

CHAPTER 4
NUISANCES

Section

7-4-1 Nuisances Declared

7-4-2 Enforcement; Abatement of Nuisances

§7-4-1: NUISANCES DECLARED:

- A. Public Health Nuisances Declared: The following are declared to be public nuisances prejudicial to the public health:
- (1) All decayed or unwholesome food offered for sale to the public.
 - (2) All diseased animals running at large.
 - (3) Carcasses of dead animals not buried or destroyed within twenty four (24) hours after death.
 - (4) Accumulations of manure, rubbish, garbage, refuse and human and industrial or noxious or offensive waste, except the normal storage of small quantities of manure for agricultural or garden purposes. (Ord. 74-99, passed 5-20-1974)
 - (5) Household garbage in containers that are not fly-tight or any trash that is scattered by the wind or by dogs or other animals. (Ord. 88-282, passed 9-19-1988)
 - (6) The pollution of any well, cistern, spring, underground water stream, lake, canal or body of water by sewage or industrial wastes, or other substance harmful to human beings.
 - (7) Discharge of any sanitary system, including any automatic washing machine or other laundry discharge, into open ditches or into any part of a storm sewer or drainage system, or into any dry well.
 - (8) Dense smoke, noxious fumes, gas and soot, or cinders, in unreasonable quantities, or the presence of any gas, vapor, fume, smoke, dust or any other toxic substance on, in or emitted from the equipment of any premises in quantities sufficient to be toxic, harmful or injurious to the health of any employee or to any premises, occupant or to any other persons.
 - (9) All infestations of vermin which may be involved in the transmission of communicable disease.
 - (10) Quarters leased, rented or occupied for human habitation which are unfit for human habitation.
 - (11) Burning in an outdoor open fire of any waste food or material which will create obnoxious odors.

- (12) Failure of any building contractor to maintain the construction site and property in a neat and orderly fashion.
- (13) All other acts, practices, conduct, businesses, occupations, callings, trades and uses of property detrimental to the health of the inhabitants of the Village. (Ord. 74-99, passed 5-20-1974)

B. Nuisance Outdoor Lighting Prohibited:

- (1) It shall be unlawful for any person owning, occupying, and/or having control of any property in the Village to cause, permit, allow and/or maintain:
 - (a) Any lighting located on any property within the Village which illuminates onto any property owned and/or occupied by other person(s) in such a manner as to disturb and/or interfere with the comfort, repose, health, peace, or safety of the occupant(s) of such other property is hereby prohibited and declared to be a public nuisance.
 - (b) Without any limitation of subparagraph B(1)(a) above, any lighting which causes more than one-tenth (0.1) footcandle of illumination to fall on to any property owned and/or occupied by others which is improved with one (1) or more single-family detached dwellings is hereby prohibited and declared to be a public nuisance.
 - (c) Without any limitation of subparagraphs B(1)(a) or (b) above, Any lighting which creates an unreasonable or excessive amount of glare, which affects or may be reasonably expected to affect traffic safety on any public roadway, or which causes or may be reasonably expected to cause extreme traffic congestion on any public roadway, is hereby prohibited and declared to be a public nuisance.
- (2) Lighting, whether or not illuminated, which is designed or intended for seasonal outdoor use and/or which is designed for, and/or intended and is or was used as part of an outdoor holiday or seasonal display shall not be caused, permitted, and/or allowed to remain or be maintained on any property within the Village for a period or periods totalling more than five (5) months during any twelve (12) month period, and any such outdoor lighting caused, permitted, and/or allowed to remain or be maintained for a period of longer than five (5) months during any twelve (12) month period is hereby prohibited and declared to be a public nuisance. Weather conditions, such as extreme cold or excessive rainfall, may result in the allowance of an additional time period, to be determined by the Village President, or his or her designee, for removal of such lighting.

C. Nuisance Noise Prohibited: It shall be unlawful and shall constitute a public nuisance for any person within the Village to make, continue to make, or cause to be made or continued, any loud, unnecessary, unusual, and/or repeated noise at any time of the day or night which disturbs, damages, or interferes with the comfort, repose, health, peace or safety of others.

D. For the purposes of this Chapter a “person” shall be as defined in Section 1-3-2 (“Definitions”) of this Village Code.

(Amd. Ord. 2016-01, passed 02-15-16; Amd. Ord. 2019-12, passed 12-16-19)

§7-4-2: ENFORCEMENT; ABATEMENT OF NUISANCES:

Any Village police officer, the Building Officer, and/or any Village employee authorized by the Village President, is hereby authorized and empowered to inspect all buildings, lands and places as to their conditions adversely affecting health and sanitation and/or as constituting a public nuisance, and whenever any nuisance(s) or condition prejudicial to the public health is found to exist, the Village police officer, the Building Officer, and/or any authorized Village employee shall have the power and the authority to order the owner or occupant or user thereof to make such alterations or changes necessary to correct, remove, and abate said nuisance(s) or condition prejudicial to the public health.

(Ord. 74-99, passed 5-20-1974; Amd. Ord. 2016-01, passed 02-15-16)