

### **3-4-10: MAINTENANCE OF NUISANCE UNLAWFUL:**

It shall be unlawful for any person owning, leasing, occupying, or having charge of any premises to maintain, keep or allow any nuisance to remain on such premises longer than five (5) days, or sooner if deemed expedient by a code enforcement official. This shall not only include all nuisances on private property, but nuisances situated on public property adjacent to or contiguous with private property including areas behind curbs, sidewalks, parking areas, and property to the center of alleys and ditches. Said five (5) day period, or sooner if deemed expedient by a code enforcement official, shall commence after written notice is served as provided in section [1-1-14](#) of this code.

The written notice of the five (5) day period, or sooner if deemed expedient by a code enforcement official, shall be served upon any adult occupying the premises on which the nuisance is located and upon the owner of the nuisance, if known. If no occupant of the premises or owner of the nuisance can be found, a notice affixed to any building on the premises shall constitute notice to the owner or occupant of the premises, and the owner of the nuisance. If there is no building on the premises, such notice may be affixed elsewhere on the premises. Provided, however, no additional or further notice shall be required for subsequent or continuing violations.

This section shall not apply with regard to any such nuisance located in an enclosed building or so located on the premises as not to be readily visible from any public place or from any surrounding private property. This section shall not apply to partially dismantled, wrecked, junked, discarded or otherwise nonoperating motor vehicles or parts thereof which are stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler, licensed salvage yard or junk dealer or when storing or parking is necessary to the operation of a lawfully conducted business or commercial enterprise. (Ord. 3954, 2-22-2011)