

Sec. 18-33. - Nuisances affecting peace and safety.

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

- (1) All wires which are strung less than 15 feet above the surface of any public street or alley.
- (2) All buildings, walls and other structures which have been damaged by fire, decay or otherwise to an extent exceeding one-half their original value or which are so situated as to endanger the safety of the public.
- (3) All explosives, inflammable liquids and other dangerous substances or materials stored or accumulated in any manner or in any amount other than that provided by law or ordinance.
- (4) The use or display of fireworks, except as provided by law or ordinance.
- (5) The operation of any motor vehicle radio receiving set, tape player, compact disc player, paging system or any other device for the production or reproduction of sound in a distinctly and loudly audible manner so as to unreasonably disturb the peace, quiet and comfort of any person nearby or at a distance of 25 feet or more.
- (6) All buildings and all alterations to buildings made or erected in violation of this Code and other fire ordinances concerning manner and materials of construction.
- (7) Obstructions and excavations affecting the ordinary use of the public of streets, alleys, sidewalks or public grounds, except under such conditions as are provided by ordinance, and any other excavation left unprotected or uncovered indefinitely or allowed to exist in such manner as to attract minor children. Excavations for utility or street construction shall be backfilled at the end of each workday. Fencing may be approved only by the city engineer as an alternate to backfilling. During the workday all excavations for utility or street construction shall be either actively worked on or under direct supervision. If work is suspended during the day and workers are not in immediate proximity, the excavation shall be fenced. Manholes or other underground structures shall not be left open without a worker in immediate attendance.
- (8) Radio aerials strung or erected in any manner, except as provided by law or ordinance.
- (9) The city prohibits the outside storage of items such as but not limited to pails, barrels, lumber, scrap wood, cans, recyclable materials, vehicle parts, inoperable machinery, equipment parts, brushes, pipes, household appliances, household furniture, building materials, scrap metal, junk or similar materials. This subsection shall not apply to the following:
  - a. Building materials or equipment being actively used in new construction.
  - b. Firewood meeting the requirements of subsection (22) of this section.
  - c. Any of such materials that are being used as part of a legal business. This exemption shall not apply to junk or waste materials.
- (10) The use of property abutting on 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 public streets or sidewalks.
- (11) All hanging signs, awnings and other similar structures over public streets or sidewalks or so situated as to endanger public safety, not constructed and maintained as provided by law or ordinance, or without proper permit.
- (12) The allowing of rain, water, ice or snow to fall from any building on any public street or sidewalk or to flow across any public sidewalk.
- (13) All dangerous, unguarded machinery, equipment or other property in any public place or so situated or operated on private property as to attract minor children.
- (14) The distributing of handbills, except as provided by law or ordinance.

- (15) Throwing, dropping or releasing printed matter, paper or any other material or objects over the city from an airplane, balloon or other aircraft or in such a manner as to cause such materials to fall on land in the city.
- (16) Placing entrance culverts or doing any act which may alter or affect the drainage of public streets or alleys or the surface or grade of public streets, alleys or sidewalks without proper permit.
- (17) Making repairs to motor vehicles or tires in public streets or alleys, excepting only emergency repairs which will not unduly impede or interfere with traffic.
- (18) Throwing, placing, depositing or burning leaves, trash, lawn clippings, weeds, grass or other material in the streets, alleys or gutters.
- (19) Erecting, painting or placing of unauthorized traffic signs or advertising signs in streets or alleys or on sidewalks.
- (20) All unnecessary interference and disturbance of radios or TV sets caused by defective electrical appliances and equipment or improper operation thereof.
- (21) Driving, putting, chipping and/or in any manner playing and/or practicing golf in any park, playground and/or recreation area within the city, except in areas specifically designated and posted for such use.
- (22) The storage of wood in a residential district, where wood is stored in a front yard, on the street side of a corner lot, or within five feet of an interior property line, unless screened from view from the adjacent property or written permission is received from the adjacent property owner. All wood must be neatly piled at least six inches off the ground and not over six feet in height. Firewood must be cut to stove lengths. Storage of diseased wood is prohibited.
- (23) All other conditions, acts or things which are liable to cause injury to the person or property of anyone. This shall include but not be limited to the parking or storage of vehicles in the front yard of a residential property on grass, unimproved areas or areas without a hard surface.
- (24) Lights on any building or property that annoy or cause a nuisance to a neighboring property owner, occupant or resident. For the purpose of determining allowable lighting, the guidelines listed in section 44-20(c)(1) shall apply.
- (25) No property owner or person shall store on a residential property a portable on-demand storage unit (POD) more than 60 days in any 12-month period starting with the day/date the POD is first moved on site. All PODs must be stored on an impervious surface on the property. The city may grant a time extension of an additional 60 days provided the property owner gets a tracking permit for the POD from the city. In no case shall a POD be stored on a property more than 120 days in any 12-month period. This provision applies to all residential properties including townhouses, condominiums, and multi-family complexes. PODs stored on residential properties in conjunction with a building permit or home improvement project are exempt from this provision, except for the requirement to keep the POD on an impervious surface. In such a case, the property owner shall make every effort to adhere to the 120-day-maximum time limit.

(Code 1982, § 19-9; Ord. No. 813, § 1, 5-14-2001; Ord. No. 826, § 2, 4-8-2002; Ord. No. 922, § 1, 6-11-2012)