

AN ORDINANCE OF THE VILLAGE OF GREENWOOD, NEBRASKA, AMENDING CHAPTER 4, ARTICLE 2, SECTION 1 OF THE MUNICIPAL CODE TO PROVIDE FURTHER DEFINITIONS OF NUISANCES TO INCLUDE POLLUTION OF PUBLIC WATER SUPPLY AND INTERFERENCE WITH PUBLIC WELLS.

BE IT ORDAINED BY THE CHAIRPERSON AND THE BOARD OF THE VILLAGE OF GREENWOOD, NEBRASKA:

Section 1. That the following subsection be added to Chapter 4, Article 2, Section 1 of the Municipal Code of Greenwood, Nebraska: Locating any of the following items within the specified footage of any municipal public water supply well:

Potable water well	1000 feet
All other wells	1000 feet
Sewage lagoon	1000 feet
Absorption or disposal field for water	500 feet
Cesspool	500 feet
Dump	500 feet
Feedlot or feedlot runoff	500 feet
Pasture or corral	500 feet
Chemical or petroleum product storage facility	500 feet
Pit toilet	500 feet
Sanitary landfill	500 feet
Septic tank	500 feet
Sewage treatment plant	500 feet
Sewage wet well	500 feet
Sewer connection	100 feet
Sewer manhole	100 feet
Sewer line	50 feet
Irrigation or industrial well (unless special permit is obtained from the water resources of the State of Nebraska)	1000 feet

Any nonconforming uses existing on the date of passage of this ordinance are exempted.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval, and publications provided by law.

Managed Water Dept, Drilling or Installation of other facilities w/in designated distance from Municipal Water Services, R. 1, 1/2 mile

Section 3. All conflicting ordinances are hereby repealed.

Passed, approved, and ordered published this 10th day of November, 1996.

NOV 22 1996

City Clerk

Article 2. Nuisances

§4-201 NUISANCES; SPECIFICALLY DEFINED.

The maintaining, using, placing, depositing, leaving, or permitting of any of the following specific acts, omissions, places, conditions, and things are hereby declared to be nuisances:

1. Any odorous, putrid, unsound or unwholesome grain, meat, hides, skins, feathers, vegetable matter, or the whole or any part of any dead animal, fish, or fowl.
2. Privies, vaults, cesspools, dumps, pits or like places which are not securely protected from flies or rats, or which are foul or malodorous.
3. Filthy, littered or trash-covered cellars, house-yards, barnyards, stable-yards, factory-yards, mill yards, vacant areas in rear of stores, granaries, vacant lots, houses, buildings, or premises.
4. Animal manure in any quantity which is not securely protected from flies and the elements, or which is kept or handled in violation of any ordinance of the Municipality.
5. Liquid household waste, human excreta, garbage, butcher's trimmings and offal, parts of fish or any waste vegetable or animal matter in any quantity; Provided, nothing herein contained shall prevent the temporary retention of waste in receptacles in a manner provided by the health officer of the Municipality, nor the dumping of non-putrifying waste in a place and manner approved by the health officer.
6. Tin cans, bottles, glass, cans, ashes, small pieces of scrap iron, wire metal articles, bric-a-brac, broken stone or cement, broken crockery, broken glass, broken plaster, and all trash or abandoned material, unless the same be kept in covered bins or galvanized iron receptacles.
7. Trash, litter, rags, accumulations of barrels, boxes, crates, packing crates, mattresses, bedding, excelsior, packing hay, straw or other packing material, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, old automobiles or parts thereof, or any other waste materials when any of said articles or

- materials create a condition in which flies or rats may breed or multiply, or which may be a fire danger or which are so unsightly as to depreciate property values in the vicinity thereof.
8. Any unsightly building, billboard, or other structure, or any old, abandoned or partially destroyed building or structure or any building or structure commenced and left unfinished, which said buildings, billboards or other structures are either a fire hazard, a menace to the public health or safety, or are so unsightly as to depreciate the value of property in the vicinity thereof.
9. All places used or maintained as junk yards, or dumping grounds, or for the wrecking and disassembling of automobiles, trucks, tractors, or machinery of any kind, or for the storing or leaving of worn-out, wrecked or abandoned automobiles, trucks, tractors, or machinery of any kind, or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons, which said places are kept or maintained so as to essentially interfere with the comfortable enjoyment of life or property by others, or which are so unsightly as to tend to depreciate property values in the vicinity thereof.
10. Stagnant water permitted or maintained on any lot or piece of ground.
11. Stockyards, granaries, mills, pig pens, cattle pens, chicken pens or any other place, building or enclosure, in which animals or fowls of any kind are confined or on which are stored tank-ages or any other animal or vegetable matter, or on which any animal or vegetable matter including grain is being processed, when said places in which said animals are confined, or said premises on which said vegetable or animal matter is located, are maintained and kept in such a manner that foul and noxious odors are permitted to emanate therefrom, to the annoyance of inhabitants of the Municipality, or are maintained and kept in such a manner as to be injurious to the public health.

5/10/2011

§4-202

Greenwood Code

§4-201

12. All other things specifically designated as nuisances elsewhere in this Code. (Ref. 18-1720 RS Neb.)

§4-202 NUISANCES; ABATEMENT PROCEDURE. It shall be the duty of every owner, occupant, lessee, or mortgagee of real estate in the Municipality to keep such real estate free of public nuisances. Upon determination by the Board of Health that said owner, occupant, lessee, or mortgagee has failed to keep such real estate free of public nuisances, the Governing Body shall thereupon cause notice to be served upon the owner, occupant, lessee, mortgagee or agent thereof, by publication and by certified mail. Such notice shall describe the condition as found by the Board of Health and state that said condition has been declared a public nuisance, and that the condition must be remedied at once. If the person receiving the notice has not complied therewith or taken an appeal from the determination of the Board of Health within five (5) days after receipt of certified mail or within five (5) days after date of publication whichever is later, the Board of Health shall notify the Governing Body of such non-compliance and the Governing Body shall, upon receipt of such notice, cause a hearing date to be fixed and notice thereof to be served upon the owner, occupant, lessee, or mortgagee, or agent of the real estate. Such notice of hearing shall be by personal service or certified mail and require such party or parties to appear before the Governing Body to show cause why such condition should not be found to be a public nuisance and remedied. A return of service shall be required by the Governing Body. Such notice shall be given not less than five (5) days prior to the time of hearing, provided that whenever the owner, lessee, occupant, or mortgagee of such real estate is a non-resident or cannot be found in the State, then the Municipal Clerk shall publish, in a newspaper of general circulation in the Municipality, such notice of hearing for two least one (1) week prior to the date set for the hearing. Upon the date fixed for the hearing and pursuant to notice, the Governing Body shall hear

§4-204

Health and Sanitation

§4-202

all objections made by interested parties and shall hear evidence submitted by the Board of Health. If after consideration of all of the evidence, the Governing Body shall find that the said condition is a public nuisance, it shall, by resolution, order and direct the owner, occupant, lessee, or mortgagee to remedy the said public nuisance at once; Provided, the party or parties may appeal such decision to the appropriate court for adjudication, during which proceedings the decision of the Governing Body shall be stayed. Should the owner or occupant refuse or neglect to promptly comply with the order of the Governing Body, the Governing Body shall proceed to cause the abatement of the described public nuisance. Upon completion of the work by the Municipality, a statement of the cost of such work shall be transmitted to the Governing Body, which is authorized to bill the property owner or occupant, or to levy the cost as a special assessment against the land. Such special assessment shall be a lien on the real estate and shall be collected in the manner provided for special assessments. (Ref. 18-1720 RS Neb.)

§4-203 NUISANCES: JURISDICTION. The Chairman and Village Marshal of the Municipality are directed to enforce this Municipal Code against all nuisances. The jurisdiction of the Chairman, Village Marshal, and court shall extend to, and the territorial application of this Chapter shall include, all territory adjacent to the limits of the Municipality within one (1) mile thereof and all territory within the corporate limits. (Ref. 18-1720 RS Neb.)

§4-204 NUISANCES: ADJOINING LAND OWNERS: INTERVENTION BEFORE TRIAL. In cases of appeal from an action of the Governing Body condemning real property as a nuisance or as dangerous under the police powers of the Municipality, the owners of the adjoining property may intervene in the action at any time before trial. (Ref. 19-710 RS Neb.) (Ord. No. 94, 11/12/85)

Governor

§3-123 Gretna Code §3-125

§3-123 MUNICIPAL WATER DEPARTMENT: UNSAFE

PHYSICAL CONNECTION TO WATER DISTRIBUTION SYSTEM PROHIBITED; POTENTIAL BACKFLOW HAZARDS; CUSTOMER ASSESSMENT.

No customer or other person shall cause, allow, or create any physical connection between the Municipal Water Distribution System and any pipes, pumps, hydrants, tanks, steam condensate returns, engine jackets, heat exchangers, other water supplies or any other connection whereby potentially unsafe or contaminating materials may be discharged or drawn into the Municipal Water Distribution System.

At least one (1) time every five (5) years, customers of the Municipal Water Distribution and Supply System shall be required to assess and report potential backflow and back-siphonage hazards to the Municipality on a form supplied by the Municipality to the customer. The customer shall take any steps necessary for protection of public health and safety as determined by the Utilities Superintendent. (Ord. No. 452, 3/2/93)

§3-124 MUNICIPAL WATER DEPARTMENT: WELL-

HEAD PROTECTION: INTENT. The intent of sections 3-124

through 3-128 is to establish control by the City of Gretna, Nebraska over the location of future potential sources of contamination within the City's public water supply wells, within the municipal limits, or within the municipality's extrajurisdiction, so as to prevent or minimize any hazard to the safety of the city's potable water system. (Ord. No. 534, 6/6/95)

§3-125 MUNICIPAL WATER DEPARTMENT: WELL-

HEAD PROTECTION: DEFINITIONS. For the purpose of sections 3-124 through 3-128, the following definition shall apply:

A. Water Well: Water Well shall mean any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed, screened, and cased, for the purpose of exploring for ground water, monitoring ground water, water, or extracting ground water from an underground aquifer for public drinking water use.