

ORDINANCE NO. 2023-29

AN ORDINANCE TO REPEAL AND REPLACE THE MUNICIPAL CODE OF THE CITY OF SEWARD, CHAPTER 290 OFFENSES, ARTICLE 8 OBSTRUCTIONS, SECTION 2 PROHIBITED FENCES; TO AMEND REQUIREMENTS FOR PROHIBITED FENCES; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT, TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEWARD AS FOLLOWS:

SECTION 1. That 290-8.2 be amended as follows:

§ 290-8.2 Prohibited Fences.

It shall be unlawful for any person to erect or cause to be erected, or maintain any barbed wire or any barbed wire strung along or upon any fences as a barrier with the city limits and the jurisdictional area of the city; provided that fences erected within the I-2 General Industrial Zoning District, or fences surrounding public utilities, city, county, and state maintenance facilities, or airports, it may be permissible to string not more than three strands of barbed wire upon supports inclined at an angle not greater than 60 degrees with the horizontal plane when such wires are strung so that they are suspended above and within the property lines, and further, that all elements of said fence shall be within a line drawn perpendicular upward from the property line, and the bottom strand of such barbed wire is not less than six feet above the surface of the ground measured from the outer face of such fence. It shall be unlawful for any person to erect or cause to be erected or to maintain any fence, the wire, or wires of which are electrified at any location with the jurisdictional control of the city. Provided, however, that in any area zoned agricultural or rural residential, barbed wire and electrical fences may be used to control ranging livestock.

SECTION 2. REPEAL. All remaining ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. WHEN OPERATIVE; PUBLICATION IN PAMPHLET FORM. This ordinance shall be published in pamphlet form and shall be in full force from and after its passage, approval and publication or posting as required by law.

Dated this 19<sup>th</sup> day of December, 2023

CITY OF SEWARD, NEBRASKA

  
Joshua Eickmeier, Mayor

ATTEST:

  
Derek Bargmann  
City Clerk

