

**4-401 NUISANCES; ABATEMENT OF NUISANCE; DRAINAGE; WEEDS; LITTER; REMOVAL; NOTICE; ACTION BY CITY COUNCIL; VIOLATION; PENALTY; CIVIL ACTION.**

(1) That owner or occupant of any lot and/ or piece of ground within the City and/ or within two miles of the corporate limits or the City, shall keep said lot and/ or ground drained or filled so as to prevent stagnant water or any other nuisance accumulating thereon.

(2) The owner or occupant of any lot or piece of ground within the City shall keep the lot or piece of ground and the adjoining streets and alleys free of any growth of twelve inches (12') or more in height of weeds, grasses or worthless vegetation.

(3) The throwing, depositing or accumulation of litter on any lot or piece of ground within the City is prohibited.

(4) It is hereby declared to be a nuisance to do any of the following, to-wit:

- permit, allow, or maintain any growth of twelve inches (12") or more in height of weeds, grasses, or worthless vegetation, and/ or
- litter or cause litter to be deposited or remain thereon except in proper receptacles, and/ or
- allow lots or pieces of ground to remain unfilled and/ or not drained so as to prevent stagnant water or other nuisances accumulating thereon.

(5) Notice to abate and remove such nuisance shall be given to each owner or owner's duly authorized agent and to the occupant, if any, by personal service or certified mail. If notice by personal service or certified mail is unsuccessful, notice shall be given by publication in a newspaper of general circulation in the City or by conspicuously posting the notice on the lot or ground upon which the nuisance is to be abated and removed. Within five days after receipt of such notice or publication or posting, whichever is applicable, if the owner or occupant of the lot or piece of ground does not request a hearing with the City or fails to comply with the order to abate and remove the nuisance, the City may have such work done. The costs and expenses of and such work shall be paid by the owner. If unpaid for two months after such work is done, the City may either (a) levy and assess the costs and expanses of the work upon the lot or piece of ground so benefited in the same manner as other special taxes or improvements are levied and assessed or (b) recover in a civil action the costs and expenses of the work upon the lot or piece of ground and the adjoining streets and alleys.

(6) For purposes of this section:

- (a) Litter includes, but is not limited to: (i) Trash, rubbish, refuse, garbage, paper, rags and ashes; (ii) wood, plaster, cement, brick, or stone building rubble; (iii) grass, leaves, and worthless vegetation;

iv) offal and dead animals; and (v) any machine or machines, vehicle or vehicles, or parts of a machine or vehicle which have lost their identity, character, utility, or serviceability as such through deterioration, dismantling, or the ravages of time, are inoperative or unable to perform their intended functions, or are cast off, discarded, or thrown away or left as waste, wreckage, or junk; and

- (b) Weeds, includes, but is not limited to, bindweed (*Convolvulus arvensis*), puncture vine (*Tribulus terrestris*), leafy spurge (*Euphorbia esula*), Canada thistle (*Cirsium arvense*), perennial peppergrass (*Lepidium draba*), Russian Knapweed (*Centaurea picris*), Johnson grass (*Sorghum halepense*), nodding or musk thistle, quack grass (*Agropyron repens*), perennial sow thistle (*Sonchus arvensis*), horse nettle (*Solanum carolinense*), bull thistle (*Cirsium lanceolatum*), buckthorn (*Rhamnus sp.*) (tourn), hemp plant (*Cannabis sativa*), ragweed (*Ambrosiaceae*) and any and all other weeds designated and listed in regulations promulgated by the state director of agriculture.

(7) Any owner or occupant of a lot or piece of ground shall, upon conviction of violating this ordinance, be guilty of a class V misdemeanor.

(Ref. 16-230 RS Neb.) Ref. 16-230 RS Neb. Railroad R.O.W.)  
(Ordinance No. 1711, 07/01/2008)

**§4-402 NUISANCE, MAINTENANCE OF PREMISES.** All areas and parts of the premises upon which any dwelling or dwelling units are located and all areas adjacent thereto and a part of the premises shall be maintained and kept in a reasonable and proper manner. This shall include the cutting of grass and seeds; removal of dead trees and brush; removal of abandoned and junked automobiles, automobile bodies, chassis and parts, the removal of inoperable machines and appliances; lumber piles and building materials not being used in actual construction; tin cans, broken glass, broken furniture, boxes, crates and other debris, rubbish, junk and garbage. (Ord. No. 1617, 09/07/04; 1711, 07/01/2008)

**§4-403 KEEPING OF UNREGISTERED VEHICLES UNLAWFUL.** It shall be unlawful for any owner, agent, occupant, tenant, or person in possession of, charge or control of any real property to allow any unregistered vehicle to remain on such property longer than five (5) days. This ordinance shall not apply to a vehicle within a fully enclosed structure or to any commercial enterprise operated in a lawful place and manner on a property used exclusively for the purpose of selling and/or repairing

§4-401

**Article 4. Abatement of Nuisances**

§4-403

vehicles or to any individual who has obtained a hobbyist permit for the restoration or repair of said vehicle. (Ord. No. 1625, 01/04/05; 1711, 07/01/2008)

**§4-404 NUISANCES; JURISDICTION.** The Mayor and Chief of Police of the Municipality are directed to enforce this Municipal code against all nuisances. The jurisdiction of the Mayor, Chief of Police, and court shall extend to, and the territorial application of this chapter shall include, all territory adjacent to the limits of the Municipality within two (2) miles thereof and all territory within the corporate limits. (18-1720 RS Neb.)

(Ordinance No. 1719, 08/02/2008)

**§4-405 through 4-412 Repealed by Ordinance 1711, 07/01/2008**