

## CHAPTER 1

### ADMINISTRATIVE

#### ARTICLE 1. ELECTED OFFICIALS

**1-101 ELECTED OFFICIALS; BOARD OF TRUSTEES.** The corporate powers and duties of every Village shall be vested in the Board of Trustees which shall consist of five members. The members of the Village Board of Trustees shall be elected at the statewide general election as provided in section 17-202 RS Neb. and each four years thereafter. The terms shall begin on the first regular meeting of the Board of Trustees in December following the statewide general election. Except as provided in section 17-202 RS Neb., the term of each Board member shall be four years or until his or her successor is elected and qualified. Any person who is a citizen of the United States, resides in the Village, and is a registered voter may be eligible to be elected to the Board of Trustees. (Ref. 17-202, 32-532 RS Neb.)

**1-102 ELECTED OFFICIALS; BOARD OF TRUSTEES; ORGANIZATION.** Every trustee, before entering upon the duties of his or her office, shall take an oath to support the Constitution of the United States and the Constitution of Nebraska and faithfully and impartially to discharge the duties of his or her office. All trustees elected to office shall qualify and meet on the first regular meeting of the Board in December thereafter, organize, elect a Chairman of the Board, and appoint the officers required by law. The Board of Trustees shall, by ordinance, fix the time and place of holding its stated meetings and may be convened at any time by the Chairman. (Ref. 17-204 RS Neb.)

**1-103 ELECTED OFFICIALS; BOARD OF TRUSTEES; CHAIRMAN.** The Board of Trustees Chairman shall be selected at the first regular meeting of the Board in December by the Board of Trustees from their own membership. The Chairman shall preside at all meetings of the Board. In the absence of the Chairman, the Board shall elect one of their own body to occupy the place temporarily who shall hold the title of Chairman pro tempore. The Chairman and Chairman Pro Tempore shall have the same powers and privileges as other members of the Board. The Chairman shall cause the ordinances of the Board to be printed and published for the information of the inhabitants. The Chairman shall also perform all duties of his office in accordance with the laws of the State of Nebraska and the ordinances of the Municipality. The qualifications for the Chairman shall be the same general qualifications that apply to the Board of Trustees. (Ref. 17-202 through 17-210 RS Neb.)

**1-104 ELECTED OFFICIALS; BOARD OF TRUSTEES; POWERS AND DUTIES.** The Board shall have the power to pass ordinances to prevent and remove nuisances; to prevent, restrain and suppress gambling and disorderly houses; to license and regulate amusements; to establish police protection; to prevent the spread of contagious diseases; to regulate business; to erect, repair, construct and regulate the public ways and property; to maintain good government, public welfare and domestic tranquility; and to enforce all ordinances by inflicting penalties upon inhabitants or other persons for violation thereof not exceeding one hundred (\$100.00) dollars for any one (1) offense. (Ref. 17-207 RS Neb.)

**1-105 ELECTED OFFICIALS; BOARD OF TRUSTEES; VACANCY.** (1) Every elective office shall be vacant upon the happening of any of the events specified in Section 32-560 RS Neb.

(2) Except as otherwise provided in subsection (4) or (5) of this section, vacancies in village elected offices shall be filled by the Board of Trustees for the balance of the unexpired term. Notice of a vacancy, except a vacancy resulting from the death of the incumbent, shall be in writing and presented to the Board at a regular or special meeting and shall appear as a part of the minutes of such meeting. The board shall at once give public notice of the vacancy by causing to be published in a newspaper of general circulation within the Village or by posting in three (3) public places in the Village the office vacated and the length of the unexpired term.

(3) The Chairperson of the Board shall, within four (4) weeks of the meeting at which such notice of vacancy has been presented or upon the death of the incumbent, call a special meeting of the Board or place the issue of filling such vacancy on the agenda at the next regular meeting at which time the Chairperson shall submit the name of a qualified registered voter to fill the vacancy for the balance of the unexpired term. The Board shall vote upon such nominee, and if a majority votes in favor of such nominee, the vacancy shall be declared filled. If the nominee fails to receive a majority of the votes, the nomination shall be rejected and the Chairperson shall, at the next regular or special meeting, submit the name of another qualified registered voter to fill the vacancy. If the subsequent nominee fails to receive a majority of the votes, the Chairperson shall continue at such meeting to submit the names of qualified registered voters in nomination and the Board shall continue at such meeting to submit the names of qualified registered voters in nomination and the Board shall continue to vote upon such nominations until the vacancy is filled. All Trustees shall cast a ballot for or against the nominee. Any member of the Board who has been appointed to fill a vacancy on the Board shall have the same rights, including voting, as if such person were elected.

(4) The Chairperson and Board of Trustees may, in lieu of filling a vacancy in a Village elected office as provided in subsections (2) and (3) of this section, call a special election to fill such vacancy.

(5) If vacancies exist in the offices of a majority of the members of the Board of Trustees, the Secretary of State shall conduct a special election to fill such vacancies, except that the Board of Trustees of a Village situated in more than one county shall have the power to fill by appointment any vacancy that may occur in their number.

(6) No official who is removed at a recall election or who resigns after the initiation of the recall process shall be appointed to fill the vacancy resulting from his or her removal or the removal of any other member of the same governing body during the remainder of his or her term of office. (Ref. 32-560 through 32-572, 32-1308 RS Neb.)