

ORDINANCE NO. 753

AN ORDINANCE AMENDING CHAPTER 3 OF THE MUNICIPAL CODE OF THE VILLAGE OF WATERLOO, NEBRASKA BY AMENDING SECTIONS 3-402 PERTAINING TO DECLARATION OF NUISANCE; AND 3-403 PERTAINING TO THE ABATEMENT PROCEDURE WITHIN THE CORPORATE LIMITS OF WATERLOO, NEBRASKA; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECT DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF WATERLOO, DOUGLAS COUNTY, NEBRASKA, AS FOLLOWS:

Section 1. Chapter 3 of the Municipal Code of the Village of Waterloo is amended by amending Section 3-402 NUSIANCE DECLARED and providing that Section 3-402 shall read as follows:

SECTION 3-402: NUISANCE DECLARED

- A. The growth of (1) grasses in excess of ~~12~~ 8 inches; (2) weeds or worthless vegetation of any height; or (3) weeds, grasses or worthless vegetation in excess of 8 inches if the Village was required to remove such weeds, grasses or worthless vegetation from any property within the corporate limits of the Village within the same calendar year and had to seek recovery of the costs and expenses of such work from the owner (**Neb. Rev. Stat. §17-563**);

Section 2. Chapter 3 of the Municipal Code of the Village of Waterloo is amended by amending Section 3-403 ABATEMENT PROCEDURE and providing that Section 3-403 shall read as follows:

SECTION 3-402: ABATEMENT PROCEDURE

- A. Whenever the Village Board or its designated code enforcement officer determines that any grass in excess of ~~12~~ 8 inches, weeds of any height, or weeds, grasses or worthless vegetation in excess of 8 inches as provided in Section 3-402(A) are growing on property within the Village, or litter or stagnant water is found on any property, or that any building or structure in the Village is a dangerous building, the City Clerk or Code Enforcement Officer shall cause written notice to be served upon the owner of the property on which any of the above-described nuisances are located and further, upon the occupant thereof, by registered mail or by personal service. Such notice shall state that the premises have thereon grass in excess of 12 inches; weeds of any height; weeds, grasses or worthless vegetation in excess of 8 inches as provided in Section 3-402(A); litter or stagnant water; or that the building situated thereon has been declared to be in a dangerous condition and that the nuisance must be removed or remedied within ten days of receipt of notice.

Amend nuisance regulations

Section 3. Section 3-215 of the Municipal Code of Waterloo as heretofore existing is hereby repealed.

Section 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5. This Ordinance shall take effect and be in full force fifteen days from and after the date of its passage.

PASSED this 9 day of June, 2015.

ATTEST:

Village of Waterloo

Melissa Johnson
Melissa Johnson, Village Clerk



Ken Hitchler
Ken Hitchler, Chairperson