

TITLE 13

PROPERTY MAINTENANCE REGULATIONS¹**CHAPTER**

1. MISCELLANEOUS.
2. SLUM CLEARANCE.
3. WEEDS, JUNK CARS, ETC.

CHAPTER 1**MISCELLANEOUS****SECTION**

- 13-101. Health officer.
- 13-102. Smoke, soot, cinders, etc.
- 13-103. Stagnant water.
- 13-104. Weeds.
- 13-105. Dead animals.
- 13-106. House trailers.
- 13-107. Unsanitary, unsafe, or dangerous premises.

13-101. Health officer. The "health officer" shall be such city, county, or state officer as the mayor shall appoint or designate to administer and enforce health and sanitation regulations within the city. (1985 Code, § 8-301)

13-102. Smoke, soot, cinders, etc. It shall be unlawful for any person to permit or cause the escape of such quantities of dense smoke, soot, cinders, noxious acids, fumes, dust, or gases as to be detrimental to or to endanger the health, comfort, and safety of the public or so as to cause or have a tendency to cause injury or damage to property or business. (1985 Code, § 8-305)

13-103. Stagnant water. It shall be unlawful for any person knowingly to allow any pool of stagnant water to accumulate and stand on his property without treating it so as effectively to prevent the breeding of mosquitoes. (1985 Code, § 8-306)

13-104. Weeds. Every owner or tenant of property shall periodically cut the grass and other vegetation commonly recognized as weeds on his

¹Municipal code references

Animal control: title 10.

Littering streets, etc.: § 16-107.

property, and it shall be unlawful for any person to fail to comply with an order by the city clerk or chief of police to cut such vegetation when it has reached a height of over one (1) foot. (1985 Code, § 8-307)

13-105. Dead animals. Any person owning or having possession of any dead animal not intended for use as food shall promptly bury the same or notify the health officer and dispose of such animal in such manner as the health officer shall direct. (1985 Code, § 8-308)

13-106. House trailers. It shall be unlawful for any person to park, locate, or occupy any house trailer or portable building unless it complies with all plumbing, electrical, sanitary, and building provisions applicable to stationary structures and the proposed location conforms to the zoning provisions of the city and unless a permit therefor shall have been first duly issued by the building official, as provided for in the building code. (1985 Code, § 8-304)

13-107. Unsanitary, unsafe, or dangerous premises. The chief of police, the fire chief, and the health officer of the City of McKenzie shall constitute a board of inspection with the authority and duty, upon complaint in writing by any reliable citizen of the City of McKenzie, or whenever a majority of the board deems it necessary, to inspect any or all buildings or premises within the City of McKenzie to determine whether or not they are unsanitary, unsafe, or dangerous to the health, morals, or safety of the inhabitants of the City of McKenzie or to adjoining property. When a majority of the board of inspection shall find any building, structure, or premises to be in an unsanitary, unsafe, or dangerous condition, it shall be the duty of the board to make a written report to the city council of such findings. The board shall also issue an order that such building, structure, or premises shall be made safe and secure or be placed in a sanitary condition or removed.

Such order shall be served upon and shall forthwith be complied with by the owner or occupant of such premises or building, unless appealed within twenty-four (24) hours to the city council. The city council shall within ten (10) days review such order and file its decision thereon, and unless the order is revoked or modified it shall remain in full force and be obeyed by such owner or occupant.

Any owner or occupant failing to comply with such order within ten (10) days after the service of the order, shall be guilty of a misdemeanor and shall forfeit and pay to the City of McKenzie a penalty under the general penalty clause for this code.

The imposition of a penalty for the violation of this section shall not excuse the violation, or permit it to continue and each day thereafter that such violation is permitted to exist shall constitute a separate offense. All persons

assisting, aiding, or abetting in any violation of this section shall be guilty of the same offense.

The application of the above penalty shall not be held to prevent the forced removal of the building or structure ordered removed, repaired, or made sanitary. (1985 Code, § 8-309)