

9 90.23 NUISANCES AFFECTING PUBLIC SAFETY.

(A) *Attractive nuisances.*

(1) No owner or person in charge of property shall permit thereon:

(a) Unguarded machinery, equipment, or other devices which are attractive, dangerous, and accessible to children;

(b) Lumber, logs, or piling placed or stored in a manner so as to be attractive, dangerous, or accessible to children; or

(c) An open pit, quarry, cistern, or other excavation without safeguards or barriers to prevent these places from being used by children.

(2) This division (A) shall not apply to authorized construction projects with reasonable safeguards to prevent injury or death to playing children.

(B) *Snow and Ice.* No owner or person in charge of property, improved or unimproved, abutting on a public sidewalk shall permit.

(1) Snow to remain on the sidewalk for a period longer than the first two hours of daylight after snow has fallen; or

(2) Ice to remain in the sidewalk for more than two hours of daylight after the ice had formed unless the ice is covered with sand, ashes, or other suitable material to assure safe travel.

(C) *Noxious Vegetation.* No owner or person in charge of property shall permit weeds or other noxious vegetation to grow upon his or her property. It shall be the duty of an owner or person in charge of the property to cut down or to destroy grass, shrubbery, brush, bushes, weeds, or other noxious vegetation as often as needed to prevent them from becoming unsightly, from becoming a fire hazard, or in case of weeds or other noxious vegetation, from maturing or from going to seed. Vegetation in any parking strip or other public place, or may require any property owner to trim, prune or remove any trees, shrubs, plants or vegetation in a parking strip abutting upon the owner's property. (*Ord. No. 2025, passed January 14, 2020.*)

(D) *Scattering rubbish.* No person shall deposit upon public or private property any kind of rubbish, trash, debris, refuse, or any substance that would mar the appearance, create a

stench or fire hazard, detract from the cleanliness or safety of the property, or would be likely to injure a person, animal, or vehicle traveling upon a public way.

(E) *Fences and Walls.*

(1) No owner or person in charge of property shall construct or maintain a barbed-wire fence thereon, or permit barbed wire to remain as part of a fence along a sidewalk or public way; except, this type of wire may be placed above the top of other fencing not less than six feet, six inches high.

(2) No owner or person in charge of property shall construct, maintain, or operate an electric fence along a sidewalk or public way or along the adjoining property line of another person.

(3) The landowner and /or contractor shall request a utility located before construction or excavation.

(4) All new fences and walls or replacement of existing fences and wall shall not enclose encroach upon the  
City right-of-way.

(5) All new fences and walls or replacement of existing fences and walls shall not enclose property where a utility easement exist, such as telephone poles.

(6) During a Type 1a Land Use Review for all new fences and walls or replacement of existing fences and walls, the property owner shall provide a survey of property and/or have a licensed and bonded contractor perform the construction. (*Ordinance No. 2051 Amended February 8, 2022*)

(F) *Surface waters, drainage.*

(1) No owner or person in charge of a building or structure shall suffer or permit rainwater, ice, or snow to fall from the building or structure onto a street or public sidewalk or to flow across the sidewalk.

(2) The owner or person in charge of property shall install and maintain in proper state of repair adequate drainpipes or a drainage system, so that any overflow water accumulating on the roof or about the building is not carried across or upon the sidewalk. (ord. 183, passed 4-16-1974) Penalty see § 90.99