

## TITLE V

### Chapter 18

#### PUBLIC HEALTH HAZARDS

18.01	Burning Rubbish	18.05	Penalties
18.02	Removal of Snow and Ice	18.06	Junked Vehicles
18.03	Privies and Cesspools	18.07	Public Nuisance
18.04	Garbage and Refuse Disposal	18.08	Smoking Prohibited

#### 18.01 BURNING RUBBISH

The burning of garbage, rubbish or other refuse in incinerators or otherwise, is hereby prohibited.

#### 18.02 REMOVAL OF SNOW AND ICE

- (1) The owner, occupant or person in charge of every building and / lot within the City of Blair, fronting upon a public sidewalk, shall remove all snow and ice from said sidewalk as soon as practical. Failure or neglect to comply with the provisions of this subsection may result in having the City perform said services and charge them to the occupant and property owner of the premises.
- (2) It shall be unlawful to remove ice in any form or quantity from Lake Henry.
- (3) Any person violating this subsection shall be fined as follows:
  - (a) First offense – a municipal fine of twenty-five dollars (\$25.00);
  - (b) Second offense – a municipal fine of fifty dollars (\$50.00);
  - (c) Third or subsequent offense – a civil forfeiture of fifty dollars (\$50.00).
- (4) Drilling holes in the ice for purposes of ice fishing is *not* a violation of this ordinance.

#### 18.03 PRIVIES AND CESSPOOLS

All privies and cesspools are hereby prohibited and any such privies and cesspools in existence on adoption of this Ordinance shall be removed and abated. Failure to remove or abate such use may result in the City performing such services and the assessment of costs for services being charged to the occupant and property owner.

#### 18.04 GARBAGE AND REFUSE DISPOSAL

- (1) No person shall dispose of garbage or refuse in any area of the City so as to become a health hazard or public nuisance.

- (2) No person shall dispose of garbage or refuse in any dumpster or similar trash collection device. All garbage and refuse shall be disposed of in properly labeled trash disposal bags

18.05            PENALTIES

- (1) Any person violating Sections 18.01, 18.03 and 18.04 shall forfeit not less than Fifty and 00/100 Dollars (\$50.00) or more than One Thousand and 00/100 Dollars (\$1,000.00) for each violation.
- (2) Failure to pay the forfeiture will result in having the sum added as a special assessment against the property affected.

18.06            JUNKED VEHICLES

- (1) Defined: A vehicle no longer able to transport persons or property upon a highway is a junked vehicle, regardless of whether or not it is licensed.
- (2) Purpose: Sound public policy requires the City to conduct its affairs and provide rules and regulations to preserve health and safety and to abate nuisances. Junked vehicles have potential as a health and safety hazard and must be abated as a nuisance.
- (3) Junked Vehicles Prohibited: It shall be unlawful to accumulate or store any junked vehicle or parts thereof outside of any building on any real estate within the City.
- (4) Penalty: Any person violating this Section shall forfeit not less than Fifty and 00/100 Dollars (\$50.00) nor more than One Thousand and 00/100 Dollars (\$1,000.00) for each violation.
- (5) Abatement:
  - (a) In addition to the penalty imposed by subsection (4), the City may order abatement.
  - (b) If abatement is ordered, the City Clerk shall notify the owner by certified mail to abate the nuisance.
  - (c) The owner shall have twenty (20) days from the date of receipt of the notice to abate the nuisance.
  - (d) Failure to do so within the time specified shall entitle the City to abate the nuisance and charge the costs to the owner.
  - (e) Unpaid costs and charges shall be added to the tax roll as unpaid taxes and assessments per Chapter 57.

18.07            PUBLIC NUISANCE

- (1) Definition: A nuisance is an unreasonable activity or use of property that interferes with the comfortable enjoyment of life, health and safety of others.
- (2) Public Nuisance: Repeated violations of an ordinance constitute a public nuisance and are subject to abatement, injunction and other remedies.
- (3) Injunction: The City, pursuant to this ordinance and Chapter 823 of the Wisconsin Statutes is authorized to enjoin a public nuisance and to prosecute same. All costs incurred are chargeable to the property owner and may be collected as a special assessment against real estate as provided in Chapter 15 of this Code of Ordinances.
- (4) Remedies:
  - (a) The City may enjoin a public nuisance to prevent existing activity and any future activity, which violates this ordinance.
  - (b) Any person violating this Section shall forfeit not less than Fifty and 00/100 Dollars (\$50.00) nor more than One Thousand and 00/100 Dollars (\$1,000.00) for each violation.
  - (c) The City may order abatement of the nuisance and charge all costs of such abatement to the owner. Unpaid costs and charges shall be added to the tax roll as unpaid taxes and assessments pursuant to Chapter 57.

#### 18.08 Smoking Prohibited

- 1) No person may smoke in any enclosed spaces as set forth and enumerated in Section 101.123(2) WI. STAT.
- 2) No Person in charge of any of the enclosed spaces as set forth and enumerated in Section 101.123(2) WI. STAT. may allow any person to smoke in said enclosed spaces.
- 3) The definitions set forth in Section 101.123(1) WI. STAT. are incorporated by reference.
- 4) The exemptions set forth in Section 101.123(3) WI. STAT. are incorporated by reference.
- 5) Person in charge of any enclosed space subject to this ordinance may designate an outside area that is a reasonable distance from any entrance to that enclosed space where customers, employees, persons associated with said enclosed space may smoke.
- 6) Penalties.

Persons violating Section 18.08(2) of this ordinance shall be fined as follows:

- a) First offense, a municipal fine of twenty-five dollars (\$25.00)
- b) Second offense, a municipal fine of fifty dollars (\$50.00)
- c) Third or subsequent offense, a civil forfeiture of fifty dollars (\$50.00) plus court costs.