

TITLE 7A

PUBLIC HEALTH, SAFETY AND WELFARE

CHAPTER 7A-01.	NUISANCES
CHAPTER 7A-02.	GARBAGE COLLECTION AND DISPOSAL
CHAPTER 7A-03.	ANIMAL CONTROL
CHAPTER 7A-04.	GENERAL FIRE AND FIREWORKS REGULATIONS
CHAPTER 7A-05.	HEALTH DEPARTMENT REGULATIONS
CHAPTER 7A-06.	CLEANING OF REAL PROPERTY
CHAPTER 7A-07.	NOISE CONTROL
CHAPTER 7A-08.	NUISANCE PARTIES, GATHERINGS OR EVENTS

CHAPTER 7A-01. NUISANCES

7A-01-010.	Nuisances Defined.
7A-01-020.	Author Of Nuisance.
7A-01-030.	Notice To Abate Nuisance.
7A-01-040.	Civil Actions.
7A-01-050.	Criminal Actions.

7A-01-010. Nuisances Defined.

Whatever is dangerous to human life or health, and whatever renders soil, air, water or food impure or unwholesome, is declared to be a nuisance and to be illegal. Nuisances shall include, but not be limited to, the following:

- (a) Whatever unreasonably or unlawfully affects the health or safety of one or more persons;
- (b) Anything which unreasonably or unlawfully interferes with, obstructs, or tends to obstruct, or renders dangerous for passage, any public or private highway, road, sidewalk, ditch, stream or drainage facility;
- (c) Noxious weeds, weeds more than twelve inches (12") tall or weeds in a quantity in any locations which constitute an unreasonable fire hazard;
- (d) Any building, structure or premises which is unfit for human habitation, or which is an unreasonable hazard to the health, safety and welfare of people residing in the vicinity thereof, or which presents an unreasonable fire hazard in the area where it is located;
- (e) To burn garbage, leaves, grasses or other refuse or materials that emit any noxious odors without first having obtained a written permit from the City;
- (f) Any privy, vault or cesspool that has become a menace to health;
- (g) Vegetable waste, garbage or refuse of any nature that has accumulated to the point that it has become offensive or hazardous to health;
- (h) The accumulation of manure in any stable, stall, corral, yard or in which any animal shall be kept;
- (i) To permit any business which is or may be its nature to become offensive, unwholesome or noxious or which creates or emits or which is of a nature that it may create or emit offensive,

unwholesome or noxious odors, gases or vapors in or within one mile of the limits of the City without first obtaining a permit from the City council.

7A-01-020. Author Of Nuisance.

When a nuisance exists upon property, and is the outgrowth of the usual, natural or necessary use of the property, the owner thereof, or his agent, the tenant, or his agent, and all other persons having control of the property on which such nuisance exists, shall be deemed to be the authors thereof, and shall be equally liable therefor, but where any such nuisance shall arise from the unusual or unnecessary use to which such property may be put, or from business use to which such property may be put, or from business thereon conducted, then the occupants and all other persons contributing to the contrivance or continuance of such nuisance, shall be deemed the authors thereof.

7A-01-030. Notice To Abate Nuisance.

In order to better carry out the provisions of this Chapter, the Davis County health department, the Davis County Sheriff's office, or the City manager or their agent may serve a notice in writing upon the owner, occupant or agent of any lot, building or premises in or upon which any nuisance may be found or upon him or her who may be the cause of such nuisance, requiring him or her to abate the same in such manner as the officer directs and within a reasonable time to be fixed in the notice; and failure to give a notice as provided herein shall not relieve the author of any nuisance from the obligation to abate such nuisance or from the penalty provided for the maintenance thereof.

7A-01-040. Civil Actions.

In the case of neglect or refusal of any person to abate any nuisance defined by this Chapter, a civil action to abate or enjoin a nuisance, or for damages for causing or maintaining a nuisance (including costs, if any, of cleaning the subject property), may be brought by the City or by any private person directly affected.

7A-01-050. Criminal Actions.

It shall be unlawful and a class B misdemeanor to create, aid in creating, contribute to, support, continue, maintain or retain a nuisance. Notice to abate a nuisance shall be given as a prerequisite to prosecution by personally delivering a copy of the notice to abate to the offender or by mailing a copy of the notice to abate to the offending party at the party's last known address by certified U.S. mail, return receipt requested. The notice to abate shall reasonably describe the subject nuisance and the steps necessary to abate the same and shall require abatement to be made within a reasonable period of time, not to exceed thirty (30) days.