

Chapter 2.06

MAYOR

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2.06.010 **General Duties of the Mayor.**

The Mayor shall be the acting director of any of the departments of the city in the absence of or disability of the director thereof, and shall have general charge and supervision of the divisions of city government known as the Fire and Rescue Department and Police Department. Except as provided in the Charter of the City of Lincoln and ordinances enacted pursuant thereto, the Mayor shall execute all contracts on behalf of the city. The Mayor shall also have and exercise all the powers and perform all the duties which by law are, or may be, vested in the office of the Mayor.

Pursuant to the provisions of Article IX-B, Section 7 of the Charter of the City of Lincoln, the Mayor is hereby made a member and chair of the Capital Improvements Advisory Committee. (Ord. 18170 §2; April 28, 2003; prior Ord. 15378 §1; January 8, 1990: P.C. §2.24.010: Ord. 10033 §17; February 1, 1971: Ord. 3489 §27-1101, as amended by Ord. 7072; January 4, 1960).

2.06.020 **Recommendations to Council; Jurisdiction for Health Ordinances.**

The Mayor shall from time to time communicate to the council such information and recommend measures to improve the finances of the city, the police, health, comfort, and general prosperity of the city, and shall have jurisdiction over all places within three miles of the corporate limits of the city for the enforcement of health or quarantine ordinances. (Ord. 15378 §2; January 8, 1990: P.C. §2.24.020: Ord. 3489 §27-1102; July 6, 1936).

2.06.030 **Riot, Rout, or Unlawful Assembly.**

In the case of any riot, rout, or unlawful assembly, the Mayor shall have the power to direct the action of the police of the city, and to call all citizens to aid in suppressing the same. The Mayor shall have

power to make arrests in cases upon probable cause that offenses have been, or are about to be committed, and to summon citizens to aid in making the arrests. (Ord. 15378 §3; January 8, 1990: P.C. §2.24.030: Ord. 3489 §27-1103; July 6, 1936).

2.06.040 State of Emergency; Declaration.

The Mayor is authorized to declare a state of emergency when he finds that the city or any part thereof is suffering or is in imminent danger of suffering from a natural disaster or other event, including floods, tornadoes, or other occurrences which will seriously and substantially endanger the health, safety, welfare or property of the citizens of the City of Lincoln. (Ord. 15378 §4; January 8, 1990: P.C. §2.25.010: Ord. 11847 §1; November 22, 1976).

2.06.050 Emergency Powers; Mayor.

Whenever a state of emergency has been declared as provided herein, the Mayor is authorized to take the following specified measures throughout the city or any part thereof:

- (a) Prohibit or limit the number of persons who may gather or congregate upon public streets, alleys, or public places, or any outdoor place within the area affected by the emergency declaration;
- (b) Establish a curfew limiting the hours when persons may go upon or travel the public streets;
- (c) Require the closing of cocktail lounges, taverns, and bars and prohibit the sale or service of alcoholic beverages in any hotel, restaurant, club, or other establishment, or to require the closing of all other business establishments;
- (d) Prohibit or restrict the sale of gasoline or other inflammable liquids;
- (e) Prohibit the sale, carrying, or possession on the public streets or public sidewalks or in any public park or square of weapons including but not limited to firearms, bows and arrows, air rifles, slingshots, knives, razors, or missiles of any kind;
- (f) To take all other such measures as are necessary to preserve the health, safety, and property of the citizens of this community. (Ord. 15378 §5; January 8, 1990: P.C. §2.25.020: Ord. 11847 §2; November 22, 1976).

2.06.060 Proclamation, Time Effective; Duration.

All prohibitions and restrictions imposed by proclamation shall take effect immediately upon publication of the proclamation in the area affected unless the proclamation sets a later time. For the purpose of requiring compliance, publication may consist of reports of the substance of the proclamation to the mass communications media serving the affected area or other effective means of disseminating the necessary information quickly. As soon as practicable, appropriate distribution of the full text of any proclamation shall be made. (Ord. 15378 § 6; January 8, 1990: P.C. §2.25.030: Ord. 11847 §3; November 22, 1976).

2.06.070 State of Emergency; Duration.

Any state of emergency declared by the Mayor under Section 2.06.040 shall exist for the period set forth in the proclamation not in excess of seventy-two hours. The state of emergency shall not be

extended beyond seventy-two hours without the approval of the City Council. (Ord. 15378 §7; January 8, 1990: P.C. §2.25.040: Ord. 11847 §4; November 22, 1976).

2.06.080 Temporary Location of Seat of Government.

Whenever it becomes imprudent, inexpedient, or impossible to conduct the affairs of the city at the permanent seat of the government, the Mayor or any two council members may fix a place, within or without the corporate limits of the city, and may then proceed to designate by resolution, ordinance or other appropriate manner, a temporary location for an emergency local seat of government. Where, by its terms, the provisions of the Nebraska Emergency Seal of Local Government Act (§§ 13-701 to 13-706, Neb. Rev. Stat. (Reissue 1987)) applies, such act shall control the procedures to establish a temporary location of seat of government. In all other cases during a declared emergency, the Mayor shall take such action and shall issue such orders and directives as may be necessary for the prompt and orderly transition of the affairs of the local government to such temporary location. (Ord. 15378 §8; January 8, 1990).

2.06.090 Emergency Plans.

The Mayor shall cause to have formulated by the appropriate department heads plans to provide for immediate city action to alleviate the effects of any civil disturbance, disorder, riot, natural disaster, or other occurrence. Such plans shall be annually reviewed by the Mayor and the appropriate department heads, and shall be updated as shall be necessary. (Ord. 15378 §9; January 8, 1990: P.C. §2.25.070: Ord. 11847 §7; November 22, 1976).

2.06.100 Powers Cumulative.

The powers conferred upon the Mayor by the terms of this chapter shall be cumulative to all the powers conferred upon the Mayor by the statutes of the State of Nebraska or by the Charter and the ordinances of the city. (Ord. 15378 §10; January 8, 1990: P.C. §2.25.080: Ord. 11847 §8; November 22, 1976).

2.06.110 Penalty.

Any person violating any of the terms contained in the proclamation declaring a state of emergency shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not to exceed \$500.00, or shall be punished by imprisonment in the county jail for a period not to exceed six months or both such fine and imprisonment. (Ord. 15378 §11; January 8, 1990: P.C. §2.25.060: Ord. 11847 §6; November 22, 1976).