

10.01 PUBLIC NUISANCES PROHIBITED. No person shall erect, contrive, cause, continue, maintain, or permit to exist any public nuisance within the City.

10.02 PUBLIC NUISANCE DEFINED. A public nuisance is a thing, act, occupation, condition, or use of property which shall continue for such length of time as to:

- (1) Substantially annoy, injure, or endanger the comfort, health, repose, or safety of the public.
- (2) In any way render the public insecure in life or the use of property.
- (3) Greatly offend the public morals or decency.
- (4) Unlawfully and substantially interfere with, obstruct or tend to obstruct, or render dangerous for passage, any street, alley, highway, navigable body of water, or other public way or the use of public property.

10.03 PUBLIC NUISANCES AFFECTING HEALTH. The following acts, omissions, places, conditions, and things are hereby specifically declared to be public health nuisances, but such enumeration shall not be construed to exclude other health nuisances coming within the definition of Section 10.02.

- (1) **ADULTERATED FOOD.** All decayed, adulterated, or unwholesome food or drink sold or offered for sale to the public.
- (2) **UNBURIED CARCASSES.** Carcasses of animals, birds, or fowl not intended for human consumption or food which are not buried or otherwise disposed of in a sanitary manner within 24 hours after death.
- (3) **BREEDING PLACES FOR VERMIN, ETC.** Accumulations of decayed animal or vegetable matter, trash, rubbish, rotting lumber, bedding, packing material, scrap metal, or any material in which flies, mosquitoes, disease carrying insects, rats, or other vermin may breed.
- (4) **STAGNANT WATER.** All stagnant water in which mosquitoes, flies, or other insects can multiply.
- (5) **PRIVY VAULTS AND GARBAGE CANS.** Privy vaults and garbage cans which are not flytight.

(6) NOXIOUS WEEDS. All noxious weeds and other rank growth of vegetation. All weeds and grass shall be kept cut to a height of not to exceed 1 foot. The City may cause all weeds and grass to be cut and removed and brush to be removed and the cost thereof charged to the property under Section 66.0627, Wisconsin Statutes. The charge for removing weeds and vegetation referred to herein shall be a \$70 minimum charge for City lots up to 8,000 square feet and a charge of \$70 per hour for larger City lots. This section shall not apply to vacant lots located on a face block where less than 50% of the face block is occupied. This section shall also not apply to vacant lots in the City Industrial Park until such lots are occupied.

(7) WATER POLLUTION. The pollution of any public well or cistern, stream, lake, canal, or other body of water by sewage, creamery or industrial wastes, or other substances.

(8) NOXIOUS ODORS, ETC. Any use of property, substances, or things within the City emitting or causing any foul, offensive, noisome, nauseous, noxious, or disagreeable odors, gases, effluvia, or stenches extremely repulsive to the physical senses of ordinary persons which annoy, discomfort, injure, or inconvenience the health of any appreciable number of persons within the City.

(9) STREET POLLUTION. Any use of property which shall cause any nauseous or unwholesome liquid or substance to flow into or upon any street, gutter, alley, sidewalk, or public place within the City.

(10) AIR POLLUTION. The escape of smoke, soot, cinders, noxious acids, fumes, gases, fly ash, industrial dust, or other atmospheric pollutants within the City or within one mile therefrom in such quantities as to endanger the health of persons of ordinary sensibilities or to threaten or cause substantial injury to property in the City.

(11) OUTDOOR HEATING DEVICES.

(a) Outdoor Heating Device means any equipment, device, or apparatus, or any part thereof, which is installed, affixed, or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space or water source.

(b) No Outdoor Heating Devices may be installed or constructed within the City of Kaukauna.