

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

1 AN ORDINANCE amending Chapter 8.46 of the Lincoln Municipal Code relating  
 2 to Weed Abatement by amending Section 8.46.010, Owner of Real Estate to Remove Weeds, and  
 3 Section 8.46.020, City May Cause Removal of Weeds, to raise the height of weeds or worthless  
 4 vegetation that must be cut from six inches to twelve inches above the ground; and repealing  
 5 Sections 8.46.010 and 8.46.020 of the Lincoln Municipal 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 to read  
 8 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 real  
 11 estate, together with one-half of the streets and alleys abutting thereon, of all weeds or worthless  
 12 vegetation whenever such weeds or worthless vegetation shall extend more than ~~six~~ twelve inches  
 13 above the ground. Such weeds or worthless vegetation shall be cut so as not to extend more than  
 14 ~~six~~ twelve inches above the ground. After cutting, all such weeds or worthless vegetation shall be  
 15 immediately removed from such real estate, or be burned upon the premises; provided, however, that  
 16 if burned upon the premises, a permit so to do shall first be obtained from the Air Pollution Control  
 17 Officer pursuant to Chapter 8.06 of this title.

18 Section 2. That Section 8.46.020 of the Lincoln Municipal Code be amended to read  
 19 as follows:

20 **8.46.020 City May Cause Removal of Weeds.**

21 Upon the failure of such owner, lessee, or occupant, or any agent, servant, representative or  
 22 employee of any such owner, lessee, or occupant having control of any such lot or lands, to cut and  
 23 clear, or clear, the same of all weeds or worthless vegetation extending more than ~~six~~ twelve inches  
 24 above the ground; then and in that event, the Director of Public Works and Utilities may after five

1 days notice by publication at least once in a daily newspaper of general circulation in the City of  
2 Lincoln; or by certified United States mail to the owner or owners, cut and clear, or clear, such land  
3 and lots of all weeds or worthless vegetation and remove the same therefrom, and the cost thereof  
4 shall be assessed against such real estate in the manner hereinafter provided. The remedy provided  
5 in this section shall be in addition to the penalty hereinafter provided and cumulative therewith.

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7 hitherto existing be and the same are hereby repealed.

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

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2008:

\_\_\_\_\_  
Mayor