

CHAPTER 2 – BOARDS AND PUBLIC FACILITIES

ARTICLE 1 – LIBRARY BOARD

- SECTION 2-101: LIBRARY; OPERATION AND FUNDING**
- SECTION 2-102: MEMBERS; TERMS**
- SECTION 2-103: OFFICERS; MEETINGS**
- SECTION 2-104: POWERS AND DUTIES**
- SECTION 2-105: ANNUAL REPORT TO VILLAGE BOARD**
- SECTION 2-106: REAL ESTATE; SALE AND CONVEYANCE**
- SECTION 2-107: GROUNDS AND BUILDING**
- SECTION 2-108: MORTGAGES; RELEASE OR RENEWAL**
- SECTION 2-109: LIBRARY; DONATIONS**
- SECTION 2-110: LIBRARY; COST OF USE; VIOLATION OF RULES**
- SECTION 2-111: LIBRARY; DISCRIMINATION PROHIBITED**
- SECTION 2-112: LIBRARY; BOOK REMOVAL**
- SECTION 2-113: LIBRARY; LOST AND DAMAGED MATERIALS**
- SECTION 2-114: LIBRARY; SALE, EXCHANGE, OR DISPOSAL OF BOOKS**
- SECTION 2-115: LIBRARY; PENALTIES; RECOVERY; DISPOSITION**

ARTICLE 2 – BOARD OF HEALTH

- SECTION 2-201: MEMBERS; TERMS**
- SECTION 2-202: MEETINGS; OFFICERS**
- SECTION 2-203: DUTIES**
- SECTION 2-204: ENFORCEMENT OFFICIAL**
- SECTION 2-205: STATE RULES**
- SECTION 2-206: COUNTY HEALTH BOARD**

ARTICLE 3 – VILLAGE PARK

- SECTION 2-301: OPERATION AND FUNDING**
- SECTION 2-302: HOURS**

ARTICLE 4 – SWIMMING POOL

- SECTION 2-401: OPERATION AND FUNDING**
- SECTION 2-402: RULES AND REGULATIONS**
- SECTION 2-403: ADMISSION CHARGE**
- SECTION 2-404: RENTALS**

ARTICLE 5 – PLANNING COMMISSION

- SECTION 2-501: MEMBERS**
- SECTION 2-502: ALTERNATE MEMBER**
- SECTION 2-503: TERMS; VACANCIES**
- SECTION 2-504: OFFICERS; MEETINGS**
- SECTION 2-505: FUNDING**
- SECTION 2-506: POWERS AND DUTIES; APPEAL**

ARTICLE 6 – HOUSING BOARD

- SECTION 2-601: MEMBERS; DUTIES**
- SECTION 2-602: HOUSING REHABILITATION PROJECT**

SECTION 2-701: VIOLATION; PENALTY

CHAPTER 2 – BOARDS AND PUBLIC FACILITIES

Article 1 – Library Board

SECTION 2-101: LIBRARY; OPERATION AND FUNDING

A. The Village Board may levy a tax of not more than \$0.105 on each \$100.00 upon the taxable value of all the taxable property in the Village annually to be levied and collected in like manner as other taxes in the Village for support of the library. The levy shall be subject to Neb. Rev. Stat. §§77-3442 and 77-3443. The amount collected from such levy shall be known as the library fund and shall also include all gifts, grants, deeds of conveyance, bequests, or other valuable income-producing property and real estate from any source for the purpose of endowing the public library. All money collected by the library shall be turned over at least monthly by the librarian to the village treasurer along with a report of the sources of the revenue.

B. All taxes levied or collected and all funds donated or in any way acquired for the erection, maintenance, or support of the public library shall be kept for the use of the library separate and apart from all other funds of the Village, shall be drawn upon and paid out by the village treasurer upon vouchers signed by the president of the Library Board and authenticated by the secretary of the board, and shall not be used or disbursed for any other purpose or in any other manner. The Village may establish a public library sinking fund for major capital expenditures.
(Neb. Rev. Stat. §§51-201, 51-209)

SECTION 2-102: MEMBERS; TERMS

The Library Board shall have control and management of the library. The board shall consist of no less than five and no more than seven members, each of whom shall have a Walthill mailing address. Such members shall be appointed by a majority vote of the chairman and Village Board. Each member shall serve a term of four years. In case of vacancy for any reason, the Village Board shall fill such vacancy for the unexpired term. The terms of members serving on the effective date of a change in the number of members shall not be shortened. No Village Board member shall be a member of the Library Board. No Library Board member shall receive any pay or compensation for any services rendered as a member of the board, and may be required, at the discretion of the chairman and Village Board, to give a bond in a sum set by resolution of the board, conditioned upon the faithful performance of their duties. (Neb. Rev. Stat. §51-202) (Am. Ord. No. 2013-2, 2/4/13)

SECTION 2-103: OFFICERS; MEETINGS

The Library Board shall meet at such times as the Village Board may designate. At the time of the first meeting in June of each year, the members shall organize by selecting from their number a president, secretary, and such other officers as may be necessary. No member of the Library Board shall serve in the capacity of both president and secretary. It shall be the duty of the secretary to prepare an agenda for all regular and special meetings, to keep the full and correct minutes and records of all meetings and to file the same with the village clerk, where they shall be available for public inspection during office hours within ten working days or before the next board meeting, whichever is earlier. A majority of the board members shall constitute a quorum for the transaction of business. Special meetings may be held upon the call of the president or any three board members.

SECTION 2-104: POWERS AND DUTIES

A. It shall be the duty of the Library Board to have general charge of the public library. The Library Board has the right to exercise each of the powers granted it and shall discharge each of the duties imposed upon it by state law. The village chairman and Village Board shall approve any personnel administrative or compensation policy or procedure before implementation of such policy or procedure by the Library Board.

B. The Library Board shall have exclusive control of expenditures, all money collected or donated to the credit of the library fund, the renting and construction of any library building, and the supervision, care, and custody of the grounds, rooms, or buildings constructed, leased, or set apart for that purpose.

C. The Library Board may erect, lease, or occupy an appropriate building for the use of such a library, appoint a suitable librarian and assistants, fix the compensation of such appointees, and remove such appointees at the pleasure of the board.

D. The Library Board may establish rules and regulations for the government of the library as may be deemed necessary for its preservation and to maintain its usefulness and efficiency. The board may fix and impose by general rules any penalties and forfeitures for trespasses upon or injury to the library grounds, rooms, books, or other property, for failure to return any book, or for violation of any bylaw, rule, or regulation. All fees, penalties, and forfeitures may be collected in civil action in the event of failure, neglect, or refusal to pay the said assessments.

(Neb. Rev. Stat. §§51-205, 51-207, 51-211) (Am. Ord. No. 2013-2, 2/4/13)

SECTION 2-105: ANNUAL REPORT TO VILLAGE BOARD

The Library Board shall, on or before the second Monday in February in each year, make a report to the Village Board of the condition of its trust on the last day of the prior fiscal year. The report shall show all money received and credited or expended; the number of materials held, including books, video and audio materials, software programs, and materials in other formats; the number of periodical subscriptions on record, including newspapers; the number of materials added and the number withdrawn from the collection during the year; the number of materials circulated during the year; and other statistics, information, and suggestions as the Library Board may deem of general interest or as the Village Board may require. The report shall be verified by affidavit of the proper officers of the Library Board. (Neb. Rev. Stat. §51-213)

SECTION 2-106: REAL ESTATE; SALE AND CONVEYANCE

A. The Library Board may, by resolution, direct the sale and conveyance of any real estate owned by the board or by the public library which is not used for library purposes or of any real estate so donated or devised to the board or to the library, upon such terms as the board may deem best.

B. Before any such sale is made, the Library Board shall advertise the sale once each week for three consecutive weeks in a legal newspaper published in or of general circulation in the Village. The notice shall set out the time, place, terms, manner of sale, legal description of such real estate, and the right to reject any and all bids. If the bids have not been rejected, then the real estate shall be sold to the highest bidder for cash and the president of the Library Board, upon resolution of the board directing him or her so to do, shall convey the real estate to the purchaser of such real estate upon payment of said bid. If within 30 days after the third publication of the notice a remonstrance against the sale is signed by 30% of the registered voters of the Village voting at the last regular

village election and filed with the Village Board, the property shall not then nor within one year thereafter be sold. If the date for filing the remonstrance falls upon a Saturday, Sunday, or legal holiday, the signatures shall be collected within the 30-day period but the filing shall be considered timely if filed or postmarked on or before the next business day. (Neb. Rev. Stat. §51-216)

SECTION 2-107: GROUNDS AND BUILDING

The Library Board may purchase or lease grounds, exercise the power of eminent domain, and condemn real estate for the purpose of securing a site for a library building. The procedure to condemn property shall be exercised in the manner set forth in Neb. Rev. Stat. §§76-704 through 76-724. (Neb. Rev. Stat. §51-210)

SECTION 2-108: MORTGAGES; RELEASE OR RENEWAL

The president of the Library Board shall have the power to release, upon full payment, any mortgage constituting a credit to the library fund and standing in the name of the board. The signature of the president on any such release shall be authenticated by the secretary of the board. The president and secretary in like manner, upon resolution duly passed and adopted by the board, may renew any such mortgage. (Neb. Rev. Stat. §51-206)

SECTION 2-109: LIBRARY; DONATIONS

Any person may make donation of money, lands, or other property for the benefit of the public library. The title to property so donated may be made to and shall vest in the Library Board and its successors in office, and the board shall thereby become the owners thereof in trust to the uses of the public library. (Neb. Rev. Stat. §51-215)

SECTION 2-110: LIBRARY; COST OF USE; VIOLATION OF RULES

A. Except as provided in subsection (B) of this section, the library shall be free of charge for the use of the inhabitants of the Village, subject always to such reasonable regulations as the Library Board may adopt to render the library of the greatest use to the inhabitants. The board may exclude from the use of the library any person who willfully violates or refuses to comply with rules and regulations established for the government thereof.

B. The public library shall make its basic services available without charge to all residents of the Village. The board may fix and impose reasonable fees, not to exceed the library's actual cost, for non-basic services.

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

1. "Basic services" shall include, but are not limited to, free loan of circulating print and non-print materials from the local collection and general reference and information services.
2. "Non-basic services" shall include but are not limited to the use of:
 - a. Photocopying equipment;
 - b. Telephones, facsimile equipment, and other telecommunications equipment;
 - c. Media equipment;
 - d. Personal computers; and
 - e. Videocassette recording and playing equipment.

(Neb. Rev. Stat. §§51-201.01, 51-211, 51-212)

SECTION 2-111: LIBRARY; DISCRIMINATION PROHIBITED

No library service shall be denied to any person because of race, sex, religion, age, color, national origin, ancestry, physical handicap, or marital status. (Neb. Rev. Stat. §51-211)

SECTION 2-112: LIBRARY; BOOK REMOVAL

It shall be unlawful for any person not authorized by the regulations made by the Library Board to take a book from the library without the consent of the librarian or an authorized employee of the library. Any person removing a book from the library without properly checking it out shall be deemed guilty of an offense. (Neb. Rev. Stat. §51-211)

SECTION 2-113: LIBRARY; LOST AND DAMAGED MATERIALS

Any person who fails to return any item checked out from the library shall forfeit and pay not less than the value of the item in addition to any replacement costs and penalty which the Library Board may assess. No person shall willfully and maliciously write upon, injure, deface, tear or destroy any book, newspaper, magazine, video, or any property or thing of value belonging to the public library. (Neb. Rev. Stat. §51-211)

SECTION 2-114: LIBRARY; SALE, EXCHANGE, OR DISPOSAL OF BOOKS

The Library Board may authorize the sale, exchange, or disposal of any surplus, damaged, defective, obsolete, or duplicate books in the library. Records shall be kept of any such books so disposed of. (Neb. Rev. Stat. §51-207)

SECTION 2-115: LIBRARY; PENALTIES; RECOVERY; DISPOSITION

Penalties imposed or accruing by any bylaw or regulation of the Library Board and any court costs and attorney's fees may be recovered in a civil action before any court having jurisdiction, such action to be instituted in the name of the Library Board. Money collected in such actions, other than any court costs and attorney's fees, shall be placed in the treasury of the Village to the credit of the library fund. Attorney's fees collected pursuant to this section shall be placed in the treasury of the Village and credited to the budget of the village attorney's office. (Neb. Rev. Stat. §51-214)

Article 2 – Board of Health

SECTION 2-201: MEMBERS; TERMS

The Village Board shall appoint a Board of Health consisting of three members, including the chairman of the Village Board, who shall serve as chairman, and two other members. One member shall be a physician or health care provider, if one can be found who is willing to serve. Such physician or health care provider, if appointed, shall be the medical advisor. In the event no physician resides within the Village, the chairman shall appoint a citizen at large to serve instead. If the Village Board has appointed a police chief, he or she may be appointed to the Board of Health and serve as secretary and quarantine officer. If the Village has a contract with the Thurston County sheriff for law enforcement services, the chairman may appoint the county sheriff to serve as secretary and quarantine officer. The members of the board shall serve one-year terms of office, unless removed by the village chairman with the advice and consent of the trustees. (Neb. Rev. Stat. §17-208)

SECTION 2-202: MEETINGS; OFFICERS

The Board of Health shall meet at such times as the Village Board may designate. The

board members shall elect officers at their next meeting after any appointment is made to the board and, if necessary, select a member to serve as secretary. The secretary shall keep full and correct minutes and records of all meetings and file the same with the village clerk, where they shall be available for public inspection during office hours. A majority of the board shall constitute a quorum for the purpose of doing business. Special meetings may be held upon the call of the chairman or any two members of the board.

SECTION 2-203: DUTIES

It shall be the duty of the Board of Health to enact rules and regulations, which shall have the full force and effect of law to safeguard the health of the people of the Village. The board shall enforce the rules and regulations and provide fines and punishments for any violations thereof. It may regulate, suppress, and prevent the occurrence of nuisances and shall actively enforce all laws of the State of Nebraska and ordinances of the Village relating to nuisances and matters of sanitation which affect the health and safety of the people. The board shall regularly inspect such premises and businesses as the Village Board may direct. The board shall be responsible for making such reports, prescribing such penalties, and performing such other duties as the Village Board may designate from time to time. All actions of the Board of Health shall be subject to the review and supervision of the Village Board. (Neb. Rev. Stat. §17-208)

SECTION 2-204: ENFORCEMENT OFFICIAL

The police chief or sheriff, if appointed as the quarantine officer, shall be the chief health officer of the Village. It shall then be his or her duty to notify the Village Board and the Board of Health of health nuisances within the Village and its zoning jurisdiction. (Neb. Rev. Stat. §17-208)

SECTION 2-205: STATE RULES

The publication *Rules and Regulations Relating to Public Health*, Nebraska Department of Health, is hereby incorporated by reference when the same is applicable to the Village, in its present form and as it may hereafter be amended. (Neb. Rev. Stat. §18-132)

SECTION 2-206: COUNTY HEALTH BOARD

It shall be the duty of the Board of Health to work closely with the County Health Board, if any, in protecting the health and welfare of the residents of the Village.

Article 3 – Village Park

SECTION 2-301: OPERATION AND FUNDING

The Village owns and operates the village park and other recreational areas through the Village Board. The board, for the purpose of defraying the cost of the care, management, and maintenance of the village parks, may each year levy a tax not exceeding the maximum limit prescribed by state law on the actual valuation of all real estate and personal property within the corporate limits that is subject to taxation. The revenue from the said tax shall be known as the park fund and shall remain in the custody of the village treasurer. The board shall have the authority to adopt rules and regulations for the efficient management of the village park and other recreational areas of the Village.

SECTION 2-302: HOURS

Except as otherwise granted by the Village Board, the park will be open between the hours of 6:00 a.m. and 10:00 p.m. each day of the week.

Article 4 – Swimming Pool

SECTION 2-401: OPERATION AND FUNDING

A. The Village owns and manages the swimming pool through the Village Board. The Village Board, for the purpose of defraying the cost of the management, maintenance, and improvements of the swimming pool, may each year levy a tax not exceeding the maximum limit prescribed by state law on the actual valuation of all real estate and personal property within the Village that is subject to taxation. The revenue from the said tax shall be known as the swimming pool fund and shall include all gifts, grants, deeds of conveyance, bequests, or other valuable income-producing personal property and real estate from any source for the purpose of endowing the swimming pool. The swimming pool fund shall at all times be in the custody of the village treasurer.

B. The Village Board shall manage the swimming pool and shall have the power and authority to hire and supervise the swimming pool manager and such employees as it may deem necessary, and shall pass such rules and regulations for the operation of the swimming pool as may be proper for its efficient operation.

(Neb. Rev. Stat. §§17-948, 17-951, 17-952)

SECTION 2-402: RULES AND REGULATIONS

The Village Board shall have the power and authority to enact bylaws, rules, and regulations for the protection of those using the swimming pool and for the efficient management thereof. Suitable penalties may be provided for the violation of such bylaws, rules, and regulations. (Neb. Rev. Stat. §17-949)

SECTION 2-403: ADMISSION CHARGE

The Village Board, for the purpose of defraying the expenses involved in maintaining, improving, managing, and beautifying the swimming pool, may make a reasonable admission charge for its use by any person. The said charges shall be on file at the office of the village clerk and shall also be posted in a conspicuous place at the pool for public inspection. Such rates may be structured for classes of persons in a reasonable manner; provided, nothing herein shall be construed to permit or allow discrimination on the basis of race, creed, color, or national origin in the classification of persons for admission charges. (Neb. Rev. Stat. §17-949)

SECTION 2-404: RENTALS

The Village Board shall have the authority to rent the swimming pool to such organizations and other persons as it may in its discretion see fit. The board shall prescribe rules and regulations for such rentals and shall require an appropriate number of qualified lifeguards to be in attendance during the rental period. Such fees and other costs shall be set by the Village Board from time to time by resolution, kept on file at the office of the village clerk and posted in a conspicuous place at the pool. (Neb. Rev. Stat. §17-949)

Article 5 – Planning Commission

(Neb. Rev. Stat. §§19-924 through 19-929)

SECTION 2-501: MEMBERS

The Planning Commission shall consist of five members who shall represent, insofar as

is possible, the different professions or occupations in the Village and shall be appointed by the chairman by and with the approval of a majority vote of the Village Board. Two of the regular members may be residents of the area over which the Village is authorized to exercise extraterritorial zoning and subdivision regulation. When there is a sufficient number of residents in the area over which the Village exercises extraterritorial zoning and subdivision regulation, one regular member of the commission shall be a resident from such area. If it is determined by the Village Board that a sufficient number of residents reside in the area subject to extraterritorial zoning and subdivision regulation and no such resident is a regular member of the commission, the first available vacancy on the commission shall be filled by the appointment of such an individual. For purposes of this section, "a sufficient number of residents" shall mean 200 residents. All regular members of the commission shall serve without compensation and shall hold no other village office except when appointed to serve on the Board of Adjustment, if any, as provided in Neb. Rev. Stat. §19-908.

SECTION 2-502: ALTERNATE MEMBER

The chairman, with the approval of a majority vote of the Village Board, may by ordinance provide for the appointment of one alternate member to the commission, who shall serve without compensation and shall hold no other village office. The term of the alternate member shall be three years and he or she shall hold office until his or her successor is appointed and approved. The alternate member may be removed from office in the same manner as a regular member. If the alternate member position becomes vacant other than through the expiration of the term, the vacancy shall be filled for the unexpired portion of the term by the chairman with the approval of a majority of the Village Board. The alternate member may attend any meeting and may serve as a voting and participating member of the commission at any time when less than the full number of regular commission members is present and capable of voting.

SECTION 2-503: TERMS; VACANCIES

The term of each regular Planning Commission member shall be three years. All regular members shall hold office until their successors are appointed. Any member may, after a public hearing before Village Board, be removed by the chairman with the consent of a majority vote of the board members for inefficiency, neglect of duty, malfeasance in office, or other good and sufficient cause. Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired portion of the term by the chairman.

SECTION 2-504: OFFICERS; MEETINGS

The Planning Commission shall elect its chairman from its members and create and fill such other of its offices as it may determine. The term of the chairman shall be one year and he or she shall be eligible for re-election. The commission shall hold at least one regular meeting in each calendar quarter, except the Village Board may require the commission to meet more frequently and the chairman of the commission may call for a meeting when necessary to deal with business pending before the commission. A number of commissioners equal to a majority of the number of regular members appointed to the commission shall constitute a quorum for the transaction of any business. The commission shall adopt rules and regulations for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which shall be a public record.

SECTION 2-505: FUNDING

The Village Board may provide the funds, equipment, and accommodations necessary for the work of the Planning Commission but its expenditures, exclusive of gifts, shall be within the amounts appropriated for that purpose by the board; and no expenditures nor

agreements for expenditures shall be valid in excess of such amounts.

SECTION 2-506: POWERS AND DUTIES; APPEAL

A. Except as provided in Neb. Rev. Stat. §§19-930 to 19-933, the Planning Commission shall (1) make and adopt plans for the physical development of the Village, including any areas outside its boundaries which in the commission's judgment bear relation to the planning of such village and including a Comprehensive Development Plan as defined by Neb. Rev. Stat. §19-903; (2) prepare and adopt such implemental means as a capital improvement program, subdivision regulations, building codes, and a zoning ordinance in cooperation with other interested municipal departments; and (3) consult with and advise public officials and agencies, public utilities, civic organizations, educational institutions, and citizens with relation to the promulgation and implementation of the Comprehensive Development Plan and its implemental programs. The commission may delegate authority to any such group to conduct studies and make surveys for the commission, make preliminary reports on its findings, and hold public hearings before submitting its final reports. The Village Board shall not take final action on matters relating to the Comprehensive Development Plan, capital improvements, building codes, subdivision development, the annexation of territory, or zoning until it has received the recommendation of the Planning Commission. The Village Board shall by ordinance set a reasonable time within which the recommendation from the commission is to be received. A recommendation from the commission shall not be required for subdivision of existing lots and blocks whenever all required public improvements have been installed, no new dedication of public rights of way or easements is involved, and such subdivision complies with the ordinance requirements concerning minimum areas and dimensions of such lots and blocks, if the Village Board has designated an agent by ordinance pursuant to Neb. Rev. Stat. §19-916.

B. The commission may, with the consent of the Village Board, in its own name (1) make and enter into contracts with public or private bodies, (2) receive contributions, bequests, gifts, or grant funds from public or private sources, (3) expend the funds appropriated to it by the Village, (4) employ agents and employees, and (5) acquire, hold, and dispose of property. The commission may on its own authority make arrangements consistent with its program, conduct or sponsor special studies or planning work for any public body or appropriate agency, receive grants, remuneration, or reimbursement for such studies or work, and at its public hearings, summon witnesses, administer oaths, and compel the giving of testimony.

C. The commission may grant conditional uses or special exceptions to property owners for the use of their property if the Village Board has, through a zoning ordinance or special ordinance, generally authorized the commission to exercise such powers and has approved the standards and procedures adopted by the commission for equitably and judiciously granting such conditional uses or special exceptions. The granting of a conditional use permit or special exception shall only allow property owners to put their property to a special use if it is among those uses specifically identified in the zoning ordinance as classifications of uses which may require special conditions or requirements to be met by the owners before a use permit or building permit is authorized. The power to grant conditional uses or special exceptions shall be the exclusive authority of the commission, except that the Village Board may choose to retain for itself the power to grant conditional uses or special exceptions for those classifications of uses specified in the zoning ordinance. The board may exercise such power if it has formally adopted standards and procedures for granting such conditional uses or special exceptions in a manner that is equitable and will promote the public interest. An appeal of a decision by the commission or Village Board regarding a conditional use or special exception shall be made to the District Court.

Article 6 – Housing Board

(Ord. No. 2013-3, 5/6/13)

SECTION 2-601: MEMBERS; DUTIES

The Coalition for a Better Community, Inc. shall serve as the Board of Housing for the Village. Duties of the board shall include review of applications for housing assistance under the village housing rehabilitation program and recommendations of applications to the village chairman and Village Board. In all cases, the chairman and Village Board shall make the final determination as to the approval of any application for assistance.

SECTION 2-602: HOUSING REHABILITATION PROJECT

A. *Creation and Purpose.* The Village of Walthill housing rehabilitation project is hereby created. The purpose of the project is to provide a program to increase viable housing for low-to-moderate income families. The objective of the project is to purchase vacant, dilapidated, deteriorated houses and renovate them into safe, decent, sanitary homes that are affordable. Similarly, vacant lots with empty foundations will be cleared and those sites prepared to transform them into construction-ready lots. These activities shall utilize and employ grant funds, local partnerships, village maintenance workers, and annual budgeting. The project shall at all times be administered in accordance with all federal and state fair housing and equal opportunity laws and village ordinances.

B. *Specific Aspects of the Project.* The housing rehabilitation project shall include but may not be limited to:

1. Annual purchase and repair of houses that are vacant and in need of repair and resale of such houses after repair to low-to-moderate income families, returning these houses to viable housing stock owned by low-to-moderate income families;
2. Demolition of dilapidated and deteriorated houses, making those sites available for new housing construction;
3. Removal of building foundations that present health and safety hazards to the village community; and
4. Removal of dilapidated trailer homes that are no longer in use and that have fallen into disrepair, presenting a health and safety hazard to the village community.

C. *Eligibility for Program.* In order to be eligible for assistance under the housing rehabilitation project, applicants must:

1. Meet low-to-moderate income guidelines for Thurston County and demonstrate proof of such;
2. Participate in eight hours of credit counseling prior to closing of the sale of the house;
3. Participate in a basic repair and maintenance workshop prior to closing of the sale of the house; and
4. Agree to abide by and be subject to all village housing ordinances, policies, procedures, and guidelines.

D. *Eligibility Prioritization*. Priority for eligibility as set forth in subsection (C) herein will be given to residents of the Village who have lived here for a minimum of one year. Secondary consideration will be given to those who live outside the Village or those who have lived within the Village for less than one year.

E. *Referrals*. Village staff shall assist prospective home owners in making referrals to programs that may assist with down payments.

F. *Utilization of Income*. Any and all income the Village generates from the sale of refurbished homes shall be restricted to Walthill housing development.

Article 7 – Penal Provision

SECTION 2-701: VIOLATION; PENALTY

Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this chapter, set forth at full length herein or incorporated by reference, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$500.00 for each offense. A new violation shall be deemed to have been committed every 24 hours of such failure to comply.