

## **CHAPTER 10 – MUNICIPAL PLANNING**

### **ARTICLE 1 – ZONING**

**SECTION 10-101: ORDINANCE; ADOPTED BY REFERENCE**  
**SECTION 10-102: MAPS; AMENDMENTS ADOPTED**

### **ARTICLE 2 – MUNICIPAL LIMITS**

**SECTION 10-201: DEFINED**  
**SECTION 10-202: ORIGINAL PLATS**

### **ARTICLE 3 – ADDITIONS AND PLATS**

**SECTION 10-301: ADDITIONS**  
**SECTION 10-302: STREETS AND ALLEYS**  
**SECTION 10-303: SURVEY AND PLAT**  
**SECTION 10-304: SURVEYOR’S CERTIFICATE**  
**SECTION 10-305: DEDICATION**  
**SECTION 10-306: APPROVAL OF PLAT**  
**SECTION 10-307: RECORDING PLAT**  
**SECTION 10-308: ADDITIONS INCORPORATED**  
**SECTION 10-309: RECORDING VACATIONS OF PUBLIC STREETS OR ALLEYS**

### **ARTICLE 4 – PENAL PROVISION**

**SECTION 10-401: VIOLATION; PENALTY**

## **CHAPTER 10 – MUNICIPAL PLANNING**

### **Article 1 – Zoning**

#### **SECTION 10-101: ORDINANCE; ADOPTED BY REFERENCE**

The zoning ordinance prepared and recommended by the Planning Commission of the Village on March 31, 2014, inclusive of its text, zoning district boundaries, regulations, and restrictions and official zoning map is hereby adopted as the official zoning ordinance of the Village of Walthill, Nebraska. (Ord. No. 2014-5, 4/14/14)

#### **SECTION 10-102: MAPS; AMENDMENTS ADOPTED**

The amendments to the Village’s official zoning maps prepared and recommended by the Planning Commission of the Village on February 23<sup>rd</sup> and April 15<sup>th</sup>, 2015, are hereby adopted. The zoning map for planning jurisdiction and zoning map for corporate limits and adjacent attached hereto constitute the official zoning maps of the Village of Walthill, Nebraska. (Ord. No. 2015-1, 4/29/15)

### **Article 2 – Municipal Limits**

#### **SECTION 10-201: DEFINED**

All additions, lots, lands, subdivisions and parcels of ground included within the official municipal map and plat on file at the office of the county register of deeds having been by act or ordinance of the Village Board or by law duly annexed to or made a part of the Village, or having been by the act, authority, acquiescence, consent, platting and dedication of their respective owners, created either as the original townsite or as additions to the Village, are hereby declared to be within the corporate limits of the Village. Lawfully constituted additions or changes in said municipal limits shall be indicated upon said maps and plat by the village engineer after such addition or change has been completed in accordance with the ordinances of the Village and the laws of the State of Nebraska.

## **SECTION 10-202: ORIGINAL PLATS**

Each and all plats, lots, blocks, additions, subdivisions, outlots and parcels of ground included within the corporate limits of the Village and not vacated of record prior to the enactment of this chapter, including the original plat of the Village, are hereby accepted, approved and confirmed as valid; and each and all of said lots, blocks, additions, subdivisions and outlots as heretofore platted and recorded in the office of the county register of deeds and not heretofore vacated and all other parcels of ground included within said corporate limits are hereby declared to be within said village and an integral part thereof.

## **Article 3 – Additions and Plats**

### **SECTION 10-301: ADDITIONS**

The owner of any tract of land within the corporate limits of the Village or within one mile contiguous thereto may lay out said land into lots, blocks, streets, avenues and alleys as a suburban development or as an addition to the Village upon conformance to and compliance with the conditions herein and with the statutes of Nebraska. (Neb. Rev. Stat. §§17-405, 17-1002, 18-3312, 19-902)

### **SECTION 10-302: STREETS AND ALLEYS**

Streets and alleys laid out in any addition to or in any suburban development of the Village shall be continuous with and correspond in direction and width to the streets and alleys of the Village to which they are an addition. (Neb. Rev. Stat. §§17-1003, 18-3304)

### **SECTION 10-303: SURVEY AND PLAT**

The owner or proprietor of any tract or parcel of land within the corporate limits or within one mile thereof desiring to subdivide or lay out said tract of land shall cause the same to be accurately surveyed and an accurate map or plat thereof made with reference to known or permanent monuments; said map or plat shall explicitly describe the land so laid out. The map or plat shall designate the tract as "\_\_\_\_\_ Addition to the Village of Walthill, Nebraska." The lots and blocks shall be designated by numbers and the streets and avenues by names coinciding with the streets and avenues of the Village of which they form continuations. The plat shall show the length and depth of each lot and the width and course of all streets, avenues and alleys, together with an accurate plat of all lots, blocks and streets. (Neb. Rev. Stat. §§17-405, 17-1002, 17-1003, 19-902)

### **SECTION 10-304: SURVEYOR'S CERTIFICATE**

The map or plat shall be accompanied by a certificate from the surveyor making said survey and plat that he or she accurately surveyed the said tract and that the lots, blocks, streets, avenues and alleys are accurately shown upon the said map or plat. (Neb. Rev. Stat. §§17-405, 17-1003, 19-902)

## **SECTION 10-305: DEDICATION**

Said map or plat shall have written thereon or attached thereto a dedication to the Village for the use of the public of all streets, avenues, alleys, parks, squares and commons and all land set apart for public use or dedicated to charitable, religious and educational purposes as therein mentioned and described. Such dedication shall be signed by the owner of the tract of land and shall be duly acknowledged as required by law. (Neb. Rev. Stat. §§17-1003, 18-3304)

## **SECTION 10-306: APPROVAL OF PLAT**

Before any such map or plat shall have any validity, it must first be submitted to and be approved and accepted by the Village Board. Where the County has both adopted a comprehensive development plan and is enforcing subdivision regulations, and the proposed subdivision plat both contemplates public streets or improvements and lies partially or totally within the extraterritorial subdivision jurisdiction being exercised by the County, then the county Planning Commission shall be given four weeks to officially comment on the appropriateness of the design and improvements proposed in the plat. The review period for the commission shall run concurrently with subdivision review activities of the Village after the commission receives all available material for a proposed subdivision plat. The map or plat must have such acceptance and approval endorsed thereon; provided, before any such map or plat shall be considered, approved or accepted, the owner or proprietor shall pay or cause to be paid all taxes, special taxes and special assessments due thereon and shall produce a certificate showing that all such taxes and assessments have been paid or canceled. (Neb. Rev. Stat. §§17-405, 17-1002, 19-902, 19-916)

## **SECTION 10-307: RECORDING PLAT**

If a majority of all members of the Village Board shall vote in favor of such suburban development or annexation, an ordinance shall be prepared and passed by the board granting such approval or declaring the annexation of such territory to the corporate limits of the Village and extending the limits thereof accordingly, whichever is appropriate. An accurate map or plat of such territory and said dedication as hereinbefore described, certified by the engineer or surveyor and acknowledged and approved as provided by law in such cases, shall at once be filed and recorded by the owner or proprietor of such land in the office of the register of deeds of the County, together with a certified copy of the ordinance granting approval or declaring such annexation, under the seal of said Village. (Neb. Rev. Stat. §§17-405, 17-1002, 18-3304, 19-902, 19-916, 23-1506)

## **SECTION 10-308: ADDITIONS INCORPORATED**

All additions to the Village which have heretofore been approved and accepted, or which may hereafter be laid out in accordance with the provisions herein and accepted and approved, shall be and become incorporated in the Village for all purposes whatsoever, and inhabitants of such additions shall be entitled to all the rights and privileges and be subject to all the laws and regulations of said village. (Neb. Rev. Stat. §19-902)

## **SECTION 10-309: RECORDING VACATIONS OF PUBLIC STREETS OR ALLEYS**

All ordinances vacating public streets and alleys within the corporate limits of the Village shall be filed within 30 days with the county register of deeds. (Neb. Rev. Stat. §14-375)

# **Article 4 – Penal Provision**

## **SECTION 10-401: VIOLATION; PENALTY**

Any person, whether as owner, proprietor, or as the agent, attorney, or representative of any owner or proprietor of land who shall plat or subdivide any tract of land within the corporate limits of the Village or adjoining and contiguous to the same, except as herein authorized, or who shall sell, transfer, deed or convey, contract, or agree to sell, transfer, or offer for sale any lot or piece of ground in any addition or subdivision of three or more parts within said corporate limits or adjoining and contiguous thereto without having first obtained the acceptance and approval of the plat or map thereof by the Village Board, and any person who shall violate or who shall fail, neglect, or refuse to comply with any of the provisions hereinbefore as now existing or as hereafter amended shall, upon conviction, be fined in any sum not exceeding \$500.00. (Neb. Rev. Stat. §17-426)