

A BILL FOR AN ORDINANCE AMENDING
CHAPTER 8.04 OF THE LEBANON MUNICIPAL
CODE, NUISANCES.

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BILL NO. 17 FOR 1994
ORDINANCE NO. 2158

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. Lebanon Municipal Code Section 8.04.010, Definitions, is hereby amended to read as follows:

Unless the context of this chapter or Chapter 8.08 of this code requires otherwise, the following shall mean:

A. "Person" means every natural person, firm, partnership, association or corporation.

B. "Person in charge of property" means any owner, agent, lessee, contract purchaser, or other person having the possession or control of property, both real and personal.

C. "Public place" means any building, place or accommodations, whether publicly or privately owned, open and available to the general public.

D. "Residence" means any building which is used primarily for the habitation of any person. The term "residence" also includes any outbuildings located at the same location as a residence, such as a garage (whether or not attached to the residence), storage shed, or other like structures.

As used in this ordinance, the singular includes the plural, and the masculine includes the feminine.

Section 2. Lebanon Municipal Code Section 8.04.030, Public health nuisances prohibited, is hereby amended to read as follows:

No person shall cause or permit on property owned or controlled by him a nuisance affecting public health. Those things described in this chapter are nuisances affecting the public health and may be abated as provided in Chapter 8.08 of this code. In addition to those nuisances specifically enumerated within this ordinance, every other thing, substance or act which is determined by the city council to be injurious or detrimental to the public health, safety or welfare of the city is hereby declared to be a nuisance and may be abated as provided in Chapter 8.08.

Section 3. There is hereby added to the Lebanon Municipal Code a new section, Section 8.04.095, Surface Water Drainage, which shall read as follows:

No person in charge of any building or structure shall suffer or permit rain water to fall from any such building or structure onto any street or sidewalk or to flow across such sidewalk, and every such person in charge of property shall at all times keep and maintain in

a proper state of repair adequate drainpipes or a drainage system so that any overflow water accumulating on the roof or about such building will not be carried across or upon any sidewalk, or the property of another person.

Section 4. There is hereby added to Section 8.04.180, which is hereby renamed Fences, a new subsection (B), which shall read as follows:

(B) No person shall install, maintain or operate an electric fence within the city limits except for agricultural purposes, and upon the approval of the city.

Section 5. There is hereby added to the Lebanon Municipal Code a new section, 8.04.175, Open Storage at Residences, which shall read as follows:

A. At a residence, no person shall store parts of vehicles, machinery or equipment; lumber, plywood, or building materials; buckets, cans or bottles; truck canopy, bicycles, or toys; household furniture, and household furnishings manufactured, built, or designed for inside use (out of the elements) and other personal property manufactured, built or designed for inside use or interior use (out of the elements); and personal property that is manufactured, built or designed for attachment to a structure as shutters, doors and windows, in front or street side yards at all, or interior side yards if a backyard is available for storage. "Yard" for the purposes of this section, shall include driveway.

B. At a residence, no person shall store an appliance, such as but not limited to washer, dryer, ice box, freezer, refrigerator, dishwasher, stove, water heater or other household appliance or any plumbing fixture, operable or inoperable, in view of a public street.

C. At a residence, no person shall leave a burn barrel exposed to public view from a public street when burn season, as declared by the Fire Marshall of the State or Lebanon Rural Fire District, is closed.

D. At a residence, no person shall store lumber, plywood or building materials in view of a public street, unless each type of item is stacked in a uniform formation one upon another with edges flush.

E. At a residence, no person shall leave oil, fuel, chemical barrels or similar containers exposed to public view from a public street for a period in excess of three (3) days. This section does not prohibit barrels, containers or tanks which are attached to a residential unit and which are used as a reservoir for oil or fuel.

F. At a residence, no person shall leave accumulations of limbs, branches, and/or brush on property for longer than on e entire burn season that can be seen form the public street. This section is in addition to any other provision of this ordinance or other city ordinance and not a limit thereon.

It shall be prima facie evidence in any trial or abatement procedure concerning this

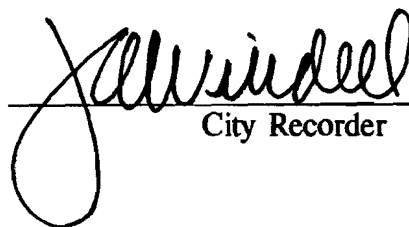
subsection that the offending property is inoperative, discarded, or stored, upon public or private property contrary to the location provisions of this subsection for a period in excess of the time limit specified herein, or seven (7) days if no time limit is specified.

Passed by the Council by a vote of 4 for and 0 against, and approved by the Mayor this 14th day of December, 1994.



Mayor

ATTEST:



City Recorder