

this area. These two sections would be amended to provide that these municipalities may, by ordinance, declare it to be a nuisance to permit, allow or maintain any growth of 12 inches or more in height of weeds, grasses or worthless vegetation or to litter or cause litter to be deposited or remain thereon except in proper receptacles. This came about because of a recent court decision involving Falls City. It is important to have the height limitation in the state statute. Falls City tried to enforce their statutes and because of a lack of definition of the height and the limitation they were unable to. Owners or occupants violating these ordinances would, upon conviction, be found guilty of a Class V misdemeanor which is a maximum penalty of a \$100 fine, no imprisonment. But also we would allow a better procedure for providing due process to these citizens, the owner or occupants to go back to the city and have a hearing on it. Within five days after the receipt of notices to clean up, the owner or occupant would be allowed to request a hearing with the city. If they fail to comply with the order or fail to request a hearing, then the city may exercise the authority already granted in present law to have the work done and levy and assess the costs and expenses of the work upon the lot or piece of ground so benefited in the matter in the manner such as other special taxes for improvements are levied and assessed. We also provide exact definitions of litter and weeds that were modeled after the City of Omaha's ordinances that have proved to be real workable. Pretty simple. We're trying to keep our...keep up our image down there, attract business, keep people in that are presently there and improve our lot down there. And I'm sure across the state you have the same problem. This will give your smaller towns and villages the ability to enforce these regulations to make the cities more beautiful and liveable and I don't feel that they are too onerous for our citizens to accept. I would urge you to support 330. Thank you.

SPEAKER BAACK: Thank you, Senator Morrissey. Discussion on the bill? Senator Warner.

SENATOR WARNER: Senator Morrissey, I was just glancing at the bill. I notice that in the first section, existing law gives the city this authority within the city limits plus two miles. I assume the new language includes the two miles around the city as well.

SENATOR MORRISSEY: No, I don't believe that's in the city of