

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 8.26.040 of the Lincoln Municipal Code to
2 change the date from September to October in which the Health Director is required to report
3 nuisance abatement costs to the City Council and repealing Section 8.26.040 of the Lincoln
4 Municipal Code as hitherto existing.

5 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

6 Section 1. That Section 8.26.040 of the Lincoln Municipal Code be amended to
7 read as follows:

8 **8.26.040 Report to Council; Assessment of Cost; Collection of Assessment.**

9 | The Health Director shall, not later than the fifteenth day of ~~September~~^{October} of each
10 year, report to the City Council on all real estate cleared of a public nuisance since September
11 first of the previous year under the provisions of this chapter, together with the costs thereof.
12 Whereupon, the City Council, after public hearing at a regular council meeting, shall by
13 | resolution assess the costs against such real estate; provided, that notice of the time of such
14 meeting of the City Council for making such assessment and for the purpose of such meeting
15 shall be published once in a newspaper published and of general circulation in the city at least
16 five days before said meeting of the council is held, or in lieu thereof, notice may be given to the
17 owners of such real estate by personal service thereof five days before such hearing. Any such
18 assessment, when assessed as provided in this section, shall be a lien upon such real estate from
19 the date of assessment and shall be collected in the same manner as general taxes. Such
20 | assessment shall be delinquent after the first day of December ~~first~~ following the date of
21 assessment and shall draw interest as provided in Neb. Rev. Stat. § 45-104.01 for assessments.

1 Nothing herein shall prevent the city from accepting payment or collecting for the related costs
2 by any other means permitted by law.

3 The requirement to report to City Council stated in this section shall not apply to real
4 estate cleared of a public nuisance since September first of the previous year where the costs of
5 clearing the nuisance have been paid in full to the city prior to September first of the current
6 year.

7 Section 2. That Section 8.26.040 of the Lincoln Municipal Code as hitherto
8 existing be and the same is hereby repealed.

9 Section 3. This ordinance shall be published, within fifteen days after the passage
10 hereof, in one issue of a daily or weekly newspaper of general circulation in the City, or posted
11 on the official bulletin board of the City, located on the wall across from the City Clerk's office
12 at 555 S. 10th Street, in lieu and in place of the foregoing newspaper publication with notice of
13 passage and such posting to be given by publication one time in the official newspaper by the
14 City Clerk. This ordinance shall take effect and be in force from and after its passage and
15 publication or after its posting and notice of such posting given by publication as herein and in
16 the City Charter provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2018: _____ Mayor
