

## Chapter 8.08 - NUISANCES

### Sections:

#### 8.08.010 - Public nuisance—Defined.

A nuisance is a thing, act, occupation or use of property which:

- A. Shall annoy, injure or endanger the safety, health, comfort or repose of the public;
- B. Shall unlawfully interfere with, obstruct or tend to obstruct or render dangerous for passage a public park, square, street, alley or highway;
- C. Shall offend public decency;
- D. Shall in any way render the public insecure in life or in use of property.

(Prior code §8-6-1)

#### 8.08.020 - Nuisances affecting health.

The following are declared nuisances affecting health:

- A. All decayed or unwholesome food offered for sale to the public;
- B. All diseased animals running at large;
- C. All ponds or pools of stagnant water;
- D. Carcasses of animals not buried or destroyed within twenty-four hours after death;
- E. Accumulations of manure or rubbish;
- F. Privy vaults and garbage cans which are not flytight;
- G. The pollution of any public or private well or cistern, stream, lake, canal or body of water by sewage, creamery or industrial wastes or other substances;
- H. All non-woody, herbaceous plant growth which is allowed to grow wild and untended and which is allowed to flower and go to seed, disseminating pollen and seeds onto surrounding properties;
- I. All public exposure of persons having a contagious disease;
- J. The use of a common public drinking cup or roller towel;
- K. The distribution of samples of medicine or drugs unless such samples are placed in the hands of an adult person;
- L. All other acts, omissions of acts, occupations and uses of property which are deemed by the board of health to be a nuisance to the health of the inhabitants of this city or any considerable number thereof;
- M. Dense smoke, noxious fumes, gas and soot or cinders in unreasonable quantities;
- N. All rat-infested buildings and structures;
- O. The pollution or contamination of any public stream, river, lake, storm sewer or other surface water body with soil, sediments or dust or the contamination of any public or private street or road with dirt, dust or mud from any construction, earth moving, vegetation removal or development activity.

(Ord. 96-1005 §3, 1996; prior code §8-6-2)

8.08.030 - Nuisances affecting morals.

The following are declared to be nuisances affecting public morals and decency:

- A. All houses kept for the purpose of prostitution or promiscuous intercourse, gambling houses, houses of ill fame and bawdy houses;
- B. All domestic animals in the act of copulation exposed to public view;
- C. All places where intoxicating liquor is manufactured, sold, bartered or given away in violation of law;
- D. All indecent or obscene pictures, books, pamphlets, magazines and newspapers;
- E. Betting, bookmaking, prizefighting and all apparatus used in such occupations in violation of law.

(Prior code §8-6-3)

8.08.040 - Nuisances affecting peace and safety.

The following are declared to be nuisances affecting public peace and safety:

- A. All trees, hedges, billboards or other obstructions which prevent persons from having a clear view of traffic approaching an intersection from cross streets in sufficient time to bring a motor vehicle driven at a reasonable speed to a full stop before the intersection is reached;
- B. All limbs of trees which are less than eight feet above the surface of any street or sidewalk;
- C. All wires which are strung less than fifteen feet above the surface of the ground, except clotheslines;
- D. All explosives, inflammable liquids and other dangerous substances stored in any manner or in any amount in violation of any law;
- E. All unnecessary noise and annoying vibrations;
- F. All buildings and alterations to buildings made or erected within the Fire Limits as established in this Code in violation of the regulations concerning manner and materials of construction;
- G. Obstructions and excavations affecting the ordinary use by the public of streets, alleys, sidewalks or public grounds except under such conditions as are provided by law;
- H. Radio aerials strung in any manner in violation of any law;
- I. Any use of property abutting upon a public street or sidewalk or any use of a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free use of the streets and sidewalks;
- J. All hanging signs, awnings and other similar structures over the streets or sidewalks, or situated as to endanger public safety, or constructed and maintained in violation of the provisions of this code pertaining thereto;
- K. The allowing of rain water, ice or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk;
- L. All dangerous unguarded machinery in any public place or so situated or operated on private property as to attract the public;
- M. All use of stationary loud speakers in any part of the city in such manner as to annoy any of the inhabitants of the city;
- N. All irrigation water permitted to run in the streets or alleys of the city except such as is confined in irrigation ditches or flumes;

- O. All other conditions or things which are liable to cause injury to the person or property of anyone;
- P. All vehicles, or parts thereof, which are inoperable due to lack of legal requirements, have no currently valid license or registration, safety equipment or the like, or are not capable of being safely operated or driven in the manner for which they were designed and have been on the same parcel of private property for thirty days or longer. This section shall not apply to vehicles enclosed within a building with walls and a roof.

(Ord. 95-1029 §1, 1995; Ord. 94-1032 §2, 1994; prior code §8-6-4)

#### 8.08.050 - Enforcement.

Any person who shall knowingly cause or create a nuisance or permit any nuisance to be created or placed upon or to remain upon any premises owned or occupied by such person shall be subject to the enforcement procedures of Chapter 1.20 or 1.24. The violation of any provision of this chapter is subject to the code enforcement procedures of Chapters 1.16, 1.20 and 1.24.

(Ord. 99-1004 §11, 1999; prior code §8-6-5)