

ORDINANCE NO. 38A

AN ORDINANCE TO PROVIDE FOR THE PREVENTION AND REMOVAL OF NUISANCES AND TO PUNISH THOSE WHO MAINTAIN THEM AND DECLARE AN EMERGENCY.

THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

SECTION 1. No butcher or other person shall kill or slaughter within the city limits of the City of Warrenton any animal or animals, the flesh of which is intended to be sold or offered for sale.

SECTION 2. No person or persons or corporation shall cause or keep in or adjoining lane, alley, square or public place, public wend or in any yard, lot or premesis within the city limits or in the Columbia River between the East boundary of the City and the West boundary thereof or in the Skipanon River or within the corporate limits of the City of Warrenton any putrid, unsound, unwholesome or refuse meat or flesh of any animal or fish whether salted or otherwise or any hides or skins, of any kind or the whole or part of any dead animal or fish, or any unsound, putrid or unwholesome substance of any offal garbage or effensive part of any animal or fish nor permit the same to create a nuisance or offensive smell or atmosphere or to become or create or cause a public nuisance.

SECTION 3. No person or persons shall permit or cause to accumulate in or upon any yard, lot, place or premises, or upon any street or sidewalk adjacent to or abutting upon any lot, block or premises owned or occupied by him or them, or for which he or they may be agent or agents, within the City limits, any stagnant or impure water, refuse, vegetables, decayed or decaying substances, garbage or filth of any kind, nor suffer such yard, lot, place or premesis to be or remain in such condition to cause or create a nuisance or offensive smell or atmosphere, or thereby to be, become or create or cause a public nuisance; provided that no person shall be prosecuted for a violation of this of this section unless this violation shall continue for twenty-four hours after he or they have been notified and received the notice in section eight of this Ordinance.

SECTION 4. Any swine, goats, geese or ducks keep within the city shall be kept in proper enclosure and such enclosure shall be kept properly cleaned from stench, and whenever such pen or enclosure shall become a nuisance the Chief of Police shall abate and remove the same, at the cost of the owner, to be recovered by suit before the Police court in case of refusal of such owner to pay the same.

SECTION 5. No person who is the owner or occupant or agent for any house, store, building or premes in the City of Warrenton to which a privy belongs or appertains shall use or keep the same in such condition as to cause a nuisance or offensive smell so as to become a nuisance.

SECTION 6. It shall be unlawful for any person or persons to construct or cause to be constructed or use any privy or cesspool under the sidewalk in front of or adjoining any property owned or occupied by them or him, and any day with such persons shall use or permit to be used such privy or cesspool, after receiving the notice provided in Section eight of this Ordinance shall be deemed a new and separate offense.

SECTION 7. Whenever the opinion of the Committee on fire and water and the City Manager, any building or awning with the City limits shall become so much injured by fire, or on account of the defective material used in the construction thereof, or from any other cause, as to be dangerous to surrounding property, or indanger of falling down, the same shall be deemed a nuisance and shall be by them be so declared and they shall forthwith file such declaration in the office of the Auditor and Police Judge who shall forthwith furnish to the Chief of Police a certified copy of such declaration to be served by him upon the owner of such property, or in case of his absence from the City, his authorized agent, who shall neglect to remove or repair such building or awning for three days after being ordered to do so by the Chief of Police shall be deemed guilty of a misdemeanor, and upon conviction thereof before the Police Court shall be fined in a sum not less than \$10.00 or more than \$100.00 or by imprisonment in the City Jail not exceeding twenty days; and each day that such building or awning shall so stand after such conviction shall be deemed a new and separate offense.

SECTION 8. Whenever the Chief of Police shall be informed of the existance of any nuisance prohibited by Sections 2, 3, 5, of this Ordinance he shall immediately make or cause to be made an examination of the yard, lot, place or premises, on which it is charged that such nuisance is suffered or permitted or to exist in or upon any street, gutter or sidewalk adjacent to or abutting upon said yard, lot, place or premises, he shall forthwith give or cause to be given to either owner, agent or occupant of such yard, lot, place or premises, or all of them, a notice to remove or abate such nuisances, and if such nuisance shall not be removed or abated within twenty-four hours after such notice the Chief of Police shall cause the owner or occupant of, or agent of such property to be arrested in the Police Court, and if he or they shall be convicted, the Chief of Police shall cause the same to be removed and shall be and hereby is authorized to remove obstructions that it may be necessary to remove in order to reach or remove or abate such nuisance. The expense of the removal of any nuisance by the Chief of Police shall be paid by the City in the first instance but the same shall be taxed as part of the costs in such case, and be recovered by the City from the owner, agent or occupant notified hereinbefore provided.

SECTION 9. If any person or persons shall violate any of the provisions of this Ordinance they shall be deemed a misdemeanor and upon conviction thereof before the Police Court shall be fined not less than \$20.00 nor more than \$100.00 or by imprisonment not less than five days nor more than twenty days and in all cases of conviction the costs of the case together with the cost of removing or abating the nuisance shall be taxed against the defendant.

SECTION 10. That Ordinance No. 13 entitled "To PROVIDE FOR THE PREVENTION AND REMOVAL OF NUISANCES" approved May 15th, 1900, be and is hereby repealed.

SECTION 11. Inasmuch as the objects to be obtained by this Ordinance will be of great benefit to the people of the City of Warrenton and there exists and is an urgent necessity that this Ordinance should take effect as soon as possible so that the health, peace and safety of the City of Warrenton may be preserved, an emergency is hereby declared to exist and this Section

therefore shall take effect when approved by the affirmative vote of all of the Commissioners of the City of Warrenton and this Ordinance shall then be in full force and operative immediately after its passage and approval by the Mayor of the City of Warrenton.

Passed by the City Commission this 18th day of September, 1923.

Approved by the Mayor this 18th day of September, 1923.

Mayor

Attest:

(Signed) Sidney Campbell
Auditor & Police Judge