

**ORDINANCE NO. 3837**

**AN ORDINANCE ADDING TO THE LIST OF CONDITIONS SPECIFICALLY  
DEFINED AS A NUISANCE UNDER THE CITY CODE**

WHEREAS, Common Council of the City of New Castle may enact regulations to protect the public health, safety and welfare; and,

WHEREAS, dead and dying vegetation can become a safety hazard, which if not remedied, can damage homes, parked vehicles, and disrupt utility service; and,

WHEREAS, hazardous vegetation presents a risk to persons and property and should be added to the specified conditions that, when existing on a property, are considered a "nuisance" as defined by the City Code.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL of the City of New Castle the following:

A new section 97.01 (B) (9) is hereby added to the City Code:

Hazardous vegetation, which is defined as dead, diseased, or dying trees, bushes or shrubs, which if not removed, could cause damage to personal property, homes, vehicles, disrupt utility service, impede roads and streets, or otherwise pose a threat to public safety, as well as fallen trees or large branches that are located on the landowner's property or upon a neighboring property after falling from the landowner's property.

**REPEALER:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SEVERABILITY:** Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

**EFFECTIVE DATE:** This Ordinance shall become effective upon passage and publication as provided for by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

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Greg York, Presiding  
Officer, Common Council, City  
of New Castle, Indiana

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ATTEST:

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Brenda Grider, Clerk-Treasurer

APPROVED BY ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

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Greg York, Mayor of the City  
of New Castle, Indiana