

ONE HUNDRED THIRD LEGISLATURE - FIRST SESSION - 2013
COMMITTEE STATEMENT
LB643

Hearing Date: Tuesday February 05, 2013
Committee On: Urban Affairs
Introducer: Davis
One Liner: Change certain provisions regarding nuisances in cities and villages

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	6	Senators Ashford, Coash, Karpisek, Krist, McGill, Murante
Nay:		
Absent:	1	Senator Lautenbaugh
Present Not Voting:		

Proponents:

Senator Davis
J.D. Cox
Silas Clarke
Gary Krumland

Representing:

Self
City of Alliance
City of Hickman
League of Nebraska Municipalities

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Bill Summary:

LB 643 is a bill that would allow first and second class cities and villages to determine at what height weeds and grasses become nuisances, and to determine the process to notify the property owner. The statutes currently set the height for weeds and grass as nuisances at twelve inches.

Comments/Analysis:

Section one amends 16-230 by changing what constitutes nuisance growth of weeds, grasses or worthless vegetation. Currently, the statute states any growth of twelve inches or more in height is the nuisance level, and LB 643 would amend this section to say excessive growth. It also adds new language requiring the city to establish by ordinance the height at which weeds, grasses, or worthless vegetation become a nuisance in cities of the first class.

This section also changes the method of notification given to owners of property to remove the above mentioned nuisances. Currently, the statute requires notification to be given to owners and occupants (if different) by personal service or certified mail, and if those methods are unsuccessful, by publication in a newspaper or posting notice on the lot upon which the nuisance is to be removed. This bill would change the notification process, requiring the city to establish a new method of notice by ordinance. It also allows for an owner or occupant to request a hearing to appeal the decision to remove the nuisance by filing a written appeal with the city clerk.

Additionally, section one of this bill strikes subsection (6) of this statute. This subsection had allowed a city of the first class to take action against a property with nuisance growth of weeds, grasses, or worthless vegetation when it had reached a height of 8 inches, if the city had previously taken action to remove such growth from that property within the calendar year.

Section two makes all the same provisions as stated above for cities of the second class and villages, by amending 17-563.

Amanda McGill, Chairperson