

ORDINANCE NO. 624

AN ORDINANCE TO DECLARE DEAD OR DISEASED TREES A PUBLIC NUISANCE; TO PROVIDE FOR THEIR REMOVAL FROM PUBLIC PROPERTY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOTHENBURG, DAWSON COUNTY, NEBRASKA:

Section 1. That Chapter 8, Article 1, Section 8-106, of the Municipal Code of Gothenburg, Nebraska be amended to read as follows:

MUNICIPAL PROPERTY; DEAD OR DISEASED TREES.

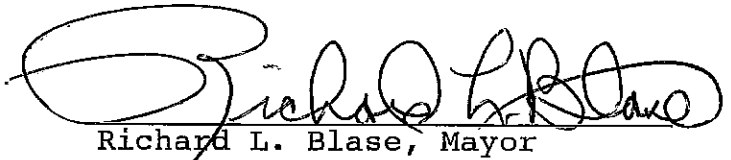
(1) It is hereby declared a nuisance for a property owner to permit, allow, or maintain any dead or diseased trees within the right-of-way of streets, including the "sidewalk space", within the corporate limits of the Municipality.

(2) Notice to abate and remove such nuisance and notice of the right to a hearing and the manner in which it may be requested shall be given to each owner or owner's duly authorized agent and to the occupant, if any, by personal service or certified mail. Within thirty (30) days after receipt of such notice, if the owner or occupant of the lot or piece of ground does not request a hearing or fails to comply with the order to abate and remove the nuisance, the Municipality may have such work done and may levy and assess all or any portion of the costs and expenses of the work upon the lot or piece of ground so benefitted in the same manner as provided in Chapter 6, Article 3, Section 6-335 of this Code. (Ref. 17-555, 18-1720, RS Neb.)

Section 2. That section 8-106 and any other ordinance or section passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this 4th day of April, 1995.


Richard L. Blase, Mayor

ATTEST:

Connie Stull
Connie Stull, City Clerk

APPROVED AS TO FORM:

Michael L. Bacon, City Attorney