approval Procedure

An application for a Minor Subdivision may be approved under the following procedure:

1. The applicant submits an application on a form established by the Engineering Department and includes the supporting documents required for Minor Subdivisions in Table 3-1. The application for final plat approval shall be submitted through the City's website application submittal platform. These documents shall include a plat of all lots and parcels that are affected by the action, prepared by a State of Nebraska Licensed Surveyor and a Certificate of Title prepared by a Licensed Registered Abstractor verifying the ownership of said property, all lienholders and real estate tax payment status.
   (a) Subdivision requested naming is subject to the approval of the Administrative Official. Ideally Subdivision naming would be consistent with the adjacent subdivision names. Subdivision names shall not be duplicated, or similar, and must be appropriate. Subdivision names, or similar naming, which are not contiguous cannot be used.
2. Following submission, the Administrative Official shall review each application according to the following criteria within fourteen (14) working days:
   (a) Compliance with the conditions for contained in Section 3-3 above.
   (b) Consistency with the Comprehensive Development Plan of the City of Columbus.
   (c) Potential adverse environmental effects or effects on neighboring properties.
   (d) Completed Development Agreement.
3. Following such review, the Administrative Official may approve the Minor Subdivision. Such approval shall be denoted by signed certificate of approval. The signed plat must be filed by the Developer with the Platte County Register of Deeds. If the approved plat is not filed within 90 days of the approval by the Developer, such approval shall be null and void.

4. The Administrative Official retains the right to disapprove or not act on the Minor Subdivision application. In the event of such action, the application may proceed through the Major Subdivision process.
5. The Administrative Official shall keep a complete and accurate record of all Minor Subdivision approvals.
6. Following approval of the Minor Subdivision, it shall be the duty of the applicant's surveyor/engineer to provide the City with a hard copy and an electronic file in the format required by the City, of the newly formed Minor Subdivision, including the Platte County Register of Deeds signed and stamped recording information.

3-4 Major Subdivisions

a. Applicability

The Major Subdivision procedures apply to all subdivisions which are not approved or eligible for approval under the Administrative or Minor Subdivision procedures.

b. Stages in the Approval Process

The approval process for Major Subdivisions consists of three stages: the pre-application stage, the preliminary plat approval stage, and the final plat approval stage. The Administrative Official, in its discretion, may waive the preliminary plat and final plat stages and allow them to occur concurrently upon written request of the developer and recommendation of the development review team. This shall be known as the Concurrent Plat Approval Procedure.

c. Pre-Application Procedures

1. Before filing an application for preliminary plat approval, subject to the suggestion of the Administrative Official, the applicant shall meet with the Development Review Team (DRT) regarding general requirements and issues relating to the proposed subdivision.

   DRT members will reserve time, as set by resolution of the City Council, for DRT project review and meetings with project representatives.

   Applications will be due seven (7) days prior to the meeting date desires by the project representative. Subject to date and time availability of City staff at the discretion of the Administrative Official.

2. No later than three calendar days prior to the pre-application meeting, the applicant shall submit an approved electronic format concept plan. The concept plan shall include:

   (a) An aerial location map showing the relationship of the proposed subdivision to existing and proposed streets in the region, public facilities, special flood hazard areas, waters of the US, wetlands, airport runway protection zones (if applicable) and any other features or areas which may affect the development.

   (b) A schematic plan illustrating the proposed layout of streets, lots, blocks, public utilities, stormwater treatment facilities and other features and their relationship to existing and proposed site topography for the total proposed development area.

3. Within ten working days following the pre-application meeting, pending time needed for any action plan inquires or confirmations, the Administrative Official shall inform the applicant of the consistency of the concept plan with the objectives and policies of the city's Comprehensive Development and Long-Range Transportation Plan and Columbus Land Development Ordinance.
4. The DRT meeting does not require a formal application or payment of a fee.
5. Major revisions made to the concept plan may require an additional DRT meeting as determined by the Administrative Official.

d. Preliminary Plat Application

1. Application Requirements

   After the DRT meeting, except for a Concurrent Plat Approval Procedure, the following requirements shall apply. The applicant shall prepare and submit an application for preliminary plat approval. The application for preliminary plat approval shall be submitted electronically through the City's website application submittal platform. The application shall consist of a form established by the Engineering Department; the supporting documents required for Major Subdivisions in Table 3-1; a commitment to enter into a Subdivision Agreement set forth in paragraph 2 hereinafter; a Certificate of Title prepared by a State of Nebraska Licensed Registered Abstractor verifying the ownership of said property, all lienholders and real estate tax payment status; and payment of a fee set by Resolution. Upon receipt of all items required for said application as set forth herein as determined by the Administrative Official, the application shall be placed on the next available Planning Commission agenda.

2. Draft Development Agreement

   The preliminary plat application shall include a draft of a Development Agreement on a form provided by the Administrative Official following a format established by the Engineering Department. The Development Agreement, among other things, generally establishes the responsibilities of City and subdivider, including financing of public improvements; the nature of performance bonds and guarantees that the developer will offer; the maximum amount of bonded indebtedness to be incurred if public improvements are financed through an Improvement District as provided in State Law and other matters as identified by the Administrative Official for said development. Applicants shall request the draft development agreement a minimum of 7 days prior to submittal deadline. This request must follow the DRT meeting.

3. Preliminary Plat Review Procedure
   (a) After submission of a complete application for a preliminary plat, the Administrative Official and staff shall review the application. If the application submittal is not complete, staff review will not proceed. Applicant at time of application, shall include a written request to waive any subdivision requirements, if any. As part of the review, the developer will circulate the application to local utilities, the school district in which the subdivision is located, public safety agencies, and any other applicable provider of public services. The Developer shall furnish the Administrative Official with proof that a copy of the preliminary plat was delivered to the affected school district and all utilities known or on the Digger's Hotline submittal along with any responses which may affect the plat.
   (b) Subdivision requested naming is subject to the approval of the Administrative Official. Ideally Subdivision naming would be consistent with the adjacent subdivision names. Subdivision names shall not be duplicated, or similar, and must be appropriate. Subdivision names, or similar naming, which are not contiguous cannot be used.
   (c) The applicant will be allowed time to provide additional information after staff review of the Preliminary Plat Application. Such additional information must be provided a minimum of 14 calendar days before the Planning Commission Meeting in order to meet the required publication deadline. Failure to provide the required additional information may result in the application being continued to a future meeting as determined by the Administrative Official.
   (d) If the Applicant elects to not proceed with the Preliminary Plat after the public notice has been sent in for publishing, the Applicant must provide a written request to the Administrative Official, requesting a delay and provide a date for the next Planning Commission meeting they wish to place it on the agenda. The placement on the agenda will be subject to the approval of the Administrative Official.
   (e) The Administrative Official shall submit a written recommendation for action to the Planning Commission.
4. Planning Commission and City Council Action
   (a) The Planning Commission, following at least ten calendar days published notice, shall hold a public hearing on each Major Subdivision and, following such public hearing, shall take action on the application. The Planning Commission may recommend approval, conditional approval, non-approval with no recommendation, or denial of the preliminary plat to the City Council.
   (b) Following action by the Planning Commission, the Commission shall submit minutes summarizing the Commission's action to the City Council.
   (c) The City Council, upon receipt of the recommendation of the Planning Commission, shall take action on the application.

(d) Approval of a preliminary plat by the City Council shall not constitute approval of a final plat. The approval shall be considered an expression of conditional approval to guide the preparation of a final plat, to be considered subsequently by approving authorities. The preliminary approval shall confer upon the applicant the following rights:

(1) The general terms and conditions under which the plat was approved will not change.

(2) The applicant may submit for approval a final plat for the whole or a part of the preliminary plat on or before the expiration date of the preliminary approval.

(3) The preliminary plat approval shall stay in force for a period of two years from the date of approval by the City Council. The City Council may, at its discretion, establish a longer effective date for the preliminary plat approval. The City Council also may grant extensions to the effective period of a preliminary plat.

(4) Phased Subdivisions: The final plat may be submitted in phases. The initial phase of the final plat must be submitted according to the effective dates established in Section (3) above. In the event of a phased subdivision if indicated by the Developer at the time of submission and included in the initial phase Development Agreement, the initial preliminary plat approval remains effective for a period not to exceed five years, unless otherwise extended by the City Council.

e. Final Plat Application Process

1. Application Requirements

Except for a Concurrent Plat Approval Procedure, the applicant shall prepare and submit an application for final plat approval within two years of the preliminary plat approval unless an extension has been granted by the City Council. The application for final plat approval shall be submitted through the City's website application submittal platform. Upon receipt of all items required for said application as set forth herein, the application shall be placed on the next available Planning Commission Agenda. In order to attempt for the final application to be considered the next month after the preliminary plat obtained approval, the application submittal shall be at least nineteen (19) calendar days before the Planning Commission meeting. Meeting this submittal deadline does not guarantee placement on the next Planning Commission Agenda as it is subject to receipt of all items. The application shall consist of a form established by the Engineering Department; the supporting documents required for Final Plat Approval of Major Subdivisions Table 3-1; a final subdivision agreement as required by paragraph 2 hereinafter; a final plat of all lots, blocks and parcels that are affected by the application prepared by a State of Nebraska Licensed Surveyor, and payment of a fee, the amount of which shall be determined by the City Council. Upon receipt of all items required for said application as set forth herein, the application shall be placed on the Planning Commission agenda. A note, as required by State Statute, this includes the time needed to advertise for a public hearing. Thus, in order to keep the process on schedule, the applicant is strongly encouraged to include of the complete submittals at the time of the initial application. The applicant shall notify the Board of Education of each school

district in which the subdivision is located of the Planning Commission meeting at which such plat is to be considered and shall further submit a copy of the proposed final plat to the Board of Education at least ten days prior to such meeting. The developer shall furnish the Administrative Official with proof that a copy of the final plat was delivered.

2. Final Development Agreement

   The Final Plat application shall include the Final Development Agreement to be executed between the City and the applicant. The terms of this agreement shall be acted upon with the action on the Final Plat. The developer's attorney shall work with the City's attorney to obtain approval. Developer's ready for signature Final Development Agreement must be obtained and to the City no later than 6 calendar days prior to the Planning Commission meeting acting on the Final Plat.

3. Final Plat Review Procedures

   (a) After submission of a complete application for a final plat, the Administrative Official and staff shall review the application. This includes the mutual approval of the final development agreement between the developer's attorney and city attorney, including the developer's signature and notary, resolution and deed of dedication.

   (b) The applicant will be allowed time to provide additional information after staff review of the Final Plat Application. Such additional information must be provided 14 calendar days before the Planning Commission Meeting in order to meet the advertisement deadline. Failure to provide the required additional information may result in the application being continued to a future meeting.

   (c) If the Applicant elects to not proceed with the Preliminary Plat after the public notice has been sent in for publishing, the Applicant must provide a written request to the Administrative Official, requesting a delay and provide a date for the next Planning Commission meeting they wish to place it on the agenda. The placement on the agenda will be subject to the approval of the Administrative Official.

   (d) The Administrative Official shall submit a written recommendation for action to the Planning Commission.

4. Performance Bond

   The development agreement shall specify the amount of the performance bond for public improvements to be filed prior to receiving final plat approval or, alternatively, shall contain a statement that required improvements have been satisfactorily completed. The performance bond, if required, must be presented in a form satisfactory to the City Attorney prior to final approval of the subdivision.

5. Resolution and Deed of Dedication

   The applicant shall be responsible for preparing and furnishing in proper form a Resolution approving said final plat for execution by the City, and if said Addition is being brought into the corporate limits of the City or includes any dedication of public right-of-way or easements, said applicant shall prepare and furnish in proper form a Deed of Dedication for said Addition, along with a Resolution accepting the same, for execution by the City. The developer's attorney shall work with the City's attorney to obtain approval.

6. Final Plat Approval

   (a) The Planning Commission, following transmittal of the written recommendation of the Administrative Official, shall hold a public hearing to review the final plat for the following criteria: for compliance with the Columbus Land Development Ordinance and other applicable local, state or federal statutes and regulations, has satisfied all requirements of the Engineering Department, has met the conditions, if any, upon which preliminary plat approval was based and is substantially consistent with the terms of the preliminary plat approval. Unless the Planning Commission agrees to recommend approval of said plat subject to contingencies, all deficiencies or contingencies or changes identified through the Preliminary Plat approval process are required to be made prior to the Planning Commission Meeting or need to be addressed in the Development Agreement. Developer's signature of the Final Deed of Dedication must be obtained and submitted to the City no later than 6 calendar days prior to the City Council meeting acting on the Final Plat. If the final plat meets all the criteria as set forth above, the Commission shall have no recourse but to recommend approval of the final plat. If the Planning Commission finds in its review that the submitted final plat has not met the above criteria it shall take action to recommend approval or denial to the City Council or continue the public hearing to allow the Applicant time to correct the same.

   (b) Following such public hearing, the Commission shall submit minutes on the final plat to the City Council. If said addition is adjoining or contiguous to the corporate limits, then following said public hearing, the Planning Commission shall hold a separate public hearing for which at least ten calendar days published notice must be given, on the inclusion of the addition within the corporate limits. Following such public hearing, the Planning Commission shall take action to recommend approval, non-approval, or denial thereof to the City Council.

   (c) The City Council, following at least ten calendar days published notice, shall hold a public hearing on each final plat and on the Development Agreement to determine if the final plat meets all requirements of the Columbus Land Development Ordinance and other applicable local, state or federal statutes and regulations, has satisfied all requirements of the Engineering Department, has met the conditions, if any, upon which preliminary plat approval was based and is substantially consistent with the terms of the preliminary plat. Following such public hearing it shall take final action by way of resolution on the application. Any contingencies, deficiencies or changes attached to the preliminary plat approval and/or requirements of the Engineering Department must be completed prior to the final plat approval. If

the City Council finds in its review that the submitted final plat has not met the above criteria it may continue the public hearing to allow the Applicant time to correct the same. If said addition is adjoining or contiguous to the corporate limits, then following said public hearing on the final plat, if the final plat is approved, the City Council shall hold a separate public hearing, for which at least ten calendar days published notice has been given, on the inclusion of the addition within the corporate limits. Following such public hearing, the City Council shall, by separate vote, take final action by way of resolution.

(d) The City Council is further empowered to grant waivers of a section of the Subdivision Chapter after a waiver request has received a recommendation from the Planning Commission.

f. Filing the Final Plat

1. Following City Council approval of a Final Plat that received a prior recommendation from the Planning Commission, the Chair of the Planning Commission and the Mayor of the City of Columbus shall sign the final plat which shall be a reproducible mylar of the subdivision plat.
2. Applicant shall provide an electronic version of the final plat in an approved electronic format within four calendar days of the City Council approval.
3. Applicant shall provide the City a complete signed original, reproducible final plat within fourteen (14) calendar days of City Council approval.
4. The subdivider must file the plat with the Platte County Register of Deeds along with all applicable covenants and other documents within 90 calendar days of the execution of the plat by the Chair of the Planning Commission and the Mayor in accordance with state statute.

TABLE 3-1: Application Requirements

Submittal Requirements:

	Administrative Subdivision	Minor Subdivision	Major Subdivision	
			Preliminary	Final
PLAT INFORMATION				
Name, email, mailing address of owner and applicant.	X	X	X	X
Name, phone number, email, mailing address, signature, license number, seal and address of engineer, land surveyor, architect, attorney, planner, and/or landscape architect, as applicable, involved in preparation of plat.	X	X	X (no legal surveyor signature required)	X
Title block, denoting type of application, legal description in an approved electronic format, and general location.	X	X	X	X
Key map.	X	X	X	X
Aerial boundary map with adjacent features.	X	X	X	X
Present and proposed zoning.		X	X	
North arrow, date, and graphic scale.	X	X	X	X
Proof that taxes are current.		X	X	
Signature blocks for Planning Commission Chair and Mayor.			X	X
Signature block for Administrative Official, and Clerk.	X	X		
Appropriate certification block.	X	X	X	X
Monumentation.	X	X	X	X
Acreage of tract.	X	X	X	X

	Administrative Subdivision	Minor Subdivision	Major Subdivision	
			Preliminary	Final
PLAT INFORMATION				
Date of original and all revisions.	X	X	X	X
Location, dimensions, and names of existing and proposed streets.	X	X	X	X
All proposed lot lines, lot dimensions, lot bearings, setback lines, and lot areas in square feet.	X	X	X	X
Remaining property parcel layout of roadways and lots, upon request if applicable.		X	X	
Existing and proposed easements or land reserved for or dedicated to public use; existing and proposed ROW and trails	X	X	X	X
ENVIRONMENTAL INFORMATION				
All existing waters of the US, floodways and floodplain within 200 feet; FIRM map designations	X	X	X	X
Loup River Levee or Lost Creek Flood Control within 500 feet.	X	X	X	
Existing ROW's and easements adjoining the subdivision.	X	X	X	X
Topography adequate to provide one-foot contours in city approved vertical datum (no assumed datum). Spot elevations on critical features and grid topography		X	X	
Floodplain Development Permit	X	X	X	

TABLE 3-1: APPLICATION REQUIREMENTS

	Administrative Subdivision	Minor Subdivision	Major Subdivision	
			Preliminary	Final
IMPROVEMENTS AND CONSTRUCTION INFORMATION				
Proposed utility infrastructure plans including water, sanitary sewer, and storm water management.			X	
Special construction details as required.			X	
Roadway and paving cross-sections.			X	
Table 3-2 STF identification with completed information			X	
Proposed roadway names.			X	X
Proposed Block and Lot numbers.	X	X	X	X
Easements as requested or required for all public and private utilities.				X

TABLE 3-1: APPLICATION REQUIREMENTS

	Administrative Subdivision	Minor Subdivision	Major Subdivision	
			Preliminary	Final
GRADING AND DRAINAGE PLAN (separate plan sheet) Submittal of a copy of the preliminary plat or design plans without the additional items below is not acceptable and will be considered an incomplete submission.				
Site plan topographic survey adequate to provide one-foot contours in city approved vertical datum (no assumed datum). Spot elevations on critical features.		X	X	
Proposed finish elevations of streets			X	
Proposed finish elevations of ditches/swales		X	X	
Proposed finish grade elevations at each lot building setback		X	X	
Existing site drainage system		X	X	
Proposed site drainage system with elevation at end points		X	X	
Drainage area key map and calculations including from off-site area traveling through the proposed system		X	X	
Stormwater treatment post-construction facility including elevations and special construction details. Includes Table 3-2 STF identifier on the drainage plan complete with data		X	X	
Floodplain or floodway from latest Flood Insurance Rate Maps (FIRM)		X	X	

TABLE 3-1: APPLICATION REQUIREMENTS

	Administrative Subdivision	Minor Subdivision	Major Subdivision	
			Preliminary	Final
PLAT INFORMATION				
Identify planned or existing trail locations		X	X	
Certifications and seals from licensed Professional Engineer or Legal Surveyor, as required by Ordinance	X	X		X
Draft Development Agreement.		X	X	
Final Development Agreement, Resolution and Deed of Dedication		X		X
Additional information if requested by the Administrative Official and/or Planning Commission	X	X	X	X
Proof of submission to the school district		X	X	X
Proof of submission to all applicable utility providers			X	
Written waiver request, if applicable			X	
SUBMITTAL				
Completed Application	X	X	X	X
Payment of Application Fees	X	X	X	X
Electronic Submittals	X	X	X	X
Initial submittal bonded copy of plat and electronic copy. Upon review provide reproducible plat and updated electronic copy	X	X		X
Bonded Copy of Plat and electronic copy.			X	

Table 3-2: Storm Water Treatment Facility Identifier

STF Type	*STF Location (Lat/Long)*	*Drainage Area (Acres)*	*Design WQCV (cf) or Q_{WQ} (cfs)*	*WQCV (cf) or Q_{WQ} (cfs) Provided*

4 ARTICLE FOUR: CIRCULATION SYSTEM DESIGN

4-1 Purpose

The purpose of this Article is to assure the development of functional and safe circulation patterns within new subdivisions, in order to encourage economical and effective movement of motor vehicles, bicycles, and pedestrians; provide access for public safety vehicles; and encourage the development of circulation systems that enhance the quality of life within new and existing neighborhoods in the City of Columbus and its planning jurisdiction.

4-2 General Standards

The design of circulation systems should conform to the following general standards and requirements:

a. Roadway System Design

1. The road system shall be designed to permit safe and orderly movement of traffic, to meet but not exceed needs of the present and future served population; to be simple and logical; to respect natural features, topography, and landscape; and to present an attractive streetscape.
2. The system shall conform with the City's Comprehensive Plan, Long Range Transportation Plan, and State of Nebraska Board of Classification and Standards. For streets not shown on the Comprehensive Plan and Long-Range Transportation Plan the arrangement of public streets shall provide for the logical extension of existing public streets, proposed public streets with area developments, and access to adjacent area properties.
3. The Administrative Office or City Engineer may require a traffic impact study and/or air space study of the area of the development in order to assist in determining impact, roadway classification, traffic control features, safety, and so forth. Approval of study is by applicable official and city council is required.
4. The street network of a subdivision should provide for logical, continuous extensions of public streets to subsequent, later developments as determined by the Administrative Official and City Engineer.

b. Pedestrian and Bicycle Systems

1. A continuous pedestrian system shall be provided within each non-industrial subdivision, designed to conduct pedestrians between every point in the subdivision in a safe manner.
2. In conventional subdivisions, the pedestrian system will ordinarily be provided by sidewalks placed parallel to and on both sides of each street, with exceptions permitted to preserve natural features or the use of trails to create visual interest.
3. In overlay districts and Non-traditional Residential Parks and Subdivisions, the pedestrian system may be an independent network diverging from streets but providing continuous pedestrian access between all points.
4. All aspects of the pedestrian system, including sidewalks and intersection crossings, must be designed to comply with the Americans with Disabilities Act.

5. Bikeways or recreational trails shall be required only if specifically indicated by the Comprehensive Plan, Long Range Transportation Plan, or Master Trail Plan. Any land dedicated for trail development shall be credited toward the satisfaction of pedestrian system and open space standards set forth by this ordinance. Developer is responsible for construction, cost, and snow removal, in lieu of a sidewalk at these locations.

4-3 Street Hierarchy and Design

1. Characteristics of the Hierarchy
   (a) Streets shall be classified according to a street hierarchy with design tailored to function with existing and proposed traffic or turning movements.
   (b) Each street roadway shall be classified and designed to meet appropriate standards.
   (c) The categories, functions, and projected traffic loads of the street hierarchy are set forth in Table 4-1.
2. Cartway Width
   (a) Cartway width for each street classification is determined by parking and curbing requirements based on form or intensity of adjacent development.
   (b) To promote economic development of streets, minimum cartway widths shall be used. Minimum cartway widths are set forth in Table 4-2.
3. Curbs, Gutters, and Shoulders
   (a) Curbing shall be required for the purposes of safety, drainage, and protection of the pavement edge, as set forth in Table 4-3.
   (b) Requirements for curbs vary according to street function and the nature of adjacent development and expected future use of the area in accordance with the Future Land Use Map of the Comprehensive Plan. Adjacent development is defined as urban or rural as follows:
      (1) Rural: Rural Residential or predominately agricultural land.
      (2) Urban: Residential land use; or adjacent land uses which include commercial, office, industrial, or civic use types.
   (c) Where curbing is not required, edge definition, shouldering, and stabilization shall be provided.
   (d) Shoulders, when developed, shall be at least six feet in width, or greater if required by the State of Nebraska Board of Classifications and Standards, on each side for all streets; and located within right-of-way. Swale width is site-specific. Shoulders shall be stabilized with turf or other acceptable material.

(e) All curbs shall provide ramps for accessibility by handicapped people consistent with the requirements of the Americans with Disabilities Act.

(1) Curb construction shall follow standards established by the City of Columbus.

(2) Curb cuts for driveways may be ground smooth to a two-inch drop curb in residential. Maximum curb cut length as measured along the street back of curb is 40 feet including any radii or wings. Radii or wings matching into the public street must remain within the property as projected.

(3) Curb cuts may be ground smooth to a two-inch drop curb in commercial areas with lots less than 4,500 square feet in total size. Maximum throat width is 30 feet with a maximum curb cut length with two 20-foot radii measured along the street back of curb is 70 feet. Radii returns matching into the public street must remain within the developed property as projected.

(4) Curb cuts in commercial areas with lots greater than 4,500 square feet in total size shall be sawed straight and removed to a 2-foot lug and a two-inch drop curb to total pavement thickness shall be constructed. Grinding is not accepted. Maximum throat width is 40 feet. The maximum curb cut length as measured along the street back of curb with two 20-foot radii is 80 feet and 30-foot radii is 100 feet. Radii returns matching into the public street must remain within the development property as projected.

(5) Curb cuts in industrial areas shall be sawed straight and removed to a 2-foot lug and a two-inch drop curb to total pavement thickness shall be constructed. Grinding is not accepted. Maximum throat width is 50 feet. The maximum curb cut length as measured along the street back of curb with two 20-foot radii is 90 feet up to a maximum of 50-foot radii is 150 feet. Radii returns matching into the public street must remain within the development property as projected.

4. Sidewalks

(a) Sidewalk requirements are determined by road classification and intensity of development, as set forth in Table 4-3.

(b) Where sidewalks are not otherwise required by Table 4-3, the City may require their installation if necessary to provide access to generators of pedestrian traffic or major community features; to continue a walk on an adjacent street; to link parts of the city; or to accommodate future development.

(c) In conventional residential and commercial development, shall be placed generally parallel to streets within right-of-way located 4-foot from the property line. Exceptions are possible to preserve important natural features or to accommodate topography or vegetation; when applicant shows an alternative for a safe and convenient pedestrian system; or in creative subdivisions.

(d) In the B1 zoning district, sidewalks may abut curb. Subject to the approval of the City Engineer. Sidewalk landscaping requirements must be met.

(e) Pedestrian easements at least 12 feet in width may be required through the center of blocks over 600 feet in length if deemed necessary by the approving authorities to provide access to schools or community facilities; or to maintain a continuous pedestrian network within and between subdivisions and districts of the City of Columbus and its jurisdiction.

(f) Sidewalks shall provide a clear paved path of at least four foot in width or six feet along parking areas or curb lines, free of any obstructions a minimum of one foot on both sides.

(g) All sidewalks shall be constructed according to current standards in use by the City of Columbus. Sidewalks shall be of concrete construction a minimum of four inches thick in residential and five inches thick in commercial and industrial except at points of vehicular crossing where they shall be a minimum of six inches thick or thicker in commercial and industrial areas subject to the approval of the City Engineer.

(h) All sidewalks, crossings, and other segments of a continuous pedestrian system must comply with standards of the Americans with Disabilities Act.

5. Bikeways and Recreational Trail

(a) Bikeways and recreational trails shall be required in subdivisions when specified as part of the comprehensive development plan or master trail plan.

(b) All off-street recreational trails shall be of ten feet in width for two-way traffic and comply with the Americans with Disabilities Act. Surfacing of trails shall be concrete minimum of 6 inches thick. Gradients for bikeways and recreational trails should not exceed five percent, except for American's with Disability Act ramps or other preapproved rare occurrence. . Requests to revise trail width to eight feet or paving to asphalt and crushed aggregate surfacing are location and usage dependent and subject to the approval of the City Engineer.

(c) Recreational trails may satisfy part of the requirements of this ordinance for sidewalks or open space.

(d) Trails shall provide a clear path free of any obstructions a minimum of one foot on both sides.

(e) All residential streets shall utilize bicycle safe drainage grates at storm sewer inlets.

(f) All trails, crossings, and other segments of a continuous pedestrian system must comply with standards of the Americans with Disabilities Act.

6. Right-of-Way

(a) Measurement: The right-of-way of a street shall be measured from lot line to lot line, and shall be wide enough to contain the cartway, curbs or shoulder, sidewalks and sidewalk setbacks, other necessary graded areas, and utilities.

(b) Any right-of-way that continues an existing street shall be no less than that of existing street.

(c) The requirements for right-of-ways for functional categories of roads is set forth in Table 4-3.

(d) Dedications: Dedications of right-of-way for collector, sub collector, community, or arterial streets shall be made consistent with the comprehensive development plan.

7. Street Design Standards

(a) Pavement

(1) All streets shall be paved to current standards utilized in the City of Columbus except:

a. Local streets in rural intensity residential subdivisions. In these settings, streets may utilize an aggregate or crushed rock surface of sufficient thickness and with an adequate base to provide a durable surface. All connections and access to existing paved roadways must be concrete paved.

b. Courts or Plaza not within the corporate limits or being annexed as part of the development, may utilize a minimum thickness of six-inch aggregate or crushed rock surfacing, provided that such courts or lanes remain in private or private cooperative ownership.

(2) Street pavement thickness shall relate to the role of the street in the hierarchy, sub-grade conditions, and pavement type.

(b) Continuity of Arterial or Collector Streets

(1) No subdivision shall prevent the extension of arterial or collector streets through and beyond the subdivision. Private Streets cannot emulate a public street or prevent the logical extension of public streets or those planned in the Comprehensive Plan. The subdivider may plan and design collector streets not designated in the Comprehensive Development Plan subject to the approval of the City Council.

(c) Arterial Street Construction Alternate

(1) Where the condition of the existing arterial roadway is in satisfactory condition, concrete, and constructed in accordance with the State of Nebraska Board of Classification and Standards, the developer may elect to pay a Public Infrastructure Improvement Impact Fee in lieu of improving the roadway, earthwork, storm sewer and other potential impacts of such improvements section at the time of development.

(d) Cul-de-sacs and Street Bulb-Outs

(1) Cul-de-sac streets designed to have one end permanently closed shall not exceed 350 feet in length as measure from the radii points, unless a variance is granted. Cul-de-sacs designed with restricted vision from entrance to end shall be required to place a ‘No Outlet’ sign by the Developer at the entrance of the Cul-de-sac road. The terminating end of a cul-de-sac shall have a minimum radius of 50 feet.

(2) Street bulb-outs may be utilized on Local streets if approved by the City Engineer.

(e) Street Intersections

(1) Streets shall intersect as nearly at right angles as possible, unless limited by topography, existing street alignments, or other clearly defined constraints. No street shall intersect any other street at less than 60 degrees.

(2) In most cases, no more than two streets should intersect at a single intersection.

(3) Local street intersections with major arterials should be avoided.

(4) New intersections along one side of an existing or proposed street shall align with intersections on the other side of the street. Offsets between adjacent intersections shall measure at least 125 feet between centerlines of any streets, major private street or commercial access. The use of T-intersections is encouraged on local streets within the interior of a subdivision. Roundabouts or residential mini-roundabouts or other traffic calming features are also encouraged or otherwise required by the Comprehensive Development Plan or City Engineer and subject to the approval of the City Council.

(5) Street intersections shall be rounded with a minimum radius of 20 feet on Local and Collector roads and a minimum radius of 30 feet on Minor and Other Arterial and Major Arterial roads. Larger radius comparable cutoffs or chords in place of rounded corners may be required on all types of Arterial roads.

(6) Intersections and driveways shall not be within 200-feet of all types of Arterial roadways, major roundabouts, or signalized intersections. Driveway requests closer than 200 feet in residential area may be requested and are subject to the City Engineer's review and approval.

(f) Block Size

(1) The length, widths, and shapes of blocks shall be suited to the proposed area land use and design of the proposed subdivision and area properties. Blocks within residential areas should generally not exceed 1200 feet in length, unless necessitated by exceptional topography or other demonstrable (non-financial) constraints.

8. Street Names

   (a) No street names shall be used which will duplicate or be confused with the name of existing streets as approved by the City Engineer. Streets shall be named according to the following system subject to City Engineer and City Council approval:

Street Direction and Type	Name
North-South	Numbered Avenues
East-West	Numbered Streets
Short Streets and Angles	Named Lanes or Drives
Long Angle Arterial Streets	Named Parkway or Boulevard
Cul-de-sacs	Named Places
Intermediate Streets	Named Streets (if E-W) or Avenues (if N-S)
Private Streets	Named Court (East-West) and Named Plaza (North-South)

9. Adjacency to Arterials and Railroads

   (a) Where the subdivision is adjacent to or contains a street designated as a major or minor arterial or expressway, provision shall be made for marginal access streets approximately parallel and adjacent to the boundary of such right-of-way. Design features may be necessary to provide adequate protection of residential or commercial property and separation of through and local traffic as determined by the City Engineer.

   (b) Where the subdivision is adjacent to or contains a railroad right-of-way or limited access highway or arterial, the City Engineer may require a street approximately parallel to and on each side of the right-of-way at a distance suitable for appropriate use of the intervening property. These distances shall afford opportunities for safe approach grades and future grade separations.

10. Prohibited Practices

    (a) The following design practices shall be prohibited:

        (1) Privately-owned reserve strips controlling access to streets, sidewalks, trails, utilities or similar.

        (2) Private Streets emulating public streets and allowing continuation of local, collector or arterial existing roadways or those planned in the Comprehensive Plan.

        (3) Half-or reduced standard width streets.

        (4) Public alleys, except in a B1 zoning district.

4-4 Alleys

a. Applicability

Private alleys may be provided to supplement public roadways. Such private alleys may only connect to Local roads.

b. Alley Design

1. Minimum width of alleys shall be 20 feet.

2. Alley intersections and sharp changes in alignment shall be avoided.

3. Valley gutters may be used at alley and T-intersections subject to approval of the City Engineer.

4. Dead-end alleys shall be avoided if possible. If necessary, dead end alleys shall be provided with adequate turnaround facilities, as determined by the Planning Commission. All barricading and signage is the responsibility of the Developer.

5. Alley design in Commercial zones shall follow the National Fire Protection Agency requirements as administered by the Nebraska State Fire Marshall's Office.

6. Alley design in Residential zones or for residential uses shall follow the International Fire Code.

4-5 Lighting and Wiring

a. Street Lighting

1. Street lighting shall be provided by the Developer along all streets in urban residential subdivisions or in any commercial or industrial subdivision, according to an approved lighting plan designed by the local public power utility company, or using guideline standards published in the Lighting Handbook of the Illuminating Engineering Society of North America. Lamps shall be light emitting diode (LED) and of type and manufacturer approved by the local public power utility.
2. The height and shielding of lighting standards shall provide proper lighting without hazard to drivers or a nuisance to residents. The design of lighting shall be appropriate to the development and to the City of Columbus.
3. Lighting within the Airport Runway Protection Zone or Approach Zones may require FAA pre and post approval and Nebraska Department of Transportation Aeronautics Division approval.

b. Underground Wiring

1. All electric, telephone, television, cable TV, data, fiber optics, and other communication lines shall be provided by underground wiring within public easements or public right-of-way, except where in the opinion of the approving authorities, such location is not practical and feasible. Poles for permitted overhead lines shall be placed in rear lot line easements; or in other locations designed to lessen their visual impact.
2. New lots adjacent to existing overhead service may utilize that service; however, new local service connections shall be underground. Relocation of existing above ground power lines with above ground power lines which are needed for development is subject to pre-approval of the Administrative Official.

TABLE 4-1: Street Hierarchy

Residential Street Type	Function	Guideline Maximum ADT
Private Street or Frontage Road (Private)	Street providing private or controlled access must meet State Fire Marshall turnaround requirements for emergency vehicles and NFPA standards. Private streets may not emulate public streets or prevent the logical extension of existing public roadways or those planned in the Comprehensive Plan.	120-150
Local	Provides frontage to lots and carries traffic with origin or destination on street itself. Carries least traffic at lowest speed.	250-1,000
Collector	Conducts and distributes traffic between local streets and major streets in the community. Carries larger volume of traffic. Residential collectors interconnect and provide through access between residential neighborhoods. Collector streets should preserve one through traffic lane in each direction, without encroachment by parking. Driveway access shall be minimized. Collectors may be eligible to use the city's Federal Funds Purchase Program funding.	1,000-5,000
Minor and Other Arterials	Provides community wide access between residential neighborhoods and to other activity centers in Columbus, including Downtown and major commercial facilities. Direct access may be provided to other arterial streets. Parking should generally be prohibited. Other arterials should be excluded from residential areas. Driveway access is not allowed. Traffic control features at intersections may be required. Minor and Other arterials may be eligible to use the city's Federal Fund Purchase Program funding.	5,000-15,000
Major Arterial	Inter-regional road in the street hierarchy. Conveys traffic between activity centers, often at high speeds and with limited access. Should be excluded from residential areas. Driveway access is not allowed. Traffic control features at intersections may be required. Major Arterials may be eligible to use the city's Federal Funds Purchase Program funding.	15,000+

TABLE 4-2: Cartway Width

Street Type	Moving Lanes	Parking Restrictions	Total Width Measured back of curb to back of curb	Maximum Grade
Private Street or Frontage Road (Private)	Two 12-foot	None, but must meet NFPA standards	24 feet	10%
Local	Two 12-foot	None	33 feet	10%
Collector	Two 12-foot through lanes	May be limited, must meet NFPA standards	33 feet	10%
Minor and Other Arterials	Each through land 12-foot and/or Two 12-foot with one 14-foot center lane	No parking	41 feet	7%
Major Arterials	Three or more 12-foot	No parking	Minimum 41 feet	Meet design guidelines

4-6 Arterials

Arterial street width, including frontage roads, is determined by state standards, designation of individual street or roadway segment, logical extension of roadway segments, and design as determined by the City Engineer.

TABLE 4-3: Curb, Sidewalk, and Right-of-Way Requirements

Street Type	Curb / Shoulder	Sidewalk	Sidewalk Setback	Total ROW
Private Street or Frontage Road (Private)	Curb with 2-foot turf shoulder	Required	No Setback. Sidewalk to be located on the private street lot.	Minimum of 32 feet (lot with public easement)
Local - Rural	Minimum 6-foot turf	May Not be Required	NA	60 or 66 feet*
Local - Urban	Curb	Both sides	4 feet or 2 feet in cul-de-sacs	60 or 80 feet*
Collector	Curb	Required both sides	4 feet	60 or 80 feet
Minor or Other Arterial	Curb	Both Sides	4 feet or greater as approved by City Engineer	100 feet or greater*

Arterials

(*) Arterial right-of-way, design and width, including frontage roads, is determined by state standards, designation of individual street or roadway segment, logical extensions, and as determined by the City Engineer.

Right-of-way

Additional right-of-way for triangular or curved at intersections may be required to meeting turning radii, sidewalks with ramps, utilities, traffic signals, boulevards, and so forth.

5 ARTICLE FIVE: PUBLIC IMPROVEMENTS AND INFRASTRUCTURE

5-1 Purpose

The purpose of this Article is to assure that all subdivisions developed in the City of Columbus and its jurisdiction are adequately furnished with necessary public services. These services include adequate water, waste management, and storm water drainage utilities; and park and open space resources.

5-2 Water

a. Connection

1. All installations shall be properly connected to an approved and functioning community water system and in accordance with any and all design and construction manuals.
2. Where City water is accessible within 300 feet of the final plat, the subdivider shall connect to the system and provide adequate lines and stubs to each lot. When City water is not accessible within 300 feet of the final plat, the subdivider shall make provision for a water supply and future connection agreement acceptable to the City Engineer.
3. If a public water supply system is to be provided to an area within a six-year period, as indicated in an officially adopted document of the City, the Rural Water District, or other authorized agency, the City may require installation of a capped system or dry lines. Alternatively, the City may require a payment in lieu of the improvement, to be credited toward the extension and extension of the subdivision to a future public water supply.
4. All proposals for new water supplies, extensions, or main installation shall be approved by the appropriate public agency, including the State of Nebraska Department of Environment and Energy and the City of Columbus.
5. The Developer shall be responsible for the location of the Water and Sanitary Sewer service lines so that the purchaser of the lot can locate them. If the purchaser cannot locate the Water and Sanitary Sewer service lines, the Developer shall be responsible for determining their location including all costs. The Developer shall provide the City with an as-built drawing showing the location of all utility and service lines.
6. City of Columbus final approval of the system, and if applicable, the State Fire Marshall approval of the fire protection system, shall be obtained prior to issuance of building permit or final occupancy permit.

b. Capacity

1. The water supply system shall be adequate to handle the necessary flow, based on complete development of the subdivision.
2. The demand rates for all uses, including emergency fire demand, shall be included in the computation of total water demand.
3. Water mains shall be a minimum of six inches in residential and commercial zones and a minimum of eight inches in industrial zones, subject to a Developer provided study, which may be required by the City Engineer, Comprehensive Plan and/or Citywide Water Study which may increase the sizes required.

4. Hydrants spaced for necessary fire flow and provided with adequate means of drainage. All property shall be within 300 feet of a fire hydrant. Fire hydrants shall be placed at all intersections and ends of mains.
5. Water mains shall be looped to eliminate permanent or long-standing dead-end lines, including through cul-de-sacs.
6. Installation of water systems shall conform to Nebraska Department of Environment and Energy and community design standards in use within the City of Columbus.
7. All final plats shall include a certification from a registered State of Nebraska Professional Engineer that the water supply system of the subdivision is designed and constructed in accordance with the requirements of this Section; and all applicable standards of the State of Nebraska Department of Environment and Energy, to the best of his/her knowledge and belief.

5-3 Sanitary Sewers

a. Connection

1. All installations shall be properly connected to an approved and functioning sanitary sewer system and in accordance with any and all design and construction manuals. Sewer services lines shall be tapped to sewer mains at the upper pipe limit and not at the flowline.
2. Where City sanitary sewer is accessible within 300 feet of the final plat, the subdivider shall connect to the system and provide adequate lines and stubs to each lot. When City sanitary sewer is not accessible within 300 feet of the final plat, the subdivider shall make provision for a sanitary sewer supply and future connection agreement acceptable to the City Engineer.
3. If the City creates a sanitary sewer extension district each benefiting property in accordance with State Statutes will have a special assessment. Special assessments shall be computed on the basis of proportionate costs and benefits of necessary extensions including sanitary sewer lift stations. Assessments shall be made on an area basis of benefiting property.
4. If system is not in place or cannot be developed, the developer must provide individual subsurface disposal systems where appropriate, with design taking into consideration site density, soil, slope, and other conditions and obtains approval from the Nebraska Department of Environment and Energy. Subsurface or septic systems are not permissible on any lot created if the overall density of the subdivision is greater than one unit per 1.5 acres, if individual lots are smaller than one half of an acre, if restricted by the Nebraska Department of Environment and Energy or any lot which has a property line which is within 300 feet of the public sanitary sewer system.
5. If a sanitary sewer system is to be provided to an area within a six-year period, as indicated in an officially adopted document of the City, the County, the Nebraska Department of Health, or other authorized agency, the City may require installation of a capped system or dry lines. Alternatively, the City may require a payment in lieu of the improvement, to be credited toward the extension and extension of the subdivision of a future sanitary sewer system.

6. All proposals for new public sanitary sewer systems or extensions of existing systems shall be approved by the appropriate public agencies including the State of Nebraska Department of Environment and Energy and the City of Columbus.
7. City of Columbus final approval of the system, and if applicable the State Electrical Inspector for the lift station system, shall be obtained prior to issuance of building permit or final occupancy permits.
8. The Developer shall be responsible for the location of the Water and Sanitary Sewer service lines so that the purchaser of the lot can locate them. If the purchaser cannot locate the Water and Sanitary Sewer service lines, the Developer shall be responsible for determining their location including all costs. The Developer shall provide the City with an as-built drawing showing the location of all utility and service lines.

b. Capacity

1. The sanitary sewer system shall be adequate to handle the necessary flow, based on complete development of the subdivision.
2. Installation of sanitary sewer systems shall conform to community design standards of the Nebraska Department of Environment and Energy and those in use within the City of Columbus.
3. Sanitary sewer mains shall be a minimum diameter of eight inches or as required in a developer provided study as may be required by the City Engineer, the City Comprehensive Plan and/or the Citywide Sewer Study.
4. Sanitary sewer manholes shall be a minimum of 48-inches in diameter and separation shall not be more than 350 feet and shall be placed at bends, main connections, end of mains and all service connections in diameter 6 inches and greater.
5. All final plats shall include a certification from a registered Professional Engineer that the sanitary sewer system of the subdivision is designed and constructed in accordance with the requirements of this Section; and all applicable standards of the State of Nebraska Department of Environment and Energy, to the best of his/her knowledge and belief.

5-4 Storm Sewers and Storm Water Management

a. Design

1. All subdivisions shall have a post-construction storm water treatment facility and detention system in accordance with the Storm Water Management Plan and City Code Chapters 53 and 54. This system shall be discussed at the pre-application DRT meeting and shall address routing of storm waters after they leave the subdivision, as well as the available drainage courses or storm sewers in the immediate vicinity of the subdivision.

2. The design of the storm water management and treatment system shall be consistent with general and specific concerns and standards of the Comprehensive Development Plan, Storm Water Management Plan, Drainage Manual, and the drainage control programs of applicable public agencies. Design shall be based on environmentally sound site planning and engineering techniques and in accordance with the City Stormwater Drainage Manual.
3. To maximum degree possible, drainage from subdivisions shall conform to natural contours of land and not disturb pre-existing drainage ways.
4. Adjacent properties which may be pre-development burdened with surface waters should have the effects ameliorated as much as possible.
5. Peak flow rates out of the subdivision or development shall not exceed pre-development rates. Detention system must be provided within the development, as part of a regional system, or other city program. The detention system must be located a minimum of 10 feet from any public right-of-way.
6. Design shall use the best available technology to minimize off-site runoff, encourage natural filtration, simulate natural drainage, and minimize discharge of pollutants.
7. No surface or point source water may be channeled into a sanitary sewer system.
8. Where possible, a subdivision's drainage system shall coordinate with that of surrounding properties or streets.
9. The pre-application information should include drainage impacts and shall be discussed with the DRT members.
10. Post-construction stormwater treatment and detention system within the development must remain to be owned by the Developer, home owners association or similar association or district. They cannot be sold in part of whole to individual property owners in residential or commercial districts. The Environmental Protection Agency and the Nebraska Department of Environment and Energy require privately owned and operated systems to be inspected and maintained in accordance with a Maintenance Agreement as made part of the Development Agreement. Publicly owned and operated systems have the same inspection and maintenance requirements.

b. Construction Stormwater Pollution Prevention Plan and Notice of Intent

1. In accordance with the Environmental Protection Agency, Nebraska Department of Environment and Energy (NDEE) and City Code Chapters 53 and 54, and the Storm Water Management Plan (SWPPP), prior to disturbance of one acre, the Developer must obtain a NDEE Construction Runoff NOI which includes a Stormwater Pollution Prevention Plan and provide a copy to the City Engineering Department. The SWPPP must be developed and signed by a certified official.

2. Individual residential or commercial developments which are at or over one acre and which the developer is maintaining their NOI do not have to submit they own NOI or SWPPP. However, if the development NOI is terminated, a NOI must be obtained through the NDEE.
3. Individual residential or commercial developments which are under one acre need to complete an Individual Lot Plan as part of the Building Permit process. If under one acre, you do not need a NDEE NOI unless due to the potential or actual contamination of waters of US, unless one is requested by the City Engineer.
4. The SWPPP Best Management Practice (BMP) must include perimeter stormwater protection by constructing a silt fence or other BMP that is applicable for the topography and situation, such as, waddles on side slopes. The use of earthen berms as a perimeter BMP is not acceptable usage. Additional BMPs shall be provided as designed and shown on the SWPPP including, but not limited to, inlet protection, wet land protection, track out pad(s), concrete wash out (if applicable) and signage.
5. Developer must notify the City Engineering Department, Project Manager, a minimum of 72 hours in advance of the following:
   (a) Preconstruction conference location and time upon which the NOI, SWPPP, and contact information for the certified inspector shall be provided and discussed. The City Project Manager, and/or City Construction Observer, or another City designee, will attend the meeting.
   (b) Upon final construction of the initial BMPs for an inspection and approval to proceed with the earthwork or construction phase.
6. BMPs and development must be inspected in accordance with the SWPPP by certified officials, keep SWPPP records and documents updated, and be available to report to the City or NDEE upon any inspection.
7. The Developer and Post-Construction owner or association must provide storm water treatment facility and detention inspections and maintenance in accordance with the Maintenance Agreement and Development Agreement for system on the development. Any required maintenance work must be completed within the required work timeline.

5-5 Easements

a. Utility Easements

Public easements for utilities shall be provided for in the subdivision dedication allowing for the construction, maintenance, repair, and replacement of such facilities as required by the utility companies or City.

c. Drainage or Environmental Easements

Where a subdivision is crossed by a watercourse, drainage way, channel, or stream, a storm water easement or a permanent drainage or environmental easement shall be provided, corresponding generally with the extent of such watercourse, together with any additional construction or expansion necessary to allow it to conduct and treat storm water adequately. Parallel streets or parkways may be utilized to preserve such drainage ways. Backlot utility or drainage easements a minimum of 10 feet in width, or wider for that required to carry the design and larger storm events as determined in the drainage calculations, shall be provided and shown on the plat.

d. Other Easements

The subdivision shall provide easements for other public and private utilities that cross through it, in a form acceptable to the City or appropriate public agency.

5-6 Dedications

Before final plat approval is granted to the subdivision, dedications to public use of all streets, alleys, other public right-of-ways, easements, or other parks and public lands shall be completed as required by this Ordinance.

5-7 Public Infrastructure Improvement Impact Fee

a. Purpose

1. In the event infrastructure present is in a condition adequate to serve a proposed development, as determined by the City Engineer, the developer may elect to pay a public infrastructure improvement impact fee in lieu of making required public improvements or other payment agreement.
2. Such fee shall be determined by the City Engineer based on most recent, similar construction type.
3. If an agreement or impact fee is required, details shall be included in the Development Agreement.

6 ARTICLE SIX: IMPROVEMENT PROCEDURES

6-1 Purpose

The purpose of this Article is to ensure the proper installation and maintenance of required streets, utilities, and other improvements. The agreement for improvements shall be structured to provide adequate assurances to the City while not adding unnecessary costs to the developer.

6-2 Application

a. This article applies to subdivisions which require the installation of streets, utilities, or other public improvements by the developer.

b. As a condition of the final approval of the plat and prior to its recording with the Platte County Register of Deeds, the City Council shall require and accept the following:

   1. The furnishing of a performance bond, letter of credit, cash escrow, or other guarantee in a form acceptable to the City, in an amount not to exceed 120% of the estimated cost of the improvement installation.

   2. A specification of the time allowed for the installation of improvements. This period may be extended by the City Council.

   3. The performance guarantee amounts and requirement, along with the permitted time for installation, shall be included within the Development Agreement negotiated between the City and the Developer and approved with the Final Plat.

   4. An Ordinance stating the requirements of the City can be used in lieu of Items 1, 2, and 3 above.

6-3 Pre-Construction Conference

a. Prior to beginning construction the developer shall hold a pre-construction conference with adequate advanced notification, a minimum of 72 hours, to the City.

b. In addition to the developer, attendance at the pre-construction conference shall include a representative from the design professional, city, general contractor, SWPPP inspector, public and private utilities and others which have a direct or indirect interest in the projects successful completion.

c. The developer is responsible for taking and providing minutes of the pre-construction conference to the city within 7 calendar days of the meeting.

6-4 Notification of Completion and Acceptance by City

a. Notification

   1. Upon substantial completion of all required improvements, the developer shall notify the Administrative Official and City Engineer in writing, as well as submitting a certification from the project design professional Engineer, registered in the State of Nebraska, attesting to the adequacy of the installation.

b. Inspection and Acceptance

   1. The Administrative Official, City Engineer, or his/her designee shall reasonably observe all installations, and shall approve, partially approve, or disapprove of the installation.

2. If the installation is approved, the Administrative Official, City Engineer, or his/her designee shall notify the Developer of acceptance in writing. Such acceptance shall release the developer from liability pursuant to the performance guarantee for the installation. The City has the right to retain up to 10% of the value of the performance guarantee for a period of up to one year from the date of acceptance to remedy any deficiencies which appear during that period.
3. If improvements are not accepted or not completed within the specified time, the performance guarantee shall be forfeited and used by the City to complete satisfactory installation of improvements.
4. Prior to acceptance by the City, the developer shall provide to the City an as-built plan of the infrastructure of the subdivision including, but not limited to, all water, sewer and storm sewer utilities and stormwater treatment facilities. An as-built plan shall include elevations of the post-construction stormwater treatment facility. The as-built plan shall be electronic in a format acceptable to the City. No building permits or occupancy permits will be approved until such completed record drawing submittal is reviewed and approved.

Table 4-3: Permitted Uses by Zoning District

P = Uses permitted by Right S = Uses permitted by Special Permit

Use Types	AG	RR	R-1	R-2	R-3	NTR	O	LC	UC	B-1	B-2	ML/C-1	MH	Supplementary Regulation
Industrial Uses														
Custom Manufacturing									P	P	P	P	P	
Light Industry										S	S	P	P	
General Industry												P	P	
Heavy Industry													P	
Resource Extraction	S	S											P	6-6(a)
Salvage Services													P	6-6(b)
Warehousing												P	P	
Construction Yards												P	P	
Recycling Collection											P	P	P	
Recycling Processing												P	P	
Transportation Uses														
Aviation	P												P	
Railroad Facilities										S	S	P	P	
Truck Terminal											S (Note 2)	P	P	6-13
Transportation Terminal	S									P	P	P	P	
Note 2 – See Section 6-13 governing the Special Use Permit for Truck Terminals within B-2 Zoning District.														

2. The temporary placement of one (1) portable storage container not to exceed the size dimensions of eight (8) feet wide by eight (8) feet high by sixteen (16) feet long on a residential lot for the purpose of loading and unloading household contents shall be permitted for a time not to exceed ninety (90) days in a twelve (12) month consecutive period. Additional time is subject to City approval by the Building Official on a case-by-case basis. Additional containers on the same site require City approval by the Building Official prior to placement.
3. Portable storage containers shall not be used for long term storage.
4. No permit is required; however, the street address of the location the container is going to be placed and the date of placement shall be communicated by telephone, electronic mail, or in person, to the Building Official prior to the day the container is placed.
5. The property must be occupied by a principal residential building.
6. Containers are allowed in the front building setback but shall be placed a minimum distance of five (5) feet from any side or rear property lines. Preferred location is in the driveway of the residence, but in no case shall the container be placed in the street or encroaching on public right-of-way.
7. Signs on any portable storage container shall be limited to not more than twelve (12) square feet each, not to exceed one (1) per side. Signage on the container shall not be used for advertising off-premise businesses other than the company that owns and operates the container business.
8. No sales shall be conducted from a portable storage container.
9. All storage containers shall be clean and well maintained.

6-13 Supplemental Use Regulations: Truck Terminals

Truck Terminals that are desired to be located in B-2 Districts may be approved pursuant to a Special Use Permit and must comply with the following requirements:

a. The total maximum floor area of all buildings combined is limited to 75,000 square feet or less per site.

b. A landscape bufferyard and screening is required around the perimeter of the site as set forth below, but in no event shall said bufferyard and screening requirement be less than 20-foot:

1. Bufferyards shall comply when appropriate with Article 8, Section 8-4, and Table 8-2 of the Columbus Land Development Ordinance. Each bufferyard must be fully landscaped and maintained as set forth in the Columbus Land Development Ordinance and be free from paved areas, storage, or other disturbances.

~~1.~~2. Screening shall comply with Section 8-5 of the Columbus Land Development Ordinance.

17. **ORDINANCES ON THIRD READING - None**

18. **CONSIDERATION OF PAYROLL AND BILLS ON FILE - Included in Consent Agenda**

19. **UNFINISHED BUSINESS**

19.A. Performance evaluation of City Administrator Tara Vasicek.

20. **ADJOURNMENT**