

ORDINANCE NO. 1302

AN ORDINANCE AMENDING SECTION 8-707 OF THE RALSTON MUNICIPAL CODE DEALING WITH TREES, DEAD OR DISEASED, PRUNING AND REMOVAL; TO REPEAL PROVISIONS IN CONFLICT THEREWITH; TO PROVIDE AN EFFECTIVE DATE; AND TO AUTHORIZE THAT SAID ORDINANCE BE PUBLISHED IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF RALSTON, NEBRASKA.

That on the 15th day of February, 2022, the Ralston City Council conducted a regularly scheduled public hearing at which it considered amending Section §8-707 of the Ralston Municipal Code pertaining to pruning and removal of dead or diseased trees. Upon consideration of such amendment, the Ralston City Council approved said amendment to §8-707 so that after passage of this ordinance said section shall read:

8-707 TREES; DEAD OR DISEASED; PRUNING; REMOVAL

1. All trees and shrubs within the City shall be pruned or removed when such tree or shrub, or any part thereof:
 - a. Is dead, rotted or broken and constitutes a hazard to life and property, or;
 - b. Harbor insects or diseases which constitute a threat to other trees or shrubs within the City.
2. Enforcement of this section shall be by the following procedure:
 - a. The Park and Tree Commission or its authorized agent shall have the power and authority to prune or remove, or order the owner thereof to prune or remove, any such trees or shrubs on private property. The Park and Tree Commission or its authorized agent shall notify, in writing, the owners of such trees or shrubs. Pruning or removal shall be done by said owners at their own expense within 30 days after the date of notification.
 - b. Within five days after receipt of notice to prune or remove, the owner of such trees or shrubs may request a hearing with the City to appeal the requested action 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 the Board of Health. The Board of Health shall render a decision on the appeal within five business days after the conclusion of the hearing. If the appeal fails, the City may have such work done.
 - c. In the event of failure of owners to comply with said notice, the City shall have the authority to prune or remove said trees or shrubs and assess the cost of said pruning or removal to the property owner. If the owner fails to reimburse the City after being properly billed, the cost may be assessed against the real estate and the City Council shall have the assessment certified to the County Treasurer and the same shall be collected in the manner provided by law.

(Ref. 16-248 RS Neb.)

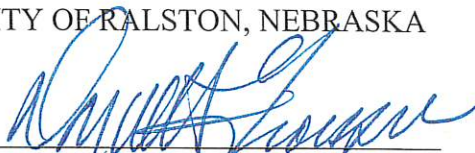
Any and all Ordinances or portions thereof, which are in conflict herewith are hereby repealed.

This Ordinance becomes effective upon passage by the Mayor and City Council of the City Council of the City of Ralston, Nebraska and upon its publication as provided by law.

DATED this 15th day of February, 2022.

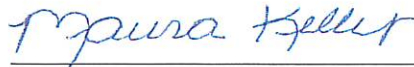


CITY OF RALSTON, NEBRASKA




Donald A. Groesser, Mayor

ATTEST:



Maura Kelly, City Clerk

Approved as to form:



Donald F. Ficenec, City Attorney