

## CHAPTER 93: NUISANCES

### Section

- 93.01 Conditions constituting nuisance
- 93.02 Abatement
- 93.03 Enforcement by County Health Officer

### § 93.01 CONDITIONS CONSTITUTING NUISANCE.

The following specified conditions, among others, constituted a nuisance condition. However, the following conditions are not to be deemed an exclusive list.

(A) *Stagnant water.* It shall be unlawful for any person to allow stagnant water to accumulate or stand in ponds, holes, ditches, vats, or the like, upon any lot or premises so as to be detrimental to health. Such stagnant water shall be subject to abatement as a nuisance.

(B) *Cleanliness of premises.* Any person who permits any house, building, yard, lot, or any other part of the premises under his control to become so filthy as to be injurious to health, shall be guilty of an offense, and such condition shall be subject to abatement as a nuisance.

(C) *Cutting of weeds and removal of accumulations.* It shall be unlawful and shall constitute a nuisance for any person to allow weeds, grass, or vegetation to grow on any premises or vacant lot in the town to a height that is unsightly or creates an unsanitary condition.

(D) *Allowing dead animals to remain on property.* It shall be unlawful and is hereby declared to be a nuisance for any person to allow a dead carcass of any animal to remain upon any property longer than 15 hours.

(E) *Sweeps refuse onto streets, sidewalks, alleys.* It shall be unlawful and is hereby declared to be a nuisance for any person to sweep or otherwise convey from a dwelling, store, office, or any other place, any litter or garbage into any street, sidewalk, or alley in the town.

(F) *Slaughterhouses prohibited.* It shall be unlawful for any person to engage in business as an abattoir or to conduct any slaughtering operations in the town.

(`92 Code, § 83.01) Penalty, see § 10.99

**§ 93.02 ABATEMENT.**

(A) Whenever a nuisance shall exist on any premises in the town, the Chief of Police shall give notice to the owner or occupant of the premises of the existence of the nuisance and shall direct that the nuisance be abated. It shall be unlawful for any person receiving a notice to abate a nuisance given pursuant to this section to fail to start abatement of the nuisance within 24 hours after the notice is given.

(B) In the event the owner or occupant of the premises shall fail to abate a nuisance on his premises after having been given notice pursuant to division (A), the town may abate the nuisance and the costs of abatement shall be certified to the Tax Collector and collected as taxes.

(`92 Code, § 83.02) Penalty, see § 10.99

**§ 93.03 ENFORCEMENT BY COUNTY HEALTH OFFICER.**

(A) The County Health Officer is authorized to enforce all laws adopted by the town pertaining to the health of the citizens of the town.

(B) It shall be unlawful for any reason to interfere with or resist the County Health Officer or his duly authorized agents or assistants in the performance of any of their duties.

(C) The County Health Officer and his duly appointed assistants shall have the right to enter any building or any premises at all reasonable times to ascertain whether conditions are sanitary and to enforce the sanitation laws of the town.

(`92 Code, § 83.03) Penalty, see § 10.99