

An Ordinance concerning Nuisances.

Be it ordained by the City Council of the city of Grand Junction:

SECTION 1. Any pen, yard, corral or premises, in or upon which more than five hogs, shoats or pigs shall be kept at any one time, or any such place in which any number of swine or other animals shall be so kept as to make such place offensive or an annoyance to any person or injurious to the public health, is hereby declared to be a nuisance.

SEC. 2. Any horse, cow, ox, dog or other animal that shall die within the limits of the city and the body or carcass of which shall not be removed to some place without the limits of the city and buried within three hours after death is hereby declared to be a nuisance.

SEC. 3. Any handbill, poster, placard, circular, writing, paper or other device of any description which shall be stuck, painted or posted upon any public building, tree, street or other premises or upon any private house, store or other building, fence or other premises, without permission from the owner, tenant or occupant of the same, or which shall be loosely distributed upon any street, avenue, alley or vacant lot or other premises in such a manner as to be liable to be blown about the city, is hereby declared to be a nuisance.

SEC. 4. Any cellar, vault, private drain, pool, privy, cess pool, water closet, ditch, gutter, or other grounds or premises which are or shall become noisome, foul, insecure, defective, offensive or injurious to the public health, is hereby declared to be a nuisance.

SEC. 5. Any market, meat shop, or other place where any swine, bees, sheep, fowl or other animals are kept or sold, which shall become or remain unclean, or offensive, is hereby declared to be a nuisance.

SEC. 6. Any cellar, basement, or part thereof, of any house or building within the limits of the city which shall be found to be damp or moist by reason of leaking or defective hydrants, water pipes, sewer pipes, cisterns, wells, gutters, drains, cess pools, rain spouts or seepage from the surrounding earth, is hereby declared to be a nuisance.

SEC. 7. Any stable, stall, shed or apartment, or any yard or appurtenance thereof, in which any horse, cow or swine, or any other animal shall be kept, or any other place in the city in which manure, or liquid discharges of such animals shall collect and accumulate, and which stable, stall, shed, apartment, yard or appurtenance thereof, is not kept in a cleanly and wholesome condition, so that no offensive smell shall be allowed to escape therefrom, is hereby declared to be a nuisance; provided, that nothing in this section shall be so construed as to include manure deposits upon any private property for the purpose of cultivating the same.

SEC. 8. Any tenement house, boarding house, lodging house, or any building used for such purposes, or any part thereof, which shall be leased, let or rented to be occupied by any person or persons in which to dwell or lodge and which is not sufficiently lighted and ventilated and kept in a sanitary condition, or which, or any part whereof, the strength, ventilation or light is in any manner dangerous, insufficient or prejudicial to life or health, or which shall not be provided with adequate and properly constructed privies or water closets, is hereby declared to be a nuisance.

SEC. 9. Any livery stable, barn, factory, place or premises which is or shall become noisome, foul or offensive is hereby declared to be a nuisance.

SEC. 10. Any foul or nauseous liquor, dish water, hotel or eating house slops, or any fluid matter whatever that is or may become offensive which shall be permitted to flow from any still house, work shop, manufactory, laundry, livery stable, hotel, restaurant, eating house,

brewery or other house or place into or upon any adjacent ground or lot or any street, alley, ditch, gutter or other public place is hereby declared to be a nuisance.

SEC. 11. Any putrid or unsound meat, fish, hides, skins, filth, offal, dung, dead animal, vegetables, fruit, garbage or other unsound or offensive matter whatever or anything likely to become offensive, which shall be thrown, placed or conducted into or upon any street, avenue, alley ditch or lot, is hereby declared to be a nuisance.

SEC. 12. Any wrapping paper, waste paper, old clothes, boots, shoes, hats or any straw, paper, shavings, hair, filth, litter, sweepings from any building, dirt gathered in cleaning yards, waste of mills or factories, rags, damaged merchandise, wet, broken or leaking barrels, casks or boxes or any materials which are combustible, offensive or tend by decay to become offensive which shall be thrown or placed or swept into or upon any street, avenue, alley or vacant lot is hereby declared to be a nuisance.

SEC. 13. Each and every nuisance mentioned, declared or defined by any ordinance of the city is hereby prohibited, and the mayor, health officer or marshal shall have power to abate the same, either by filling up, draining, cleaning, purifying or removing the same, as the case may be.

SEC. 14. Where a nuisance exists upon private property and is the outgrowth of the usual, natural or necessary use of the property, the owner or owners thereof, or his or their agent, is hereby declared the author thereof; but where any such nuisance shall arise from the unusual or unnecessary use to which any such property may be put, or from any business thereon conducted, then the occupant or occupants shall be deemed the author thereof; and any person who shall by himself, or agent, cause or create any nuisance in any place or manner, or shall suffer his or her servant, child or family to so create or cause the same, shall be deemed the author of such nuisance.

SEC. 15. Any person or persons who shall be convicted of being the author of a nuisance or otherwise guilty of violating any provision of this ordinance shall be fined for the first offense not less than five dollars nor more than one hundred dollars; for the second and all subsequent offense not less than twenty-five dollars nor more than two hundred dollars.

SEC. 16. Whenever any nuisance shall be found within the city it shall be the duty of the marshal, health officer or any police officer to whose knowledge the existence of such nuisance shall come, to serve a written or printed notice, or notice partly written and partly printed, upon the owner or occupant or agent of the premises upon which such nuisance may be found, or upon him who may be the author of such nuisance, requiring him to abate the same within twenty-four hours, and if such person shall neglect or refuse so to do, it shall be the duty of such officer to make complaint before the police magistrate charging such person with such violation of the ordinances, and the officer shall proceed at once, at the expiration of the time mentioned in such notice, to cause such nuisance to be abated, and such owner or occupant or person being the author of such nuisance shall be liable to the city for all expenses incurred in abating the same. Any person being the author of a nuisance shall be subject to arrest and fine as well before as after the service of said notice.

Passed this 26th day of September A. D. 1891

EDWARD W. GANNON.

Temporary President.

Attest: FRANK McCLINTOCK,

City Clerk, Pro Tem.

Edward W. Gannon
Temporary President
Frank McClintock
City Clerk Pro Tem