

(2) In addition to the nuisances enumerated in this subchapter, any condition, thing, substance or activity which is prohibited by state law or common law or which is determined by the City Council to be injurious or detrimental to the public health, safety or welfare of the city is declared to be a nuisance and is subject to abatement as provided in this subchapter.

Penalty, see § 10.99

§ 92.03 NUISANCES AFFECTING THE PUBLIC.

The following are nuisances which may be abated as provided in this subchapter:

(A) A privy, vault, cesspool, septic tank, drain or other private sewage disposal system constructed or maintained within the city, except those constructed and operated in accordance with applicable state regulations and city ordinances;

(B) Junk kept outdoors on a street, lot or premises or in a building that is not wholly or entirely enclosed, except for doors used for ingress and egress;

(C) Junk vehicles parked, stored, or otherwise left for a period of time in excess of 30 days, whether attended to or not, upon any public or private property within the city, other than a licensed junk yard or automobile wrecking house, unless the same is either completely enclosed within a roofed structure or building that meets the setback requirements for its zoning district and the vehicle is not visible from the public right-of-way; except that this 30-day limitation shall not apply to recreational vehicles, such as travel trailers, campers, motor homes, boats, all terrain vehicles and the like, which are properly licensed and maintained;

(D) Any accumulation of stagnant or impure water which affords or might afford a breeding place for insect pests;

(E) The pollution of any body of water, stream or drainage ditch by sewage, industrial wastes or other substances placed in or near the water in a manner that will cause harmful material to pollute the water;

(F) All decayed or unwholesome food which is offered for human consumption;

(G) Any premise which causes an offensive odor or which is in an unsanitary condition;

(H) Any drainage of liquid waste from a private premise;

(I) Erection or placement of any metal structure, tower or antenna in a manner that may allow hazardous contact with any electrical transmission line;

(J) Any vegetation on public or private property that:

Gearhart - General Regulations

(1) Is a hazard to pedestrian or vehicular use of a sidewalk or street by obstructing passage or vision, including:

(a) Vegetation that encroaches upon or overhangs a pedestrian way or parking strip lower than nine feet or overhangs a street lower than 14 feet;

(b) Vegetation which obstructs motor or pedestrian view of traffic, traffic signs and signals, street lights and name signs or other safety fixtures or markings placed in the public way;

(2) Is a hazard to the public or to persons or property on or near the property where the vegetation is located; and/or

(3) Is an obstruction of access to and use of any public facilities placed within the public way.

(K) Any accumulation of leaves, rubbish and other litter or any obstruction upon a sidewalk. (Am. Ord. 868, passed 9-5-2012) Penalty, see § 10.99

§ 92.04 ABANDONED ICE BOXES.

No person shall leave in a place accessible to children any abandoned or unattended ice box, refrigerator or container which has an airtight door or lock or other mechanism which may not be released for opening from the inside, without first removing the door from the ice box, refrigerator or container.

Penalty, see § 10.99

§ 92.05 ATTRACTIVE NUISANCES.

(A) No person responsible for real property shall permit thereon:

(1) Any machinery, equipment or other devices which are attractive, dangerous and accessible to children; or

(2) Any lumber, logs or pilings placed or stored in a manner so as to be attractive, dangerous and accessible to children.

(B) This section shall not apply to authorized construction projects with reasonable safeguards to prevent injury or death to playing children.

Penalty, see § 10.99