

ORDINANCE NO. 1525

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, AMENDING CHAPTER 4 OF THE DAVID CITY MUNICIPAL CODE TO REGULATE THE USE OF LAWNMOWERS AND TRACTORS WITHIN THE CITY; AUTHORIZING PUBLICATION IN PAMPHLET FORM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 17-505 of the Nebraska Revised Statutes authorizes the City of David City, Nebraska, a municipal corporation and city of the second class ("City") to enact ordinances for the general health, safety, morals, and welfare of City and its residents; and

WHEREAS, City has received complaints regarding the use of riding lawn mowers and tractors within the downtown area of City's corporate limits after dark and without lights or other safety features; and

WHEREAS, City desires to amend Chapter 4 of City's Municipal Code (the "Code") to prohibit the operation of lawn mowers and tractors on public sidewalks and streets within the downtown area between sunset and sunrise.

WHEREAS, City finds it in the best interest of City and its residents to amend the Code to regulate the use of lawn mowers and tractors in City's downtown area after dark.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, as follows:

1. **Amendment to Section 4.** City hereby amends the Code by adding the following ordinances as new Sections 4-515 and 4-516, respectively:

SECTION 4-515. LAWN MOWER AND TRACTOR; DEFINITIONS.

- A. "Lawn Mower" means any motorized vehicle designed primarily for cutting grass or vegetation, including without limitation riding lawn mowers and similar machines.
- B. "Tractor" shall have the same meaning as set forth in Nebraska Revised Statutes section 60-619.
- C. For purposes of Section 4-516, "Downtown" means the property within the corporate limits of the City of David City, Nebraska, between 3rd Street and 9th Street, to the east and west, and A Street and G Street, to the south and north.

SECTION 4-516. LAWN MOWERS AND TRACTORS; OPERATION.

- A. No person shall operate any Lawn Mower or Tractor on any public sidewalk or Street, as Section 4-511(C) of the David City Municipal Code so defines, within Downtown between sunset and sunrise.
- B. The prohibition in Section 4-516(A) shall not apply to Lawn Mowers or Tractors used exclusively (a) for snow removal, (b) by an employee, contractor, or agent of the City

of David City, Nebraska, or (c) with the express prior written authorization of the City Council or any department of the City of David City, Nebraska.

2. **Conflicting Ordinances.** City hereby repeals any other ordinance or section of any ordinance passed and approved prior to the passage, approval, and publication or posting of this Ordinance and in conflict herewith to the extent of the conflict thereof.

3. **Effective Date.** This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form.

PASSED AND APPROVED THIS 10th day of December, 2025.

Jessica Miller, Mayor

ATTEST

Lori Matchett, Deputy City Clerk