

ORDINANCE NO. \_\_\_\_\_

1           AN ORDINANCE amending Sections 8.46.010 and 8.46.020 of the Lincoln  
 2 Municipal Code relating to weed abatement to increase the height from six inches to twelve  
 3 inches as the required height for imposing upon the property owner the duty to mow weeds or  
 4 worthless vegetation; and repealing Sections 8.46.010 and 8.46.020 of the Lincoln Municipal  
 5 Code as hitherto existing.

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

7           Section 1. That Section 8.46.010 of the Lincoln Municipal Code be amended  
 8 to read as follows:

9   **8.46.010    Owner of Real Estate to Remove Weeds.**

10           It shall be the duty of every owner of real estate in the city to cut and clear, or clear, such  
 11 real estate, together with one-half of the streets and alleys abutting thereon, of all weeds or  
 12 worthless vegetation whenever such weeds or worthless vegetation shall extend more than ~~six~~  
 13 twelve inches above the ground. Such weeds or worthless vegetation shall be cut so as not to  
 14 extend more than ~~six~~ twelve inches above the ground. After cutting, all such weeds or worthless  
 15 vegetation shall be immediately removed from such real estate, or be burned upon the premises;  
 16 provided, however, that if burned upon the premises, a permit so to do shall first be obtained  
 17 from the Air Pollution Control Officer pursuant to Chapter 8.06 of this title.

18           Section 2. That Section 8.46.010 of the Lincoln Municipal Code be amended  
 19 to read as follows:

1 **8.46.020 City May Cause Removal of Weeds.**

2 Upon the failure of such owner, lessee, or occupant, or any agent, servant, representative  
3 or employee of any such owner, lessee, or occupant having control of any such lot or lands,  
4 to cut and clear, or clear, the same of all weeds or worthless vegetation extending more than  
5 ~~six~~ twelve inches above the ground; then and in that event, the Director of Public Works and  
6 Utilities may after five days notice by publication at least once in a daily newspaper of general  
7 circulation in the City of Lincoln; or by certified United States mail to the owner or owners, cut  
8 and clear, or clear, such land and lots of all weeds or worthless vegetation and remove the same  
9 therefrom, and the cost thereof shall be assessed against such real estate in the manner  
10 hereinafter provided. The remedy provided in this section shall be in addition to the penalty  
11 hereinafter provided and cumulative therewith.

12 Section 3. That Sections 8.46.010 and 8.46.020 of the Lincoln Municipal Code  
13 as hitherto existing be and the same are hereby repealed.

14 Section 4. That this ordinance shall take effect and be in force from and after its  
15 passage and publication according to law.

Introduced by:  
  
\_\_\_\_\_

Approved as to Form & Legality:  
  
\_\_\_\_\_  
City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2003:  
  
\_\_\_\_\_  
Mayor