

NOTICE TO CONTROL TALL GRASS AND WEEDS
City of Lincoln
2010

5-01-02. Control/Duty. It is the duty of every person owning, occupying or in charge of any premises, lot or parcel of land to cut, eradicate or control any weeds to prevent their spread or tall grasses if they exceed eight (8) inches in height.

5-01-03. Notice by Publication of Ordinance. It shall be the duty of the Auditor to cause a notice of the content of this chapter to be published in the official newspaper of the City once within three days of May 1 and May 15 and once again within three days of July 1 and July 15. These publications shall serve as notice to all landowners, occupants or persons in charge of land of the requirements of this chapter. These publications shall also serve as the official notice to property owners to cut tall grass and weeds. Other methods of notification, such as the media and City of Lincoln's website may also be used to notify landowner, occupants or persons in charge to control tall grass and weeds.

5-01-04. Action Upon Non-Compliance. Upon the failure, neglect, or refusal of any owner or agent so notified to cut, destroy and/or remove noxious weeds growing, lying or located upon the owner's property or upon the one-half of any road or street lying next to the lands or boulevards abutting thereon after receipt of the written notice provided for in Section 5-01-03 or within five days after the date of such notice in the event the same is returned to the City because of inability to make delivery thereof, provided the same was properly addressed to the last known address of such owner or agent, the City Council is hereby authorized and empowered to pay for the cutting, destroying, and/or removal of such noxious weeds or to order their removal by the City.

5-01-05. Eradication, Cutting or Control of Weeds and Tall Grasses by order of the City Auditor. At a minimum, all property shall be mowed by June 1, mowed again July 15 and, if necessary, mowed again by September 1 of each year to comply with the provision of this chapter. The City Auditor may order more frequent cutting of tall grass and weeds if necessary for compliance with this chapter and such notice may be given in person, via telephone or by letter.

1. Whenever any person, firm or corporation owning, occupying or in charge of any premises, lot, or parcel of land within the city, shall fail, neglect or refuse to mow the property at least once by June 1 and again by July 15 of each year in accordance with the provisions of this section or shall fail to eradicate, cut or control weeds or tall grasses within 7 days of receipt of notice from City Auditor, the City Auditor shall order the nuisance to be abated by eradicating, cutting or controlling the weeds or tall grasses in a manner as specified by the City Auditor, if the City Auditor has first complied with the notice requirements of Section 5-01-03. A person, firm or corporation notified of impending City action may cause the eradication, cutting or control of weeds or tall grasses at any time before the City eradicates, cuts or controls the weeds or tall grasses located on the property or may appeal the order of the City Auditor in writing to the Office of City Administration to eradicate, cut or control weeds or tall grasses. The appeal shall be heard by the City Council at their next scheduled meeting.

5-01-06. Costs Assessed Against Property. When the City has effected the eradication, cutting or control of weeds or tall grasses or has contracted for and paid for the eradication, cutting or control of the weeds or tall grasses, the actual cost thereof, if not paid by the owner, must be charged and assessed against the property upon which the weeds or tall grasses were eradicated, cut or controlled. An assessment list showing the costs against each lot or tracts to be assessed shall be prepared as are other special assessment lists and shall be approved by the City Council. All procedures under state law for certification, appeal, payment and collection of special assessments shall apply.