

ORDINANCE NO. 212

AN ORDINANCE OF THE CITY OF RICHFIELD, IDAHO, DEFINING CERTAIN NUISANCES, PROHIBITING THE SAME AND PROVIDING AND FIXING A PENALTY THEREFORE, AND PROVIDING A SAVINGS CLAUSE.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF RICHFIELD, IDAHO:

Section 1: Anything which is injurious to health or which is indecent or offensive to the senses or is an obstruction to the use of property, or unlawfully obstructs free passage or use in the customary manner of any street, alley, sidewalk, or public park, or injures any street, alley, or public park, or disturbs the peace and quiet is hereby declared to be a nuisance.

Section 2: Any person who shall willfully or negligently throw, dump, store, or deposit upon any sidewalk, street, alley, or other public place or any portion thereof, any glass, nails, tacks, hoops, cans, barbed wire, boards or any other substance or material which would be likely to injure any horse, stock, vehicle or person traveling thereon or which obstructs or impedes the free passage of pedestrians or public travel upon such sidewalk, street, alley, public place or any portion thereof shall be deemed in violation of this chapter.

Section 3: It shall be unlawful for any person to willfully or negligently allow irrigation water to flow upon any street in the City of Richfield, in such a manner that it stands and pools or continuously flows upon said street.

Section 4: It shall be unlawful for any person to burn leaves, grass or other material upon the streets or rights of way of the City.

Section 5: It shall be unlawful for any person to place any display, signs, merchandise or other obstruction upon any public sidewalk.

Section 6: All offensive and noxious weeds or plants are hereby declared to be a public nuisance and shall be cut, removed and destroyed by the owner or agent of the ground upon which the same are located, when notified to do so by the City Superintendent, the Mayor, or his designee.

If the owner, agent or person in charge fails to comply with said notice, or fails to cut, remove or destroy the noxious weeds growing upon any property, the City Superintendent, Mayor, or his designee, may order the said work done at the expense of the City and the same shall be charged against them as a special assessment pursuant to Idaho Code §50-334 and §50-1008.

Any person owning or controlling any such property upon who notice has been served to remove said noxious weeds, who fails to comply with said notice within the time specified in said notice shall be in violation of the provisions of this code.

Section 7: Junk is hereby defined to be any used material or parts of material units which have become useless for the purpose with which said material was originally fabricated or manufactured and shall include, but not be limited to automobiles not licensed for the current year and any unsightly accumulation of garbage, rubbish or debris.

- A. It shall be unlawful and an infraction for any person to keep, permit to be kept or cause to be placed any junk upon premises owned or occupied by said person or upon any of the streets, alleys or public grounds of the City.
- B. The keeping by any person of junk on premises owned or occupied by said person or the placement thereof on the streets, alleys or public places is hereby declared to be a nuisance. The City may remove or abate such nuisance at the expense of the property upon which the same exists after giving the owner thereof notice to remove the same within fifteen (15) days, and the failure of said owner to remove, or cause to be removed, said nuisance within said time, and the expense thereof to the City may be certified to the proper officer of Lincoln County, Idaho, for collection of other taxes as provided by law.

Section 8: A violation of any provisions of this section shall constitute an infraction and shall be punishable by a fine up to One hundred dollars (\$100.00).

Section 9: This ordinance shall full force and effect upon its passage and publication according to law.

Passed and approved by the City Council of the City of Richfield, County of Lincoln, State of Idaho, this 13th day of September, 2004.

CITY OF RICHFIELD

By: Charles E. Buttane
Charles E. Buttane
Mayor

ATTEST:

LuAnn Swainston
LuAnn Swainston
Clerk

CITY COUNCIL INITIALS

FRANK JOHNSON _____
JEFF NORMAN JN
RON HOLLAND RH
TIM WILSON TW