

TITLE 7

HEALTH AND WELFARE

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Chapter 7.04 Garbage

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7.04.010 Accumulation of Refuse and Weeds Prohibited.

It shall be unlawful for any person to allow any garbage, refuse matter, obnoxious weeds or other common nuisances that shall be deemed a health hazard or public menace to accumulate upon any premises owned or occupied by such person.

7.04.020 Health Officer to Notify Persons in Violation. It shall be the duty of the health officer or town council to notify, in writing, any person in violation of this chapter, allowing them fifteen (15) days upon receipt of the notice to correct said violation.

After being notified of such violation and upon failure to correct such violation, the town council shall enter into a contract with a responsible party for the removal of said nuisance and the same shall be charged to the owner of said premises. If not paid within thirty (30) days, the cost of same shall be added to the taxes of the person violating this chapter, which said costs shall become a lien upon said premises.

7.04.030 Containers for and Disposal of Garbage.

Only city residents are authorized to use the city's contract garbage service and dumpsters only to their design capacity. No other containers are allowed. Requests for increased or decreased dumpster capacity are to be filed in writing with the Town Clerk before being conveyed to the contract carrier in order to monitor the public health, welfare and safety of the garbage service.

Ashes from stoves shall be placed in separate containers from all other garbage or refuse. Such ashes may be picked up after they have cooled.

Items of unusually large size, such as tree limbs or boards and old sheds, shall be removed by the owner or occupant of the premises, or a person hired by the owner or occupant to remove such items (Ord. 114, 2014; prior code)

7.04.040 Repealed. (Ord. 114, 2014; prior code)

7.04.050 Fees. A schedule of fees shall be adopted by the town council for the collection and disposal of garbage, trash and refuse, which schedule shall be filed with the clerk and which may be amended or altered by the town council from time to time. Each person who shall be connected with the water system of the town and who shall have a water meter shall be required to pay a garbage collection fee, which shall be due and collectable in the same manner as the water and sewer accounts.

7.04.060 Contract Allowed. The town council may provide for the collection and disposal of garbage, refuse and trash by contract with a duly licensed independent contractor.

Chapter 7.06 Nuisances

Sections:

7.06.010	Nuisance Defined
7.06.015	Restricting the Keeping of Junk and Declaring Junk as a Nuisance.
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7.06.010 Nuisance Defined. Anything which is injurious to the health or morals, or indecent or offensive to the senses or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property is a nuisance.

7.06.015 Restricting the Keeping of Junk and Declaring Junk as a Nuisance. It shall be unlawful for any person to store, keep or possess any old articles, vehicles or materials or parts thereof which may be classified as junk adjacent to or in close proximity to any residences, schoolhouse, church, public park, public grounds, or business buildings, without first providing proper and tight buildings for the storage of the same.

(Ord. 104, 2008)

7.06.020 Who Shall Be Liable. Any person who creates or maintains any nuisance, or causes the same to exist, or any person who knowingly permits a nuisance to be created, maintained, or to exist on premises owned by him or under his control, shall be liable.

7.06.030 Property Owner to Abate. It shall be the duty of the owner of any lot, building or premises whereon any nuisance exists or the lessee, manager or person in charge thereof to remove, abate, or destroy the same without delay.

7.06.040 Town Council to Abate. Whenever any nuisance exists within the town limits for the abatement, creation, or removal of which no person can be found who is responsible therefor, it shall be the duty of the town council to remove, abate, or destroy the same, or cause the same to be done at the expense of the town.

7.06.050 Destruction of Buildings. The town council has authority to declare any building to be a nuisance which in the opinion of the town council is so dilapidated or in such condition as to menace the public health or safety of persons or property; and to cause the destruction or removal of the same at the expense of the parties creating, causing, committing or maintaining said buildings or property. The town may levy a special assessment on the land or premises whereon the nuisance is situated to defray the cost or to reimburse the town for the cost of abating the same as provided for in Section 50-62-107 of the Montana Codes Annotated.

7.06.055 Notice of Violation. It shall be the duty of the Town Clerk or other authorized agent to notify, in writing with proof of service, any person in violation of this chapter, allowing them fifteen (15) days upon receipt of the notice to correct said violation.

After being notified of such violation and upon failure to correct such violation within 15 days, the Town council shall remove said nuisance and the costs shall be charged to the owner of said premises.

If not paid within thirty (30) days, the costs shall be added to the taxes of the person violating this chapter, which costs shall become a lien upon the premises.

7.06.058 Enforcement Authority. The Roosevelt County Sheriff's department has the primary responsibility of enforcement of all provisions of this chapter. The Sheriff's office has the authority to enforce the provisions of this chapter.

7.06.060 Violations; Penalty. Any person who shall the provisions of this chapter shall, upon punishable as set forth in Section 1.08.010 violate any of conviction, be of this Code.

(Ord. 118, 2016)

Chapter 7.08 Weeds

Sections:

- 7.08.010 Definition
- 7.08.020 Cutting or Removing of Weeds Required
- 7.08.030 Failure to Comply

7.08.010 Definition. Weeds, within the meaning of this chapter, includes all vegetable growth that is unsightly, troublesome, useless or noxious. It shall include all weeds and vegetable growth that has been declared noxious, destructive and detrimental to the agricultural interests.

7.08.020 Cutting or Removing of Weeds Required. All persons are hereby required to remove all weeds from said premises under their control and to the center of the street or alley along, in front of or abutting on said premises and to keep the same free from weeds.

7.08.030 Failure to Comply. Whenever the growth of weeds shall become or attain such a condition as is prohibited in this chapter, the owner or occupant shall be notified to remove same and in default of this being done, said town shall remove the same and may do any other work necessary to place said premises in a condition that shall comply with this chapter and the clerk shall certify the cost of same, which cost shall become a lien upon the property