

NUISANCES

CHAPTER 14: NUISANCES ARTICLE I. IN GENERAL

Sec. 14-1. Definition.

For the purpose of this chapter a nuisance includes, but not limited to, whatever is dangerous to human life or health, whatever renders the ground, the water, the air or the food a hazard or injurious to human life or health or that is offensive to the senses or that is or tends to become detrimental to the public health.

(Code 1966, § 13-64)

Sec. 14-2. Enumeration.

The following acts, commissions, omissions, conditions or deeds by any person shall be and are hereby declared to be a nuisance:

- (1) The act of allowing to exist any full or overflowing privy, vault, cesspool or other receptacle for filth, night soil and human excrement upon any premises owned or controlled by any person.
- (2) The act of allowing to be pumped the contents of cesspools so as to flow over any premises for fertilizing or other purposes.
- (3) The act of allowing any imperfect or faulty trap, sink or water closet or any other drainage appliance or fixture to exist in any house or building within the city from which there shall arise any foul or offensive gas or odor.
- (4) The act of casting, draining, throwing or causing to be cast, drained, thrown or distributed into any public street or highway, gutter, alley or other public grounds within the city any kitchen water, water from exhaust pipes, laundry water, water from service stations and garages, air conditioners or other waste water, slops, swill or liquid filth.
- (5) The act of keeping or causing to be kept any chickens, geese, ducks, guineas, pigeons, rabbits or dogs in pens or enclosed areas kept in such a manner as to become offensive, producing odors capable of annoying persons living in the vicinity or kept in an unclean condition.
- (6) Whenever any stable, stall, shed or apartment, or any yard or appurtenance thereto, in which any horse, cow or other animals shall be kept, or any place within the corporate limits of the city in which manure or liquid discharge of such animals shall be collected and accumulate and which stable, stall, shed, apartment or any yard or appurtenance thereto is not kept in a clean and sanitary condition or permitted to remain in a condition which would constitute a breeding place for flies, or is not kept in a clean and sanitary condition so that offensive smells, odors, or fumes escape therefrom, it shall be deemed a nuisance, provided that nothing in this subsection shall be so

construed as to include manure deposits upon private property for the purpose of cultivation or to be used as fertilizer.

- (7) The keeping of any lot or piece of ground within the limits of the city on which there is located a pool or pond of unwholesome, impure, stagnant or offensive water.
- (8) The failure on the part of the owner, operator, agent, or driver of any truck, trailer or other vehicle that has been used for the hauling of any livestock, animals or fowls, and when same has been parked in or on any highway, street, alley, vacant lot or tract of land, either public or private, or in any service station or garage within the corporate limits of the city, to move such truck, trailer or other vehicle, containing manure or excreta or liquid discharge, when notified by the city council to move such truck, trailer or other vehicle to such location as will not disturb the inhabitants of the city by the reason of the odor, gases, or fumes caused by the contents of such truck, trailer or other vehicle.
- (9) It shall be the duty of any owner, tenant or lessee to sweep or cause to be swept the sidewalks in front of their place of business and place or cause to be placed all such paper, trash and debris therefrom in an approved trash receptacle which shall be placed in such a place as set out in the ordinance regulating garbage in the city and the failure of any such owner, tenant, or lessee to comply with this subsection shall be and constitute a nuisance.
- (10) The allowing of paper, lumber, rocks, junk or other trash or debris to accumulate or remain on any piece of property in such a manner as to create a harborage or breeding place for rats, vermin or insects, or in such a manner as to be offensive or injurious to the public health or unpleasant and disagreeable in sight or odor to persons residing or occupying any adjacent premises, to persons who may be in a public place or public right-of-way, or to persons who file an official complaint with the city.
- (11) The keeping or maintaining of a public rest room in an unsanitary condition.
- (12) The act of permitting a dog to bark in such a manner as to disturb the inhabitants of the community.

(Code 1966, § 13-65)