

## Chapter 11

### **MUNICIPAL PLANNING**

#### Article 1. Municipal Limits

##### **§11-101 MUNICIPAL LIMITS; 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 Governing Body or by law duly annexed to or made a part of this Municipality, 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 Municipality are hereby declared to be within the corporate limits of the Municipality. Lawfully constituted additions or changes in said Municipal limits shall be indicated upon said maps and plat by the Municipal Engineer after such addition or change has been completed in accordance with the ordinances of this Municipality and the laws of the State of Nebraska.

##### **§11-102 ORIGINAL PLATS:**

Each and all plats, lots, blocks, additions, subdivisions, outlots, and parcels of ground included within the corporate limits of the Municipality, and not vacated of record prior to the enactment of this Chapter, including the Original Plat of the Municipality, 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 Municipality and an integral part thereof.

##### **§11-103 MUNICIPAL PLANNING; DESIGNATION OF EXTRATERRITORIAL JURISDICTION:**

The territory located within one mile of the corporate limits of the City is hereby designated as the City's extraterritorial jurisdiction for the purpose of exercising the powers and duties granted by sections 17-1002 and 17-1003 RS Neb with respect to subdivisions and platting and section 19-2402 RS Neb with respect to extension of water or sanitary sewer service. The boundaries of the territory so designated shall be as shown on the official zoning map, a copy of which is on file and available for public inspection in the office of the City Clerk. (*Ref 17-1002 RS Neb*) (*Ord 640, 5/23/94*) (*Amended by Ord 784, 8/25/03*)

Article 2. Additions and Plats

**§11-201 MUNICIPAL PLANNING; SUBDIVISIONS AND AD-DITIONS PERMITTED:**

The proprietor or proprietors of any land within the corporate limits of the City, or of any land within the area designated as the City's extraterritorial jurisdiction pursuant to section 17-1002 RS Neb, may lay out such land into lots, blocks, streets, avenues, alleys, and other grounds under the name of ..... Addition to the City of Pawnee City and may subdivide, plat, or lay out any such land upon conformance to and compliance with the conditions in this code and state law. (*Ref 19-916 RS Neb*) (*Amended by Ord 783, 8/25/03*)

**§11-202 MUNICIPAL PLANNING; STREETS AND ALLEYS:**

Streets and alleys laid out in any addition to the Municipality shall be continuous with and correspond in direction and width to the streets and alleys of the Municipality to which they are an addition. (*Ref 17-418, 17-1003 RS Neb*)

**§11-203 MUNICIPAL PLANNING; SURVEY AND PLAT:**

(A) The owner or proprietor of any tract or parcel of land who shall subdivide the same into two or more parts for the purpose of laying out any addition to the City or any part thereof, or suburban lots, shall cause a plat of such subdivision, with references to known or permanent monuments, to be made, which shall accurately describe all subdivisions of such tract or parcel of land, numbering the same by progressive numbers, and giving the dimensions and length and breadth thereof, and the breadth and courses of all streets and alleys established therein. (*Ref 17-415 RS Neb*)

(B) The map or plat of land within the corporate limits of the City or of any land within the area designated as the City's extraterritorial jurisdiction pursuant to section 17-1002 RS Neb shall designate explicitly the land so laid out and particularly describe the lots, blocks, streets, avenues, alleys, and other grounds belonging to such addition. The lots shall be designated by numbers, and streets, avenues, and other grounds, by names or numbers. Such plat shall be acknowledged before some other officer authorized to take the acknowledgments of deeds, and shall contain a dedication of the streets, alleys, and public grounds therein to the use and benefit of the public, and have appended a survey made by some competent surveyor with a certificate attached, certifying that he or she has accurately surveyed such addition and that the lots, blocks, streets, avenues, alleys, parks, commons, and other grounds are well and accurately staked off and marked. When such map or plat is so made out, acknowledged, and certified, and has been approved by the City Council, the same shall be filed and recorded in the office of the Register of Deeds and County Assessor. (*Ref 19-916 RS Neb*) (*Amended by Ord 781, 8/25/03*)

**§11-204 PLAT; SURVEYOR'S CERTIFICATE:** (*Repealed by Ord 781, 8/25/03*)

**§11-205 DEDICATION:** (*Repealed by Ord 781, 8/25/03*)

**§11-206 MUNICIPAL PLANNING; 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 Governing Body of the Municipality; or by its designated agent when the subdivision is of existing lots and blocks, where all required public improvements have been installed, no new dedication of public rights-of-way or easements are involved, and the subdivision complies with requirements concerning minimum areas and dimensions of such lots and blocks. 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 (4) 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 Municipality after the Commission receives all available material for a proposed subdivision plat. The map or plat must have such acceptance and such acceptance and approval endorsed thereon; Provided, that 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 cancelled. (*Ref 17-405, 17-1002, 19-902, 19-916 RS Neb*) (*Amended by Ords 423, 10/19/78; 486, 11/28/83*)

**§11-207 RECORDING PLAT:** (*Repealed by Ord 781, 8/25/03*)

**§11-208 MUNICIPAL PLANNING; ADDITIONS; INCORPORATION INTO MUNICIPALITY:**

All additions to the City laid out and previously located within the corporate boundaries of the City shall remain a part of the City. All additions laid out adjoining or contiguous to the corporate limits may be included within the corporate limits and become a part of the City for all purposes whatsoever at such time as the addition is approved as provided in section 19-916 RS Neb. If the City Council includes the addition within the corporate limits, the inhabitants of such addition shall be entitled to all the rights and privileges and shall be subject to all the laws, ordinances, rules, and regulations of the City. (*Ref 19-916 RS Neb*) (*Amended by Ord 782, 8/25/03*)