
Sec. 18-36. Prohibited activities and conditions.

Violating any provision in this section is considered to be a nuisance and is not permitted in the city:

- (1) *Littering.* No person shall cause or allow litter or pollution in any manner or any amount on any public property, private property, public right-of-way, or body of water. This prohibition shall not be construed as to prohibit the placement of trash or yard wastes for removal by the waste management authority pursuant to section 18-36(8).
- (2) *Burial of waste materials.* Inert waste materials may be buried on-site on a parcel of property after a valid building permit for such property has been obtained, and provided that such disposal is in conformance with federal, state, and local laws and regulations. For purposes of this section, inert waste materials are specifically limited to brick, block, concrete, rock, stone, earth, and sand that is free from contamination and of other types of waste, and that is capable of serving as fill material without environmental harm to, or pollution of, groundwater or surface water. All other wastes, including garbage, hazardous waste, rubbish, refuse, paper products, containers, cloth, wood and wood products, sweepings, liquids other than water, sludge, tree limbs and trunks, undergrowth, and materials produced by clearing and grubbing, and other horticultural wastes shall not be buried on a parcel of property but shall be otherwise lawfully disposed of.
- (3) *Noxious plants.* The growth of noxious plants on developed and undeveloped lots in all areas of the city is hereby prohibited, except for existing trees which were allowed to remain on developed property before June 11, 1991, when county Ordinance No. 91-47 initially prohibited the practice. At the time of development of undeveloped land, all noxious plants shall be removed from the site. When an existing structure is renovated which causes changes to the square footage as authorized by the building permit, all noxious plants shall be removed from the property prior to the issuance of a certificate of occupancy or certificate of completion. No person shall plant, sell, or distribute noxious plants or their seeds within the city.
- (4) *Public nuisances.* No owner or occupant of a property shall allow the existence of a public nuisance on such property.
- (5) *Weeds, litter or obstructions in right-of-way.* All owners and occupants of property shall maintain grasses and weeds within the roadway swale adjacent to such property to a maximum height of 15 inches, and shall maintain the abutting street right-of-way free from any accumulation of, litter, pollution, and other matter. No person shall place or construct any object, in the public right-of-way without first obtaining a city permit pursuant to section 42-76 of this code of ordinances except as provided in subsection (8) for trash pickup. Any lawfully permitted encroachment into the public right-of-way may be continued unless such encroachment causes a nuisance as described in this article.
- (6) *Sidewalk maintenance.* All owners and occupants shall control bushes, trees, grasses, litter, and other objects which cover, impede, delay or restrict the public's access to the sidewalk adjacent to the owners' or occupants' property. All owners and occupants of a property shall maintain a clearance zone for all sidewalks adjacent to such property and this clearance zone shall remain clear to allow for public access.
- (7) *Trash receptacles for public establishments.* Each owner and occupant of any establishment open to the public shall provide receptacles adequate to contain litter generated from the establishment.
- (8) *Placement of waste at curb.* It is a violation of this article to place any trash receptacle, bagged garbage, yard waste, recycle bin, or other waste or abandoned property out by the curb or for trash pickup before 6:00 p.m. of the evening before the scheduled pickup day. All owners and occupants of any property shall remove any such containers and place them inside their garage or to the side or rear of their dwelling or structure by 7:00 p.m. on the evening of trash pickup.

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- (9) *Wind-driven debris and litter.* All persons shall ensure that no wind-driven litter is generated from their property or activities. Spillage and overflow around containers shall constitute an illegal accumulation of litter and shall be cleaned up immediately.
 - (10) *Weeds and litter on private property.* Owners and, occupants of a property shall maintain grasses and weeds on such property to a maximum height of 15 inches. The practice of scalping or removing grass or weeds by clearing the topsoil is prohibited except when done as part of the building process when a permit has been issued for the property. All accumulations of litter and pollution on or within such private property shall be removed by the owner or occupant.
 - (11) *Abandoned property.* Abandoning property, allowing property to be abandoned, or allowing abandoned property to persist, is a violation of this article.

(Ord. No. 24-15, § 2(Exh. A), 9-9-2024)