

### § 92.03 CERTAIN CONDITIONS DECLARED A NUISANCE.

(A) It shall be unlawful for the owner, occupant, or person having control or management of any land within the city to permit a public nuisance to develop thereon. The following conditions are declared to be public nuisances:

(1) *Dangerous trees or stacks adjoining street.* Any tree, stack, or other object standing in such a condition that it will, if the condition is allowed to continue, endanger the life, limb, or property of, or cause hurt, damage, or injury to persons or property upon the public streets or public ways adjacent thereto, by the falling thereof or of parts thereof.

(2) *Accumulation of rubbish.* An accumulation on any premises of filth, refuse, trash, garbage, or other waste material which endangers the public health, welfare, or safety, or materially interferes with the peaceful enjoyment by owners or occupants of adjacent property because of the danger that it will catch or communicate fire, attract and propagate vermin, rodents, or insects, or blow rubbish into any street, sidewalk, or property of another.

(3) *Storage of explosives.* The storage of explosive material which creates a safety hazard to other property or persons in the vicinity.

(4) *Open wells.* The maintenance of any open, uncovered, or insecurely covered cistern, cellar, well, pit, excavation, or vault situated upon private premises in any open or unfenced lot or place.

(5) *Trees and shrubbery obstructing streets, sidewalks, and drainage.* The growing and maintenance of trees or shrubbery which in any way interferes with the use, construction, or maintenance of streets or sidewalks, causes injury to streets or sidewalks, or constitutes an obstruction to drainage.

(6) *Keeping of animals.* The failure to keep an animal's pen, yard, lot, or other enclosure in a sanitary condition and free from preventable offensive odors.

(7) *Junk; scrap metal; motor vehicles.* The storage of motor vehicles in an inoperative condition, motor vehicles unfit for further use, automobile parts, or scrap metal within the city limits except on premises authorized by the city for such purposes.

(B) (1) It is unlawful for persons owning property or renting property within the city limits, or having property in their possession within the city limits, to fail to cut/mow grass, weeds, remove fallen trees, limbs and/or brush, or any other thing that might grow within the confines of their property, to a height of ten inches or more. Exception: property or portion thereof, used for cultivation of legal marketable crops and debris or clutter caused by Acts of God. Exclusion: properties under construction or remodeling.

(2) It is unlawful for any person owning, renting property or having property in their possession within the city limits to fail to cut, mow and/or remove weeds, bushes, grass,

fallen trees, limbs and/or brush or any other thing that might grow in, around, and on the streets and alleys of the city, adjoining and adjacent to the property or over or above sidewalks, that interferes with the traveling or that shall grow exposed within their yards and open lots within the city, other than flowers, shrubs, roses, or things that are ornamental and add beauty to their yards and the city.

(3) Any persons failing or refusing to have cut, mowed and removed weeds, bushes, grass, fallen trees, limbs and/or brush, other plants and general clutter described herein from the places herein designated after receiving a ten-day notice from the Police Chief, Police Deputy or notification sent by certified mail addressed to the owner at the last known address with return receipt requested, shall be guilty of a violation of this division (B). Any person guilty of violation of this division (B) shall be cited by the Police Chief or his or her Deputy, and will be subject to a fine levied as a civil penalty, payable to the city as established in the attached schedule, along with any costs incurred by the city for enforcement of this division (B). It is also established that each day of violation shall be a separate offense.

(4) Condemnation of unsafe and/or vacant structures, an unsafe or vacant structure that is found to be dangerous to the life, health, property or safety of the public, or is vacant and unfit for human habitation and occupancy, shall cause a placard of condemnation to be placed on the premises by the Fire Chief. KRS 381.770 shall then be executed by both the City Commission and the Fire Chief.

(Ord. 99-2620.10, passed 8-23-99) Penalty, see § 92.99