

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 1051

Introduced by Heidemann, 1.

Read first time January 18, 2008

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to maintenance of county roads; to amend
2 sections 39-1811 and 39-1812, Reissue Revised Statutes
3 of Nebraska; to change provisions regarding the mowing
4 of weeds and the trimming of trees; and to repeal the
5 original sections.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 39-1811, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 39-1811 (1) It shall be the duty of the landowners in
4 this state to mow all weeds that can be mowed with the ordinary
5 farm mower to the middle of all public roads and drainage ditches
6 running along their lands at least twice each year, namely, before
7 July 15, for the first time and ~~sometime in August~~ before September
8 30, for the second time.

9 (2) Whenever a landowner, referred to in subsections (1)
10 and (3) of this section, neglects to mow the weeds as provided in
11 this section, it shall be the duty of the county board on complaint
12 of any resident of the county to cause the weeds to be mowed
13 or otherwise destroyed on neglected portions of roads or ditches
14 complained of.

15 (3) The county board shall cause to be ascertained and
16 recorded an accurate account of the cost of mowing or destroying
17 such weeds, as referred to in subsections (1) and (2) of this
18 section, in such places, specifying, in such statement or account
19 of costs, the description of the land abutting upon each side
20 of the highway where such weeds were mowed or destroyed, and, if
21 known, the name of the owner of such abutting land. The board
22 shall file such statement with the county clerk, together with
23 a description of the lands abutting on each side of the road
24 where such expenses were incurred, and the county board, at the
25 time of the annual tax levy made upon lands and property of the

1 county, may, if it desires, assess such cost upon such abutting
2 land, giving such landowner due notice of such proposed assessment
3 and reasonable opportunity to be heard concerning the proposed
4 assessment before the same is finally made.

5 Sec. 2. Section 39-1812, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 39-1812 Each landowner in this state upon whose land
8 there is standing or growing any osage orange, willow or locust
9 hedge fence, trees, or undergrowth, bordering the public roads,
10 when such fence, trees, or undergrowth become a public nuisance
11 to travel on the roads, or obstruct the view at or near railroad
12 crossings, crossroads or abrupt turns in the road, shall keep the
13 same trimmed not less than once a year by cutting back to within
14 four feet of the ground, excepting trees, which shall be trimmed
15 from the ground up ~~eight~~ at least fifteen feet, and the trimmings
16 so cut shall be burned or removed from the road right-of-way within
17 ten days after each cutting.

18 Sec. 3. Original sections 39-1811 and 39-1812, Reissue
19 Revised Statutes of Nebraska, are repealed.