

## **ORDINANCE NUMBER 19-032**

An ordinance to amend Section 17-182 of the Beatrice City Code relating to nuisances; to repeal all other conflicting ordinances or parts of ordinances; and to provide for publication in pamphlet form and for an effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF  
BEATRICE, NEBRASKA:

**SECTION 1.** That Section 17-182 of the Beatrice City Code be and hereby is amended to read as follows:

**“Sec. 17-182. - Nuisances enumerated.**

The maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure or premises, or at in or upon any street, avenue, alley, park or parkway, or at any place within one hundred (100) feet from the water's edge of the Big Blue River at low water mark, or at any other public or private place, of any one (1) or more of the following conditions or things are hereby declared to be and constitute nuisances; provided that this enumeration shall not be deemed to be conclusive:

- (1) Any putrid, unsound or unwholesome meat, hides, skins, feathers, 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, vacant area in rear of stores, 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 provision of this Code or ordinance of the city;
- (5) Liquid household waste, human excreta, garbage, butchers' trimmings and offal, parts of fish or any waste vegetable or animal matter in any quantity; provided nothing contained herein shall prevent the temporary retention of waste in receptacles in a manner provided by the health officer of the city, nor the dumping of nonputrifying 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 is kept in the containers described in Chapter 22 of this Code;
- (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 material, when any of such

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, or which are placed on or near the banks of the Big Blue River and tend to obstruct the flow or fill up the bed 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 buildings, billboards or other structures are a fire hazard, a menace to the public health or safety, a menace to the free use of any street, sidewalk or other public way, or are so unsightly as to depreciate the value of property in the vicinity thereof;
- (9) All places used or maintained as junkyards 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 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, pig pens, cattle pens, chicken pens or any other place, building or enclosure, in which animals or fowl of any kind are confined, or premises on which are stored tankage or any other animal or vegetable matter, when the places in which such animals are confined, or the premises on which such vegetable or animal matter is stored, 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 city, or are maintained and kept in such a manner as to be injurious to the public health;
- (12) Pits or excavations within the city not being used for the purpose of building where such pits or excavations are made and the leaving of any such pits or excavations in an exposed condition for a period of twenty-four (24) hours or longer; or
- (13) Upholstered or other furniture which is designed or manufactured primarily for indoor use with no original outdoor weatherproofing qualities including, but not limited to, upholstered chairs, upholstered couches, and mattresses when used or left on unenclosed exterior porches, balconies, or in an exposed open area including, but not limited to, decks, patios, roofs, yards, driveways, or walkways. Exterior porches shall not include any porch completely covered by a roof, when located at and attached to a building and completely enclosed by fully intact glass and/or fully intact screens which are designed to keep out insects and allow air flow.”

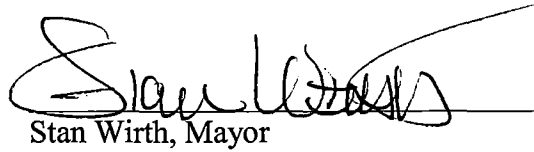
**SECTION 2.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3.** That this ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED this 5<sup>th</sup> day of August, 2019.

Attest:

  
Erin Saathoff, CMC, City Clerk

  
Stan Wirth, Mayor

