

DRAFT
ORDINANCE NO. 26-08

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING COLUMBUS CITY CODE (ORDINANCE NO. 24-01) SECTION 50.35 OF CHAPTER 50 OF TITLE V, TO ADD REGULATIONS REGARDING HANDLING OF SOLID WASTE; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

WHEREAS, the City of Columbus desires to amend city code to add regulations regarding the handling of solid waste.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA:

Section 1. That Section 50.35 of Chapter 50 of Title V of the Columbus City Code shall be amended and revised to read as follows:

Section 50.35 – Handling of Solid Waste

(A) No person shall accumulate, store, or dispose of solid waste upon any property in a manner that creates a nuisance, health hazard, or violates state or local regulations.

(B) All solid waste generated on any property shall be removed and properly disposed of on a routine basis, but no less than once per week. Disposal shall occur by:

- (1) A licensed private waste hauler; or
- (2) The owner, occupant, or person responsible for the property transporting such waste to the City of Columbus Transfer Station.

(C) Solid waste shall be stored in suitable containers designed to prevent leakage, odor, and access by animals.

(D) Open dumping and the burning of solid waste are prohibited within the limits of the city.

(E) The owner, occupant, or person in control of the property shall be responsible for compliance with this section.

- (1) Upon complaint or observation of a violation of subsections (A) and (B), Code Enforcement Officers or Police Officers of the Columbus Police Department may issue a red tag notice identifying the violation and providing notice that the violation must be corrected within five (5) calendar days.

- (2) If the violation is not corrected by the sixth (6th) calendar day following issuance of the red tag notice, a citation shall be issued for a first offense and notice of abatement may be provided allowing up to an additional five (5) calendar days for compliance.
- (3) If the violation is not corrected by the eleventh (11th) calendar day following issuance of the red tag notice, a second offense citation shall be issued requiring a mandatory court appearance, and the property may be abated by the city in accordance with applicable procedures.

(F) Violations of subsection (B) shall be punishable as follows:

- (1) First offense: \$250 fine.
- (2) Second offense: Mandatory court appearance.

(G) All loads of waste transported to the City of Columbus Transfer Station in vehicles shall be covered; provided, however, this requirement shall not apply when the entire load consists of material of such bulk or weight that it is unlikely to blow or fall from the vehicle while being operated at lawful highway speeds.

Penalty, see § 50.99

Section 2. This Ordinance shall repeal all Ordinances or portions thereof and conflict herewith.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law. Publication shall be in pamphlet form as authorized by Nebraska Revised Statutes § 16-405 with distribution to be made by making copies available to the public upon request at the office of the city clerk.

INTRODUCED BY COUNCIL MEMBER _____

PASSED ND ADOPTED THIS ____ DAY OF _____, 2026.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY