

# City of Minden

P.O. Box 239, 325 N. Colorado  
Minden, Nebraska 68959

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[www.MindenNebraska.org](http://www.MindenNebraska.org)



## ORDINANCE NO. 1288

AN ORDINANCE TO AMEND CHAPTER 30, ARTICLE II, OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTIONS 30-28 AND 30-30, AS THE SAME RELATES TO NUISANCES WITHIN THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA.

Section 1. That Section 30-28 be amended in the Municipal Code of the City of Minden, Kearney County, Nebraska, to read as follows:

Section 30-28. – 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, houseyards, barnyards, stables, 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 contained in this subsection shall prevent the temporary retention of waste in receptacles in a manner provided by the health officer of the municipality, nor the dumping of nonpurifying waste in a place and manner approved by the health officer.
- (6) Tin cans, bottles, glass, cans, ashes, paper, rags, wood, small pieces of scrap iron, wire metal articles, bric-a-brac, building rubble, broken stone or cement, brick, broken crockery, broken glass, broken plaster and all trash, rubbish or abandoned material, unless the same be kept in covered bins or galvanized iron receptacles, and any other waste materials when any of such articles or materials create a condition in which flies or rats may breed or multiply, which may be a fire danger or which are so unsightly as to depreciate property values in the vicinity thereof.
- (7) The owner or occupant of any lot or piece of ground within the municipality shall keep the lot or piece of ground and the adjoining street and alleys free of any growth of 9 inches or more in height of weeds, grasses or worthless vegetation.
- (8) Any unsightly building, billboard or other structure, or any old, abandoned or partially destroyed building or structure, or any building or structures commenced and left unfinished, or lumber not neatly piled, which 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 junkyards, dumping grounds, or for the wrecking and disassembling of automobiles, trucks, tractors, or machinery of any kind; 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; for the

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storing or leaving of any machinery or equipment used by contractors or builders or by other persons, and any machine, vehicle, or parts of a machine or vehicle which have lost their identity, character, utility or serviceability as such through deterioration, dismantling, or the ravages of time, are inoperative or unable to perform their intended functions, are castoff, discarded or thrown away or left as waste, wreckage or junk; 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) Any and all lots or pieces of ground within the municipality shall be drained or filled so as to prevent stagnant water or any other nuisance accumulating thereon.
- (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 tankage or any other animal or vegetable matter or on which any animal or vegetable matter including grain is being processed, when such places in which the animals are confined or the premises on which the 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.
- (12) All other nuisances specifically designated elsewhere in this Code.

Source: Code 1982, § 2-302; Ord. No. 944, § 2, 6-1-92; Ord No. 1288, 3-18-2024

Section 2. That Section 30-30 be amended in the Municipal Code of the City of Minden, Kearney County, Nebraska, to read as follows:

## Section 30-30. – 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 Development Services Director, the chief of police or the fire chief that the owner, occupant, lessee or mortgagee has failed to keep such real estate free of public nuisances, the city shall thereupon cause notice to be served upon the owner, occupant, lessee, mortgagee or agent thereof, by personal service or by certified mail or by publication. Such notice shall describe the condition as found by the designated officer and state that such condition has been declared a public nuisance, and that the condition has been declared a public nuisance, and that the condition must be remedied within 5 days of receipt of the notice or date of publication, whichever is later. Within 5 days after the receipt of such notice, if the owner, occupant, lessee or mortgagee of the real estate does not request a hearing or fails to comply with the order to abate and remove the nuisance, the municipality shall have such work done and may levy and assess the costs and expenses of the work upon the real estate so benefitted in the same manner as other special taxes for improvements are levied and assessed. The municipality may also direct the law enforcement officers of the municipality to issue a citation to the owner, occupant, lessee or mortgagee charging them with a violation of the nuisance ordinances of the city.

Within five days after receipt of such notice, the owner, occupant, lessee or mortgagee of real estate may request a hearing with the city to appeal the decision to abate or remove a nuisance by filing a written appeal with the office of the City Clerk. A hearing on the appeal shall be held within 14 days after the filing of the appeal and shall be conducted by a committee appointed by the Mayor and approved by the City Council. The committee will be subject to the

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Nebraska Open Meetings Act. The committee shall render a decision on the appeal within five business days after the conclusion of the hearing.

Source: C.O. Ord. No. 944, § 4(2-303.01), 6-1-92; Ord. No. 1016, § 1, 7-1-96; Ord No. 1288, 3-18-2024

Section 3. That any other ordinance or section passed and approved prior to the passage, approval and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Section 4. This ordinance shall be known as Ordinance No. 1288 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 18th day of March, 2024.

/s/ Larry Evans  
Larry Evans, Mayor

ATTEST:

/s/ Abbey Jordan  
Abbey Jordan, City Clerk  
(SEAL)