

ORDINANCE NO. 296

AN ORDINANCE DEFINING NUISANCES, PROHIBITING THEIR CREATION OR MAINTENANCE AND PROVIDING A PENALTY FOR VIOLATION THEREOF.

Section 1. PUBLIC NUISANCE DEFINED.--A nuisance is a thing, act, occupation, or use of property which:

1. Shall annoy, injure or endanger the safety, health, comfort or repose of the public;
2. Shall offend public decency;
3. Shall unlawfully interfere with, obstruct, or tend to obstruct or render dangerous for passage, a lake, navigable river, stream, or canal, or a public park, square, street, alley, sidewalk, or highway;
4. Shall in any way render the public insecure in life or in use of property;

Section 2. PUBLIC NUISANCES AFFECTING HEALTH.-- The following are hereby declared to be nuisances affecting health.

1. All decayed or unwholesome food offered for sale to the public;
2. All diseased animals running at large;
3. All ponds or pools of stagnant water;
4. Carcasses of animals not buried or destroyed within twenty-four hours after death;
5. Accumulations of manure, offal, or rubbish;
6. Privy vaults and garbage cans which are not fly-tight;
7. The pollution of any public or private well or cistern, stream, lake, or canal or body of water by sewage, creamery or wastes, or other substances;
8. All noxious weeds and other rank growths upon public or private property;
9. Dense smoke, noxious fumes, gas and soot, or cinders, in unreasonable quantities;
10. Offensive trades and businesses not licensed by the City;
11. The use of a common public drinking cup or roller towel;
12. The distribution of samples of medicines or drugs unless such samples are placed in the hands of an adult person, who is qualified.

13. Any stockyard, horse stable or pen, cattle pen, hog pen, pig sty, chicken house in close proximity to dwelling houses;
14. The discharge of sewage, garbage, filth, or refuse, or other noxious matter on public or private premises so as to affect the health or safety of the public.
15. Dogs barking unreasonable and excessively;
16. The excessive ringing of bells, blowing of whistles, or broadcasting by public address system;
17. The keeping of dangerous, ferocious or biting animal and allowing it to go at large;
18. All other acts, omissions of acts, occupations and uses of property which are deemed by the City Council to be a menace to the health of the inhabitants of this City, or any considerable number thereof;

Section 3. PUBLIC NUISANCES AFFECTING MORALS AND DECENCY. — The following are hereby declared to be nuisances affecting public morals and decency:

1. All houses kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame, and bawdy houses;
2. All domestic animals in the act of copulation exposes to public view;
3. All places where intoxication liquors are manufactured, sold, bartered or given away in violation of law, or where intoxicating liquors are kept for sale, barter, or distribution in violation of law, and all liquors, bottles, kegs, pumps, barrels, or other property used and kept for maintaining such a place;
4. Any vehicle used for an immoral purpose;
5. All indecent or obscene pictures, books, pamphlets, magazines and newspapers;
6. The public use of profane or obscene language;
7. Betting and bookmaking, and all apparatus used in such occupations;
8. Watching or besetting a man's house with a view of compelling him to do or not to do that which it is lawful for him to omit or to do at his pleasure.

Section 4. PUBLIC NUISANCES AFFECTING PEACE AND SAFETY. — The following are declared to be nuisances affecting public peace and safety;

1. All snow and ice not removed from public sidewalks 20 hours after the snow and ice has ceased to be deposited thereon;
2. All trees, hedges, billboards or other obstructions which prevent

persons from having a clear view of traffic approaching an intersection from cross streets in sufficient time to bring a motor vehicle driven at a reasonable speed to a full stop before the intersection is reached;

3. All limbs of trees which are less than eight feet above the surface of any public sidewalk, or nine feet above the surface of any street;
4. All wires which are strung less than fifteen feet above the surface of the ground;
5. All buildings, walls, and other structures which have been damaged by fire, decay, or otherwise to an extent exceeding one-half their original value, and which is so situated as to endanger the safety of the public;
6. All explosives, inflammable liquids and other dangerous substances stored in an improper manner;
7. All use or display of fireworks and the possession thereof;
8. All unnecessary noises and annoying vibrations;
9. All buildings and all alterations to buildings made or erected within the City in violation of the City Building Code;
10. Obstructions and excavations affecting the ordinary use by the public of streets, alleys, sidewalks, or public grounds except under such conditions as provided by ordinance;
11. Radio aerials strung or erected so as to interfere with the public or a considerable number thereof;
12. 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 use of the streets or sidewalks;
13. All hanging signs, awnings and other similar structures over the streets or sidewalks, or so situated as to endanger the public safety;
14. The allowing of rain water, ice or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk;
15. All barbed wire fences which are located within three feet of any public sidewalk;
16. All dangerous, unguarded machinery, in any public place, or so situated or operated on private property as to attract the public;
17. Blasting within the city limits unless permission is secured from the City Authority and adequate safeguards are provided;
18. Motor vehicles or personal property of any kind abandoned and left on the public streets, sidewalks, parks, squares or buildings;
19. House to house peddling, selling and solicitation of orders without first securing the permission of the City Council;
20. All other conditions or things which are liable to cause injury to the person or property of anyone or the public or a considerable number thereof.

Section 5. PENALTY.-- Any person, firm or corporation who shall knowingly cause or create a nuisance, or permit any nuisance to be created or placed upon or to remain upon any premises owned or occupied by him or them, shall upon conviction thereof, be deemed guilty of a misdemeanor, and shall be punished by being fined up to Three Hundred and no/100 (\$300.00) Dollars, or by imprisonment in the City jail for not more than 90 days, or by both such fine and imprisonment.

Section 6. SEPARABILITY.-- Every section, provision, or part of this ordinance is declared separable from every other section, provision, or part; and if any section, provision or part hereof shall be held invalid, it shall not affect any other section, provision or part.

Section 7. REPEAL.-- All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Read for the first time at a Regular meeting of the Common Council of the Town of Stayton, held on the 9 day of September, 1957, at 8:00 o'clock P.M., and come up for final passage at a Regular meeting of the Common Council of the Town of Stayton, to be held on the 4th day of November, 1957, at the hour of 8:00 o'clock P.M.

Passed by the Common Council this 4th day of November, 1957

Town of Stayton

Approved this 4th day of November, 1957.

W. A. Orvis
Mayor

Geo Harteloo
Recorder