

## **CHAPTER 8 – PUBLIC WAYS AND PROPERTY**

### **ARTICLE 1. CITY PROPERTY**

- 8-101 MAINTENANCE AND CONTROL
- 8-102 OBSTRUCTIONS
- 8-103 OVERHANGING BRANCHES
- 8-104 NEWSPAPER BOXES, TUBES, RECEPTACLES; PROHIBITED
- 8-105 SALE AND CONVEYANCE OF REAL PROPERTY
- 8-106 SALE AND CONVEYANCE OF PERSONAL PROPERTY

### **ARTICLE 2. SIDEWALKS**

- 8-201 KEPT CLEAN
- 8-202 REPAIR
- 8-203 CONSTRUCTION BY OWNER
- 8-204 CITY CONSTRUCTION

### **ARTICLE 3. STREETS**

- 8-301 NAMES AND NUMBERS
- 8-302 EXCAVATION
- 8-303 DRIVING STAKES
- 8-304 MIXING CONCRETE
- 8-305 HARMFUL LIQUIDS

### **ARTICLE 4. TREES**

- 8-401 DEFINITIONS
- 8-402 SPACING
- 8-403 DISTANCE FROM CURB AND SIDEWALK
- 8-404 DISTANCE FROM STREET CORNERS AND FIREPLUGS
- 8-405 UTILITIES
- 8-406 PUBLIC TREE CARE
- 8-407 PLANTING IN RIGHT-OF-WAY; CONSENT NEEDED
- 8-408 TREE TOPPING
- 8-409 PRUNING, CORNER CLEARANCE
- 8-410 DEAD OR DISEASED TREE REMOVAL ON PRIVATE PROPERTY
- 8-411 REMOVAL OF STUMPS
- 8-412 INTERFERENCE WITH CITY TREE BOARD

### **ARTICLE 5. PENAL PROVISION**

- 8-501 VIOLATION; PENALTY

## **CHAPTER 8 – PUBLIC WAYS AND PROPERTY**

### **Article 1. City Property**

#### **§8-101 CITY PROPERTY; MAINTENANCE AND CONTROL.**

The City Council shall have the care, supervision, and control of all public highways, bridges, streets, alleys, public squares, and commons within the City and shall cause the same to be kept open, in repair, and free from nuisances. (Ref. 17-567 RS Neb.)

#### **§8-102 CITY PROPERTY; OBSTRUCTIONS.**

Trees and shrubs growing upon or near the lot line or upon public ground and interfering with the use or construction of any public improvements shall be deemed an obstruction under this article. Said trees, shrubs and their roots may be removed by the City at the expense of the owner of the property upon which the tree or shrub is located should the owner fail or neglect to do so after notice. It shall be unlawful for any person, persons, firm, or corporation to obstruct or encumber by fences, gates, buildings, structures, or otherwise, any of the streets, alleys, or sidewalks. (Ref. 17-557.01 RS Neb.)

#### **§8-103 CITY PROPERTY; OVERHANGING BRANCHES.**

The owner or occupant of any lot, piece, or parcel of ground abutting or adjacent to any street or sidewalk over which branches of trees extend shall at all times keep the branches or limbs thereof trimmed to a height of at least eight feet above the surface of said walk and at least 14 feet above the surface of said street. Whenever the limbs or branches of any tree or trees extend over streets or sidewalks contrary to the provisions herein so as to interfere with the lighting of the street from street lights or with the convenience of the public using said street or sidewalk, the City Council at any regular or special meeting may pass a resolution ordering the owner or occupant to cut or remove said obstructions within five days after having received a copy thereof from the Street Superintendent. Such resolution shall state that the City will remove said branches and charge the costs thereof to the owner or occupant as a special assessment for improvements as herein provided if said resolution is not complied with. In the event the property owner is a nonresident of the county in which the property lies, the City shall, before levying any special assessment against that property, send a copy of any notice required by law to be published by means of certified mail, return receipt requested, to the last known address of the nonresident property owner. The last known address shall be that address listed on the current tax rolls at the time such required notice was first published. (Ref. 17-557.01 RS Neb.)

#### **§8-104 CITY PROPERTY; NEWSPAPER BOXES, TUBES, RECEPTACLES; PROHIBITED.**

A. It is hereby found and determined by the Mayor and the City Council that:

1. The placement of newspaper boxes, tubes, receptacles, or other types of contain-

