

Title 8HEALTH AND SAFETYChapters:

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Chapter 8.04NUISANCE ABATEMENTSections:

- 8.04.010 Nuisance defined.
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- 8.04.100 Violation--Penalty.

8.04.010 Nuisance defined. Anything which is injurious to the health or morals or indecent or offensive to the senses or an obstruction to the free use of property so to interfere with the comfortable enjoyment of life or property is declared a nuisance and as such shall be abated.
(Prior code §10-1-1)

8.04.020 County health department powers. The county health department has the full power to take all measures necessary to promote the health and cleanliness, to abate all nuisances of every description on public and private property; to prevent the introduction or spreading within the town of malignant, contagious and infectious diseases and to remove, detain, isolate or quarantine any person or persons attacked by or having any such disease, or have been exposed thereto; to promulgate such rules and regulations as may be necessary to perform its functions. The

county health department shall have the authority to enforce such rules of the Health Department of the state as are applicable to particular situations. (Prior code §10-1-2)

8.04.030 Notice to abate. Any state of things prohibited by this chapter shall be deemed a nuisance and any person who shall hereafter make or cause such nuisance to exist shall be deemed the author thereof; provided, that any person who shall have possession or control of any private ground or premises, whether he is owner thereof or not, in or upon which any such nuisance shall exist or may be found, whether such nuisance has been heretofore or shall be hereafter created, shall be deemed guilty of a separate offense, as the author of a nuisance, for every period of forty-eight hours continuance of such nuisance after due notice given to abate the same. The written notice of forty-eight hours may be given and served by the chief of police or other officers as he may designate. (Prior code §10-1-3)

8.04.040 Declaration of nuisance. In the event that any such nuisance within or upon any private premises or grounds is not abated forthwith after the notice herein provided shall be given, the board of trustees may declare the same to be a nuisance and order the chief of police to abate the same, which order shall be executed without delay; and the chief of police shall have the authority to call for the necessary assistance therefor. (Prior code §10-1-4)

8.04.050 Abatement. A. Abatement Without Notice. In case of any such nuisance in or upon any street, avenue, alley, sidewalk, highway or public grounds in the town, the town marshal or town administrator may abate the same forthwith without such notice given.

B. Abatement by Order of Court. When judgment is rendered against any person for creating, keeping or maintaining any nuisance, it shall be the duty of the court before whom such conviction is had to order the defendant in such suit to forthwith abate the nuisance; and also that if the same is not done by such defendant within twenty-four hours, the same shall be abated and removed by the town marshal. The order shall be entered upon the docket of the court, and be made a part of the judgment in the cause. (Ord. 7-1993 §1, 1993: prior code §10-1-5)

8.04.060 Assistance to abate authorized. Any officer who shall be duly authorized to abate any nuisance specified in this chapter, shall have authority to engage the necessary assistance, and incur the necessary expenses thereof. (Prior code §10-1-6)

8.04.070 Recovery of expenses and remedies cumulative. In all cases where the town shall incur any expense for abating any nuisance found upon any lot or premises, the expense of such abatement plus twenty-five percent for incidental cost, or the actual amount incurred for such incidental cost, whichever amount shall be greater, may be charged against the lot or premises upon or on account of which such expense was incurred, or from which such nuisance was removed or abated. The bill for such expense shall be mailed to the owner or the person who shall have caused or permitted the condition to exist, and if the same is not paid on or before thirty days following the mailing of such bill, the town treasurer shall add another twenty-five percent as penalty and shall cause the same to be assessed upon such lot or premises upon which the nuisance existed or from which the nuisance was eliminated. (Ord. 7-1993 §2, 1993: prior code §10-1-7)

8.04.080 Right of entry. The mayor, chief of police, trustees or any other persons who may be directed or deputized by the board of trustees may enter upon or into any lot, house, or other building or premises; provided that such entry is made in accordance with all applicable constitutional rights as provided by law, to examine the same and to ascertain whether any such nuisance exists, and shall be free from any action of liability on account thereof. (Ord. 5-1987 §3, 1987: prior code §10-1-8)

8.04.090 Remedies nonexclusive. Nothing in this chapter shall be deemed to be an exclusive remedy with respect to the abatement of a nuisance. Nor shall such be deemed to prevent the issuance of a summons and complaint as otherwise provided in this code. (Ord. 7-1993 §3, 1993: Ord. 3-1992 §1(part), 1992; Ord. 11-1990 §9(part), 1991: prior code §10-1-9)

8.04.100 Violation--Penalty. Whenever in any section of this chapter or rule or regulation promulgated hereunder, the doing of any act is required, prohibited or declared to be unlawful and no definite fine or penalty is provided for a violation thereof, any person, firm or corporation who shall be convicted of a violation of any such section shall, for each offense, be fined in a sum of not more than one thousand dollars or imprisoned not to exceed one year, or both so fined and imprisoned. (Ord. 7-1993 §4, 1993)

Chapter 8.08NUISANCE OFFENSESSections:

- 8.08.010 Junkyards and dumping grounds.
- 8.08.020 Discharge of nauseous liquids.
- 8.08.030 Sewer inlet.
- 8.08.040 Dead animals--Removal.
- 8.08.050 Noise makers for attracting children.
- 8.08.060 Handbills, posters and placards.
- 8.08.065 Undesirable plants--Designation--Removal regulations.
- 8.08.070 Weed removal and landscape maintenance.
- 8.08.080 Removal and maintenance costs.
- 8.08.090 Maintenance of buildings and pavement.
- 8.08.100 Storage of flammable liquids.
- 8.08.110 Broken glass, nails, dangerous substances in streets and sidewalks.
- 8.08.120 Abandoned containers, wells or cisterns.
- 8.08.130 Explosives.
- 8.08.140 Exterior storage of nonoperating vehicles prohibited.
- 8.08.150 Additional provisions.

8.08.010 Junkyards and dumping grounds. All places used or maintained as junkyards, or dumping grounds, or for the wrecking or disassembling of automobiles, trucks, tractors, or machinery of any kind, or for the storing or leaving of worn out, wrecked or abandoned automobiles, trucks, tractors, trailers, boats and housetrailers, or machinery of any kind, or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons, which places are kept in such manner as to essentially interfere with the comfortable enjoyment of life or property by others, are declared to be a nuisance. (Prior code §10-2-1)

8.08.020 Discharge of nauseous liquids. It is unlawful to discharge out of or from, or permit to flow from any house or place, foul or nauseous liquid or substance of any kind whatsoever, into or upon any adjacent ground or lot, or into any street, alley or public place in the town. (Prior code §10-2-2)

8.08.030 Sewer inlet. It is unlawful to deposit in or throw into any sewer, sewer inlet, or privy vault that shall have a sewer connection, any article whatsoever that might cause such sewer, sewer inlet, or privy vault, to become nauseous or offensive to others or injurious to public health. (Prior code §10-2-3)

8.08.040 Dead animals--Removal. When any animal shall die in this town, it shall be the duty of the owner or keeper thereof to remove the body of such animal forthwith beyond the limits of the town. If such body shall not forthwith be removed, the same shall be deemed a nuisance, and such owner or keeper shall cause a nuisance to exist. When the body of any such dead animal shall be in any street, highway, or public grounds in this town, it shall be the duty of the chief of police to cause such body to be removed forthwith beyond the limits of the town. (Prior code §10-2-4)

8.08.050 Noise makers for attracting children. The use of bells, whistles, sirens, music horns or any other noise making devices for the purpose of attracting children or minors to any vehicle upon the streets, highways, rights-of-ways, alleys or public ways of the town for the purpose of selling, distributing or giving away any product whatsoever, to such minors, is declared to be a public nuisance and hazard and is expressly prohibited and shall be unlawful, excepting such activities carried on as part of duly authorized public parades or processions. (Prior code §10-2-5)

8.08.060 Handbills, posters and placards. Any handbill, poster, placard, or painted or printed matter which shall be stuck, posted or pasted upon any public or private house, store or other building, or upon any fence, power pole, telephone pole, or other structure without the permission of the owner, agent, or occupant of the house, shall be deemed a nuisance. (Prior code §10-2-6)

8.08.065 Undesirable plants--Designation--Removal regulations. A. Undesirable Plants. Russian, spotted and diffuse knapweed and leafy spurge are declared to be undesirable plants to be controlled in accordance with the ordinance codified in this section.

B. Declaration of Nuisance. Leafy spurge, russian knapweed, spotted knapweed and diffuse knapweed, and all other plants designated undesirable plants by the town, are declared to be a public nuisance. Such action may be taken as is available for nuisance abatement under the laws of this state and the town, and as the board of trustees, in their sole discretion, deem necessary.

C. Removal of Undesirable Plants Required by Property Owners. Property owners within the town shall be responsible for the elimination of undesirable plants from their property within thirty days of the effective date of the ordinance codified in this section. Such removal shall be accomplished in an ecologically feasible and environmentally safe manner in accordance with all applicable laws, ordinances, rules and regulations.

D. Enforcement. The town shall have the right to enter upon any premises, lands or places, whether public or private, during reasonable business hours or upon proper notice, for the purpose of inspecting for the existence of undesirable plants, and shall have the right to propose, implement or enforce the management of undesirable plants upon such lands in accordance with the provisions of Colorado Revised Statutes Section 35-5.5-109.

E. Penalty. Violation of this section shall be subject to a penalty of up to ninety days in jail or a fine up to three hundred dollars, or both such fine and imprisonment, in addition to any other remedies provided herein or allowed by ordinance, law, rule or regulation. (Ord. 5-1992 §1)

8.08.070 Weed removal. A. Weeds shall be removed from all property in the town, except agriculturally zoned property, at least twice during the growing season. Such removal shall be by cutting the weeds to a height of not more than six inches. Whenever the weeds exceed twelve inches in height, they shall be cut. The first such required cutting shall be made before May 1st. The second required cutting shall be undertaken in July and shall be completed before August 1st. Such removal shall be the responsibility of the owner, agent or lessee of the property where weed growth exists. If such removal is not accomplished on the dates set forth, or whenever weeds grow to a height in excess of twelve inches, the town shall order the cutting by the town or by any agency selected or contracted with by the town to accomplish that purpose, and the procedures outlined in Section 8.08.080 for collection of the costs thereof shall apply.

B. For all improved property within the town, the owner, agent or lessee thereof shall maintain existing landscaping as if the property were occupied and within the general standards of neighboring similarly improved and

occupied real estate. Landscaping is defined as a collection of plants, natural materials, and manmade materials placed on improved property to create an eye-pleasing setting, produce environmental benefit and enhance property values. The owner, agent or lessee shall maintain landscaping such that:

1. Lawns are mowed and trimmed periodically so as to maintain blade heights similar to those of neighbors;
2. Bushes, shrubs and trees are seasonally trimmed to eliminate suckers, overgrowth and dead trees and branches;
3. Insect pests are reasonably controlled;
4. Existing irrigation systems are operable; and
5. Nonvegetative ground cover materials are kept uniformly distributed.

Should an owner, agent or lessee fail to maintain landscaping as set forth above, then the town shall order the maintenance of said landscaping by the town or by any agency selected or contracted with the town to accomplish that purpose and the procedures outlined in Section 8.08.080 for the collection of the cost thereof shall apply. (Ord. 5-2001 §1, 2002; Ord. 8-1992 §1, 1992; Ord. 7-1990 §1, 1990: Ord. 1-1980 §1, 1980: prior code §10-2-7)

8.08.080 Removal and maintenance costs. A. Lien for Costs. In the event the person or persons having responsibility for the removal of weeds upon any property shall fail, within thirty days, to pay the costs and expenses of such weed removal, or in the event the person or persons having responsibility for the maintenance of landscaping upon any property shall fail, within thirty days, to pay the costs and expenses of such landscape maintenance, a lien may be assessed against such property in the amount of the costs and expenses and interest thereon at the rate of ten percent per annum from the date of billing. Upon the recording in the office of the clerk and recorder of Arapahoe County of a statement of such lien, the same shall be and become a lien against each lot or tract of land until paid and shall have a priority over all other liens except general taxes and prior special assessments. No such lien statement shall be effective as to any charge or billing for weed removal unless it shall be recorded within three years after the removal of the weeds for which the charges were made.

B. Collection of Delinquent Payment of Assessments. If the owners of any property shall fail to pay to the town clerk the amount assessed against the owner for the cost and expenses of cutting and removal of weeds from the owner's property or for the maintenance of landscaping within sixty days after the lien for the costs, expenses

and accrued interest are assessed against such property, the town clerk shall certify the same to the county treasurer, who shall place the same upon the tax list for the current year and collect the same in the same manner as other taxes, with a ten percent penalty thereon to defray the cost of collection. (Ord. 5-2001 §§2-4, 2001; Ord. 8-1983 §1, 1983: prior code §10-2-8)

8.08.090 Maintenance of buildings and pavement. The owner, agent or lessee of property within the town shall maintain existing buildings and pavements within the general standards of neighboring similarly improved real estate. No person owning, leasing, occupying or having charge of any premises shall maintain or keep any nuisance thereon, nor shall any such person keep or maintain such premises in a manner causing substantial diminution in the value of the other property in the neighborhood in which such premises are located. Specifically, the owner shall maintain buildings such that:

- A. Insect pests are reasonably controlled;
- B. Roofs, flashing and rain gutters and leaders have no missing sections and maintain watertight integrity;
- C. Masonry and stucco walls are complete and masonry walls have tight mortar joints of uniform finish;
- D. Blistered, discolored, peeled, or mildewed sections of siding, trim, soffits, shutters or doors are painted or stained as originally intended;
- E. Torn insect screening and broken glazing is replaced;
- F. Holes in exterior walls or exterior doors are repaired; and
- G. Exterior lighting operates as intended. (Ord. 7-1993 §5, 1993; Ord. 8-1990 §1, 1990)

8.08.100 Storage of flammable liquids. It is unlawful to store or cause to be stored or parked any tank vehicle carrying flammable liquids, or gases upon any streets or ways or avenues of the town, or in any other part of the town except those areas zoned for such uses. (Prior code §10-5-1)

8.08.110 Broken glass, nails, dangerous substances in streets and sidewalks. It is unlawful for any person to throw or deposit or cause to be thrown or deposited on any street, alley, sidewalk or other public way, any broken glass, broken crockery, nails or any other dangerous substance. (Prior code §10-5-2)

8.08.120 Abandoned containers, wells or cisterns. It is unlawful for any person to leave or permit to remain outside of any dwelling, building or other structure, or within any unoccupied or abandoned building, structure or dwelling under his control, in a place accessible to children, any abandoned, unattended or discarded ice box, refrigerator or other container which has a door or lid, snap lock or other locking device which may not be released from the inside without first removing the door or lid, snap lock or other locking device. (Prior code §10-5-3)

8.08.130 Explosives. It is unlawful for any person to store within the town limits or within one mile thereof any amount of gunpowder, blasting powder, nitroglycerine, dynamite, or other high explosive in excess of one fifty-pound box or in excess of five hundred caps or other devices used for the detonation of such high explosives. (Prior code §10-5-4)

8.08.140 Exterior storage of nonoperating vehicles prohibited. No person in charge of or in control of premises, whether as owner, lessee, tenant, occupant or otherwise, shall allow any partially dismantled, wrecked, junked, discarded or otherwise nonoperating motor vehicle to remain on such property longer than ten consecutive days; and no person shall leave any such vehicle on any property within the town for a longer time than ten consecutive days; except that this section shall not apply with regard to any vehicle in an enclosed building or so located upon the premises as to not be readily visible from any public place or from any surrounding private property. This section shall further not apply with regard to any vehicle on the premises of a business enterprise operated in a lawful manner, when the keeping or maintenance of such vehicle is necessary to the operation of such business enterprise; or with regard to a vehicle in an appropriate place or depository maintained in a lawful place and manner by the town. (Ord. 7-1993 §6, 1993: Ord. 11-1990 §9(part), 1991: Ord. 10-1990 §1, 1991: Ord. 5-1987 §2, 1987: prior code §10-2-10)

8.08.150 Additional provisions. The provisions of this chapter are in no way deemed to be exclusive and anything declared a nuisance under Section 8.04.010 shall be abated in accordance with the provisions contained therein and in addition, subject to the penalties provided for in Section 8.04.090. (Ord. 7-1993 §7, 1993)

Chapter 8.12

REFUSE--GENERALLY

Sections:

- 8.12.010 Definitions.
- 8.12.020 Accumulation of refuse--Nuisance declared.
- 8.12.030 Abatement.
- 8.12.040 Accumulation of garbage--Prohibited.
- 8.12.050 Depositing refuse in lots, streets.

- 8.12.060 Refuse on property--Owner responsible.
- 8.12.070 Construction sites.
- 8.12.080 Burning of garbage and waste material.
- 8.12.090 Town disposal sites.

8.12.010 Definitions. For the purposes of this chapter, the word "refuse" means and includes any grass clippings, leaves, hay, straw, manure, shavings, excelsior, paper, ashes, rubbish, containers, boxes, glass, cans, bottles, garbage, waste and discarded building and construction materials, including but not limited to plaster, broken concrete, bricks, cinder blocks, stones, wood, roofing material, wire or metal binding, sacks or loose discarded or unused material; all rubbish of any kind or nature whatsoever; and any other materials commonly known as rubbish or refuse of any kind or character or by any means known. (Prior code §12-1-1)

8.12.020 Accumulation of refuse--Nuisance declared. Any accumulation of refuse on any premises, improved or unimproved, in the town is prohibited and is declared to be a nuisance. (Prior code §12-1-2)

8.12.030 Abatement. Whenever the board shall direct, the town clerk shall immediately thereafter notify any owner of property, his agent or any person having charge of such property, in writing, that an order has been made by the board requiring the removal of any accumulated refuse from such property or premises within thirty days after service of notice. If such property owner, agent or person having charge of such property shall not remove such refuse in

accordance with the requirement of such order the board may order that such refuse be removed by an agent of the board and assess the cost thereof against the property or premises. The amount so assessed shall be a lien upon such property until the same is paid; provided, that in case of failure to pay such assessment within ten days after the same shall be made, the town clerk shall cause a notice of such assessment to be given to the owner of such property by publishing in a newspaper in the town for two successive weeks, which publication shall contain a notice to such property owner of the amount assessed against his property, and shall designate a time and place when the board will hear any objections as to the adjustment and correctness of the amount so assessed. If such assessment is not paid within ten days after the time fixed for hearing such objections, and unless the same are sustained, the town clerk shall certify such assessment to the county treasurer to be placed by him on the tax list for the current year, to be collected in the same manner as other taxes are collected, with ten percent penalty to defray the cost of collection, as provided by the laws of the state. (Prior code §12-1-3)

8.12.040 Accumulation of garbage--Prohibited. No person shall deposit or place any garbage, rubbish, waste material or ashes in such a manner that the same is or tends to become a nuisance or in such a manner endangers or tends to endanger the public health. No person having the occupancy, control or management of any premises shall cause or permit any garbage, waste material, rubbish or ashes to be accumulated thereon in such a manner that the same is or tends to become a nuisance or in such a manner as endangers or tends to endanger the public health. No person shall in any manner throw, place, scatter, deposit, or bury any garbage, rubbish, waste materials or ashes in or upon any public street, alley or other public place or upon his own premises or the premises of another. (Prior code §12-1-4)

8.12.050 Depositing refuse in lots, streets. No hay, straw, shavings, excelsior, paper or other combustible material, sod, lawn mowings, leaves, weeds, ashes, glass, bottles, broken glass, nails, tacks, wire, cans, rocks, stones or rubbish of any kind or nature whatsoever or any other refuse or material shall be thrown or swept into any street, sidewalk, gutter, sewer, intake, alley, vacant lot or other property. (Prior code §12-1-5)

8.12.060 Refuse on property--Owner responsible. It shall be the duty of every person, whether owner, lessee or renter of any vacant lot, building or premises, including any place of business, hotel, restaurant, dwelling house, apartment, tenement or any other establishment, at all times to maintain the premises in a clean and orderly condition,

permitting no deposit or accumulation of refuse or materials other than those ordinarily attendant upon the use for which such premises are legally intended. Any such accumulation shall constitute a nuisance, and shall be nonconforming in the use of such premises. (Prior code §12-1-6)

8.12.070 Construction sites. All plaster, broken concrete, bricks, cinder blocks, stones, wood, roofing material, wire or metal binding, sacks or loose discarded or unused material of any kind resulting from the wrecking, constructing, or reconstructing of any room, basement, wall, fence or sidewalk or building shall be promptly removed or discarded in such a manner as not to be scattered about by the wind or otherwise, and as soon as possible be removed by the person responsible for such work. Such person shall be held liable for any scattering of such refuse upon adjacent property. (Prior code §12-1-7)

8.12.080 Burning of garbage and waste material. No person shall set on fire or burn any garbage, rubbish or waste material or any hay, grass clippings or other combustible materials, except waste paper, in any ash pit or other receptacle or upon the ground. Any such act is a nuisance because of smoke and odor. (Prior code §12-1-8)

8.12.090 Town disposal sites. All garbage, rubbish, waste material and ashes disposal sites owned or under the control of the town, if existing, together with all matter whatsoever deposited or existing thereon, shall be the property of the town, and no person shall enter upon such sites, or carry off, dispose of, burn or in any manner disturb or molest any matter of thing deposited or existing upon such sites, except under direction or authority of the board of trustees. (Prior code §12-1-9)

Chapter 8.16

REFUSE--COLLECTION

Sections:

- 8.16.010 Definitions.
- 8.16.020 Collection service.
- 8.16.030 Contract.
- 8.16.040 Town sole agency for refuse collection--
Exceptions.
- 8.16.050 Rates.
- 8.16.060 Tree and hedge trimmings.
- 8.16.070 Unauthorized removal of garbage.
- 8.16.080 Rules and regulations for refuse collection.

8.16.090 Enforcement.

8.16.010 Definitions. For the purpose of this chapter, the following words and phrases shall have the meanings hereinafter defined:

"Garbage" means kitchen and table refuse and offal, swill and every accumulation of animal, vegetable and other matter that attends the preparation, consumption, decay or dealing in or storage of meats, fish, fowls, birds, fruits or vegetables not including dead animals and offal of slaughterhouses.

"Waste matter" means broken crockery, broken bottles, broken bricks, tin cans, pasteboard boxes, paper, straw, grass clippings, sawdust, packing materials, shavings, boxes and all noncombustible waste matter, ashes and all other residue of materials burned, and other refuse and waste material other than garbage. (Prior code §12-2-1)

8.16.020 Collection service. The town or its agents, contractors or town licensed operators shall furnish garbage, rubbish, waste matter and ashes collection service as provided in this chapter to all persons resident within the town. (Prior code §12-2-2)

8.16.030 Contract. The board of trustees may enter into an exclusive contract or agreement with any person for the collection and disposal of ashes, trash and garbage, or any portion thereof, throughout the town, or it may at its discretion make provision for the collection and disposal of ashes, trash and garbage. (Prior code §12-2-3)

8.16.040 Town sole agency for refuse collection-- Exceptions. The town, by and through its duly authorized agents, employees, contractors or town licensed operators, shall be the sole agency for the collection and disposal of garbage and waste matter, and no person except such duly authorized agents, employees, contractors or town licensed operators of the town shall collect or dispose of any garbage or waste matter, whether his own or another's within the town. Nothing in this section shall relieve any contractor of the obligation of cleaning up premises after completion of his contract. Nothing in this section shall prevent an individual from hauling his own waste material; provided, that it is properly disposed of in conformity with all town regulations, and that such individual is subject to all other provisions of the section. (Prior code §12-2-4)

8.16.050 Rates. The board of trustees is authorized to enter into trash and rubbish removal contracts for residents of the town, but not the Columbine Country Club. The cost for such trash and rubbish removal shall be paid for

out of the general operating budget of the town. (Ord. 3-1990 §1(part), 1990: prior code §12-2-5)

8.16.060 Tree and hedge trimmings. Any person desiring to place tree trimmings or hedge cuttings for collection shall cause the same to be cut not more than five feet in length and eighteen inches in diameter. He shall place the same for collection in the same manner and times provided for the collection of garbage. (Prior code §12-2-6)

8.16.070 Unauthorized removal of garbage. No person shall molest, remove, handle or otherwise disturb any garbage or refuse containers or contents for servicing by the collectors; provided, that this section does not apply to the owner, occupant, lessee or tenant of the residence or dwelling so placing the containers and contents. (Prior code §12-2-7)

8.16.080 Rules and regulations for refuse collection. The board may by resolution, promulgate rules and regulations relating to the manner or preparing and accumulating garbage, rubbish, waste material and ashes for collection; the type and kind of containers to be used for such accumulation; the manner of use of and care for such containers; and such other rules and regulations as, in their discretion, are necessary or desirable in the interest of maintaining efficiency and sanitary conditions in the garbage, rubbish, waste material and ashes collection service within the town; and such resolutions, when adopted, shall be of the same force and effect as if incorporated in this section. (Prior code §12-2-8)

8.16.090 Enforcement. The special services and beautification commissioner shall have charge and supervision of the garbage, rubbish, waste material and ashes collection system. He is empowered to employ and direct all assistants, laborers, agents, contractors, employees and town licensed operators in the operation of the service. He shall enforce the terms of this section and the various rules and regulation promulgated hereunder from time to time. He shall be accountable to the mayor and board in all matters pertaining to the exercise of his powers and duties. (Prior code §12-2-9)

Chapter 8.20NOISESections:

- 8.20.010 General prohibitions.
- 8.20.020 Loud speakers.
- 8.20.030 Mufflers.
- 8.20.040 Sirens, whistles, gongs and red lights.
- 8.20.050 Animals.

8.20.010 General prohibitions. The making of unnecessary noises upon, near or adjacent to the streets, highways and other public places in the city is declared to be a public nuisance. The enumeration of the particular offenses hereinafter particularly defined shall not be construed as limiting the generality of this section, or limiting the offenses hereunder to the particular offenses hereinafter enumerated. It is unlawful for any person to make, continue or cause to be made or continued any unnecessary or unusual noise between the hours of seven a.m. and seven p.m. which either annoys, injures, or endangers the comfort, repose health or safety of others, or to make, continue to cause or be made or continued between the hours of seven p.m. and seven a.m., whether in the operation of any machine or the exercise of any trade or calling or otherwise any noise which either annoys, injures, or endangers the comfort, repose, health or safety of others, unless the making and continuing of the same be necessary for the protection or preservation of property or health, safety, life or limb of some person. (Prior code §10-7-1(a))

8.20.020 Loud speakers. It is unlawful to play, operate or use any device known as a sound truck, loud speaker, or sound amplifier, radio or phonograph with loud speaker or sound amplifier or any instrument of any kind or character which emits loud and raucous noises and is attached to any vehicle upon public places unless such person in charge of such vehicle shall have first applied to and received permission from the mayor or chief of police to operate any such vehicle so equipped. (Prior code § 10-7-1(b))

8.20.030 Mufflers. It is unlawful for any person to operate a motor vehicle which shall not at all times be equipped with a muffler upon the exhaust thereof in good working order and in constant operation to prevent excessive or unusual noise and it is unlawful for any person operating any motor vehicle to use a cut-out, bypass or

similar muffler elimination appliance. (Prior code §10-7-1(c))

8.20.040 Sirens, whistles, gongs and red lights. It is unlawful for any person to carry or use upon any vehicle other than police or fire department vehicles or emergency vehicles for public use, any gong, siren, whistle, or red light similar to that used on ambulances or vehicles of the police and fire department except as otherwise provided by law. (Prior code §10-7-1(d))

8.20.050 Animals. It is unlawful for any person to own, keep, have in his possession or harbor any domesticated animals which, by frequent or habitual howling, barking, meowing, squawking or otherwise, shall cause annoyance or disturbance to persons in the neighborhood, provided, the provisions of this subsection shall not apply to hospitals conducted for the treatment of small animals which are approved by the health department or to premises occupied or used by town pound. (Prior code §10-7-1(e))