

ORDINANCE NO. 340(25)

AN ORDINANCE OF THE CITY OF ALBION, NEBRASKA, AMENDING SECTION 2-605 TO REDUCE THE MAXIMUM HEIGHT FOR WEEDS, GRASS OR WORTHLESS VEGETATION.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ALBION, NEBRASKA, AS FOLLOWS:

SECTION 1: Section 2-605 is repealed and replaced with the following:

SECTION 2-605: WEEDS, GRASS AND WORTHLESS VEGETATION

A. That weeds, grass or worthless vegetation more than ten inches (10") in height, being favorable to the harboring of mosquitoes, insects, rats or other vermin and also being a fire hazard, are therefore, determined by the City to be a nuisance.

B. That 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 street or alleys free of any growth of ten inches (10") or more in height of weeds, grass or worthless vegetation.

C. That notice to abate and remove such nuisance shall be given to each owner or owner's authorized agent and to the occupant, if any, by personal service or certified mail. Ten days after receipt of such notice, 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 the work done and may levy and assess the costs and expenses and work upon the lot or piece of ground so benefited in the same manner as special taxes or improvements are levied and assessed.

D. That the notice shall notify the owner, owner's agent or occupant that the property is a nuisance and that this notice shall apply for the remainder of the growing season; and if at any time growth exceeds ten inches (10") after the first notice, that it will be considered a separate offense and violation, and no further notice will be required.

E. That any owner or occupant of a lot or piece of ground shall, upon conviction for violation of this ordinance, be guilty of a misdemeanor and shall be fined in an amount not less than \$10.00 nor more than \$100.00 for first offense. A new violation shall be deemed to have been committed every twenty-four (24) hours of such failure to comply.

F. That for purposes of this Section, weeds and worthless vegetation shall include, but not be 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.*) (toun), hemp plan (*Cannabis sativa*), and ragweed (*Ambrosiaceae*).

G. That the growing season shall consist of the period between April 1 and October 31.

H. That owners and/or occupants that cause or allow violations of this ordinance to occur more than once in a calendar year shall be fined not less than \$50.00 nor more than \$500.00 for each subsequent violation after the first violation.

SECTION 2: This ordinance shall go into full force and effect upon its passage and publication in pamphlet form.

INTRODUCED BY: _____

PASSED AND APPROVED THIS ____ DAY OF _____, 2025.

PUBLISHED THIS _____ DAY OF _____, 2025.

CITY OF ALBION, NEBRASKA

Mayor

ATTEST:

City Clerk (Seal)