

ORDINANCE NO. _____

1 AN ORDINANCE amending Chapter 3.20 of the Lincoln Municipal Code
 2 relating to Street Improvement Vehicle Tax by adding a new section numbered 3.20.025 to
 3 add a definition for "rehabilitation"; adding a new section numbered 3.20.045 to add a
 4 definition for "residential street"; and amending Section 3.20.220 to create the "Residential
 5 Rehabilitation Fund" to be used only for the purpose of rehabilitating existing residential
 6 streets; and repealing Section 3.20.220 of the Lincoln Municipal Code as hitherto existing.

7 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

8 Section 1. That Chapter 3.20 of the Lincoln Municipal Code be amended by
 9 adding a new section numbered 3.20.025 to read as follows:

10 **3.20.025 Rehabilitation Defined.**

11 Rehabilitation shall mean base, surface, or curb replacement, that has a useful life of
 12 more than 15 years, and any directly associated driveway approach, sidewalk, or tree
 13 replacement.

14 Section 2. That Chapter 3.20 of the Lincoln Municipal Code be amended by
 15 adding a new section numbered 3.20.045 to read as follows:

16 **3.20.045 Residential Street Defined.**

17 Residential street shall mean any street that does not or will not have a posted speed
 18 limit of greater than 25 miles per hour, and is not listed as an arterial street in Chapter 10.26.

19 Section 3. That Section 3.20.220 of the Lincoln Municipal Code be amended
 20 to read as follows:

1 **3.20.220 Funds Created; Use.**

2 All monies derived from the payment of the vehicle tax for street improvements shall
3 be credited to the following road funds which shall constitute separate funds of the city:

4 (a) The Snow Removal Fund, ~~which fund is hereby created,~~ and monies credited
5 to such fund shall be used only for the purpose of removing snow and ice from streets, roads,
6 alleys, public ways, or parts thereof within the City unless the City Council, by resolution,
7 authorizes the use of such monies for other street improvement purposes. ~~Of the monies~~
8 ~~derived from the payment of the vehicle tax for street improvements, 12.82% shall be credited~~
9 ~~to such fund.~~ Commencing January 1, 2004, 11.36% of ~~said~~ the monies derived from the
10 payment of the vehicle tax for street improvements shall be credited to such fund, and,
11 commencing January 1, 2007, 10.20% of said monies shall be credited to such fund, and,
12 commencing January 1, 2010, 9.26% of said monies shall be credited to such fund.

13 (b) The Construction Fund is hereby created, and monies credited to such fund shall
14 be used only for the purpose of construction, design, and right-of-way acquisition of streets,
15 roads, alleys, public ways, or parts thereof, or for the amortization of bonded indebtedness
16 when created for such purposes. Commencing January 1, 2004, 47.73% of the monies derived
17 from the payment of the vehicle tax for street improvements shall be credited to such fund,
18 and, commencing September 1, 2004, 36.36% of said monies shall be credited to such fund,
19 and, commencing January 1, 2007, ~~53.06%~~ 42.86% of said monies shall be credited to such
20 fund, and commencing January 1, 2010, ~~57.41%~~ 48.15% of said monies shall be credited to
21 such fund.

22 (c) The Residential Rehabilitation Fund is hereby created, and monies credited to
23 such fund shall be used only for the purpose of rehabilitation of residential streets and for no

1 other purpose. No money from this fund may be spent on non-residential streets.
2 Commencing September 1, 2004, 11.36% of the monies derived from the payment of the
3 vehicle tax for street improvements shall be credited to such fund, and, commencing January
4 1, 2007, 10.20% of said monies shall be credited to such fund, and, commencing January 1,
5 2010, 9.26% of said monies shall be credited to such fund.

6 (e d) The Vehicle Tax Residual Fund is hereby created, and monies credited to such
7 fund shall be used generally for street improvement in the City of Lincoln and for no other
8 purpose. All monies derived from the payment of the vehicle tax for street improvements after
9 the credits provided in (a), ~~and~~ (b), and (c) above shall be credited to such fund.

10 Notwithstanding the above, the County of Lancaster shall receive, as full compensation
11 for the registration of vehicles provided herein, one percent of all monies so collected.

12 Section 4. That Section 3.20.220 of the Lincoln Municipal Code as hitherto
13 existing be and the same is hereby repealed.

14 Section 5. That this ordinance shall take effect and be in force from and after
15 its passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2004:

Mayor