

SECTION 400.00 NUISANCES, OFFENSES, AND RESTRICTIONS.

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400. 01 PUBLIC NUISANCE DEFINED.

It shall be unlawful for any person to maintain a public nuisance by his or her act or failure to perform a legal duty, and for purposes of this Section, a public nuisance shall be defined as any of the following: (1) maintaining or permitting a condition which unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any considerable number of members of the public; or, (2) interfering with, obstructing or rendering dangerous for passage, any street, public right-of-way, or waters used by the public; or, (3) any other act or omission declared by law to be a public nuisance.

400. 02 PUBLIC NUISANCES AFFECTING HEALTH.

The following shall be hereby declared to be nuisances affecting health:

- A. Accumulations of litter, refuse, or other debris, as further outlined in Section 400.05.
- B. All ponds or pools of stagnant water.
- C. Carcasses of animals not buried or destroyed within 24 hours after death.
- D. Refuse containers not meeting the provisions of Section 400.05, Subd. 8
- E. The pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste, or other substances;
- F. Dense smoke, dust, noxious fumes, gas or soot, or cinders, in unreasonable quantities;
- G. Any diseased or unsound trees, as defined by law or not, growing, standing, or stored upon any lot or parcel of land in the City, as further defined in Section 400.06.
- H. Any grass or weeds, whether noxious as defined by law or not, growing upon any lot or parcel of land in the City of Belle Plaine to a height greater than eight (8) inches, except those areas identified for storm water conveyance.
- I. Wastewater cast upon or permitted to run upon streets or other public property.

400.03 PUBLIC NUISANCES AFFECTING PEACE AND SAFETY.

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

- A. Creating or permitting to creation of obstructions in street intersections, such as trees, hedges, billboards, or other obstructions within the sight triangle, defined as a triangle formed at the intersection of any street right-of-way lines by a straight line drawn between said right-of-way lines at a distance along each line (30) feet from their point of intersection. Conformation shall not require the destruction or removal of any building.
- B. Causing or permitting wires or limbs of trees to hang lower than eight (8) feet to the surface of a sidewalk or street, or otherwise create a danger to pedestrians or vehicles;
- C. Obstructing a public street, sidewalk or other public property, as further defined in Section 400.04.
- D. Any 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 uses of the streets or sidewalks.
- E. Allowing rain water, ice or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk.
- F. Maintaining dangerous, unguarded machinery in any public place, or so situated or operated on private property as to attract the public.
- G. Any well, hole, or similar excavation which is left uncovered or in such other condition as to constitute a hazard to any child coming on the premises where it is located.
- H. Obstructing the free flow of water in a natural waterway; or a public drain, gutter, ditch or other drainageway.
- I. Keeping any unused refrigerator, icebox, or other container, sufficiently large enough to retain any child and with doors which fasten automatically when closed, to expose the same accessible to children without having removed the doors, lids, hinges or latches.
- J. Vacant and Hazardous Buildings as further defined in Section 400.07.