

ORDINANCE NO. 2023 - 07

AN ORDINANCE OF THE VILLAGE OF MALCOLM, LANCASTER COUNTY, NEBRASKA, TO AMEND ARTICLE 4, SECTION 3-403; TO APPOINT THE BOARD OF TRUSTEES AS THE BOARD OF ADJUSTMENT; TO REPEAL ANY CONFLICTING ORDINANCES; TO PROVIDE FOR PUBLICATION; AND TO PROVIDE FOR AN EFFECTIVE DATE

**BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF MALCOLM, NEBRASKA:**

**Section 1.** Article 4, Section 3-403 Board of Adjustment of the Village Code shall be amended as follows:

**§3-403 Board of Adjustment**

There is hereby created a Board of Adjustment which shall be organized and governed, and have the powers provided by Neb. Rev. Stat. §§19-907 to 19-911, as now and hereafter amended.

The Board of Trustees shall constitute the Board of Adjustment pursuant to Neb. Rev. Stat. §19-911. As the Board of Adjustment, the Village Board of Trustees shall adopt rules and procedures that are consistent with Neb. Rev. Stat. §§ 19-907 to 19-910 and shall have the powers and duties of a board of adjustment provided for in such sections. Other parties shall have all the rights and privileges provided for in such sections. The concurring vote of two-thirds of the members of the Village Board of Trustees acting as the Board of Adjustment shall decide any question upon which it is required to pass as such Board of Adjustment.

**Section 2.** The Village Clerk is authorized to create and promulgate application, permit, and other forms in furtherance of this Ordinance without further approval by the Village Board of Trustees.

**Section 3.** All conflicting ordinances are hereby repealed. This ordinance shall be published in book or pamphlet form and posted in three (3) public locations in the Village of Malcolm. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication as provided by law.

SUSPEND  
READINGS  
(3/4 VOTE)

11/1/23

FIRST READING

SECOND READING

THIRD READING

PASSED AND APPROVED THIS 1<sup>st</sup> DAY OF NOVEMBER 2023



Jerad Little, Chairperson, Board of Trustees

ATTESTED AND PUBLISHED IN BOOK OR PAMPHLET FORM AND BY POSTING IN THE VILLAGE HALL, POST OFFICE, AND FIRE STATION PER § 1-405 AND § 1-410 OF THE MALCOLM MUNICIPAL CODE WITHIN FIFTEEN (15) DAYS OF PASSAGE ON THE 1<sup>st</sup> DAY OF NOVEMBER 2023.

Nadine Link

Nadine Link, Village Clerk

