

**ORDINANCE NO. 2000-2**  
**NUISANCE ORDINANCE**  
**(Take Pride In Leeds Ordinance)**

An ordinance of the Town of Leeds, Utah. Prohibiting the Maintaining or Causing of a Nuisance in the Town of Leeds. Controlling the Deposit of materials or Storage of materials on Public or Private Property. Controlling Conditions arising out of the use of property, where either the materials or conditions of use create a nuisance and interfere with the order and economy of the Town; and prescribing penalties for the violation of its provisions.

BE IT ORDAINED by the Council of the Town of Leeds, Utah, as follows:

- 00-2-1:        NUISANCES UNLAWFUL: It shall be unlawful for any person to maintain or permit to remain or be maintained upon his/her premises any nuisance as in this Chapter designated. Every nuisance shall be removed or abated as herein provided, and any person who shall be the author or keeper of a nuisance, or otherwise guilty of a violation of any of the provisions of this Chapter, shall be guilty of a misdemeanor.
- 00-2-2:        NUISANCES DESIGNATED:
- (1)        A nuisance is an offense against the order and economy of the Town and consists in committing an act or omitting to perform any act, which act or omission either:
    - (a)        Annoys, injures or endangers the comfort, repose, health, safety or use of property of three (3) or more persons, or
    - (b)        Offends public decency, or
    - (c)        Unlawfully interferes with, obstructs or renders dangerous for passage any stream, public street, park, highway or
    - (d)        In any way renders any person insecure in life.
  - (2)        An act which affects three (3) or more persons in any of the ways specified in this section is still a nuisance regardless of the extent of annoyance or whether damage inflicted on individuals is unequal.
  - (3)        If any condition designated herein as an offense against the order and economy of the Town is determined by the Fire District to constitute a fire hazard, or is determined by a police officer to constitute a safety hazard, or is determined by the State Division of Health to be a health hazard, there shall be a rebuttable presumption that such act or omission is within the designations of subparagraphs (a), (b), (c), or (d), above.

- 00-2-3 REFUSE IN PUBLIC STREETS AND OTHER PUBLIC AREAS: It shall be unlawful for any person intentionally or carelessly to throw, cast, put into, drop or leave in any street, gutter, sidewalk or public place any stones, gravel, sand, dirt, debris, garbage, leaves, lawn or tree clippings, paper material, handbills, ashes, rubbish of any kind, or any other item, material, or substance which shall either constitute a nuisance as designated herein, shall interfere with the free and unobstructed use and movement of either traffic or water on a public street or right-of-way in the opinion of a police officer, or shall constitute a fire hazard in the opinion of the Fire District.
- 00-2-4 OFFENSIVE CONDITION OR REFUSE ON PRIVATE PROPERTY: Whenever there shall be found on or about any lot or parcel of property, whether vacant or occupied, any garbage, refuse, junk, used materials and merchandise, effluvia, kitchen waste, trash, inoperable motor vehicles, broken machinery, or other unsightly or deleterious objects such as: old tin and iron cans and containers, old wood and paper boxes, scrap iron, wire, rope, cordage, bottles, bags and bagging, rubber and rubber tires, scrap automobile bodies and parts thereof, paper, wood shavings, and all used or castoff articles of material including scrap lumber, plaster, concrete, brick, cement, glass, other building materials, branches, leaves and yard trimmings, or conditions that are offensive to the order and economy of the Town as designated in Section 00-2-2, above, they shall be deemed a nuisance.
- 00-2-5 RANK AND NOXIOUS WEEDS ON PRIVATE PROPERTY: Whenever there shall be found on or about any parcel of property, whether vacant or occupied, any rank or noxious weeds, grass or other growth which constitute an existing or potential fire hazard, such growth shall be deemed a nuisance and shall be abated by the owner of the property. Any weed listed on the Washington County Weed Abatement list as a noxious weed shall be considered a nuisance for the purposes of this ordinance. Weed abatement compliance shall be accomplished by discing, plowing, county authorized spraying, or cutting weeds within four (4) inches of the ground or as directed by employees of Washington County Weed Abatement Department. Follow-up weed removal shall be conducted as necessary.
- 00-2-6 DEAD ANIMALS: REMOVAL: It is the responsibility of the owner or other person responsible for any domestic animal which dies to bury or otherwise dispose of it within two (2) days after death. If the person shall fail to do so within the time herein provided, such omission shall be deemed a nuisance. If the owner or other person responsible for such an animal cannot be found, it is the duty of the Animal Control Officer to bury the dead animal. In such event, the town shall be entitled to reimbursement from the owner of the dead animal.
- 00-2-7 INFESTATION: It shall be unlawful for any person to maintain a condition within the Town which unreasonably promotes or encourages the infestation or breeding of flies, mosquitos, rodents, or other forms of animal life which may be disease carriers or which otherwise constitutes a nuisance as designated in Section 00-2-2 above.

- 00-2-8 UNNECESSARY NOISES: It shall be unlawful for any person to make, continue, or cause to be made or continued any loud, unnecessary or unusual noises or any noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the limits of the Town. The following acts when prolonged, unusual and unnatural in their time, place and use, may be a detriment to the public health, comfort, convenience, safety, welfare and prosperity: horns, radios, stereos, loud speakers, yelling or shouting, exhausts, motor vehicles, drums or musical instruments, construction equipment, airplanes, or blasting (refer also to Leeds Animal Control Ordinance).
- 00-2-9 OFFICERS TO LOCATE NUISANCES: Police Officers, the Fire District, the Animal Control Officer, and any other officer charged or entrusted with the duty of enforcing those laws intended to protect the public health, safety and well-being shall have authority by themselves or by their agents to enter at reasonable times upon any lot or other premises, or any building or structure, in order to inspect and examine the same for the purpose of determining whether or not any conditions or nuisances exist which are prohibited by this Chapter.
- 00-2-10 NOTICE TO ABATE: The Town may send written notification to the owner or occupant of any property within the Town upon which a nuisance may be found, or it may notify such other person who causes or permits a nuisance to exist, advising that there is a nuisance, describing the same, and requiring the nuisance to be abated according to an abatement plan approved by the Leeds Town Council and described in the notification within five (5) days after receipt thereof, unless some other time is specified therein. However, failure to give notice as provided herein shall not relieve the author of a nuisance from the obligation to abate such nuisance, or from the penalty provided herein for the maintenance of that nuisance.
- 00-2-11 PENALTY FOR REFUSAL TO ABATE: Upon the failure, neglect or refusal of any person to abate a nuisance after written notice has been given, the Town is hereby authorized and empowered to order the disposal of the nuisance or to pay for disposing of the same. When the Town effects removal of a nuisance or pays for such removal, the actual cost thereof plus accrued interest at the rate of ten (10) percent per annum from the date of the completion of the work, shall be charged to the owner of the property on which the nuisance existed. The Town may cause a sworn statement to be recorded in the office of the County Recorder showing the cost and expense incurred for the work, the date the work was done, and the location of the property on which the work was done. Such recordation of sworn statement shall constitute a lien on the property and shall remain in full force and effect for the amount due in principal and interest, plus collection costs if any, until final payment has been made. A sworn statement recorded in accordance with the provisions hereof shall be prima facia evidence that all legal formalities have been complied with and that the work has been done properly and satisfactorily, and shall be full notice to every person concerned that the amount of the statement, plus interest, constitutes a charge against the property designated or described in the statement and that the same is due and collectible as provided by law.

00-2-12

ADMINISTRATIVE CHARGE: In cases where the problems are subsequently abated by the Town, an administrative charge in the amount of itemized actual costs incurred by the Town pursuant to Town abatement procedures shall be levied on all property owners

who do not abate identified problems located on their property within the required time allotted them under this Ordinance.

00-2-13

EFFECTIVE DATE: An emergency is hereby declared, the preservation of peace, health and safety of Leeds and the inhabitants thereof so requiring. Immediately after its adoption, this ordinance shall be signed by the Mayor and Town Recorder and shall be recorded in the ordinance book kept for that purpose. This ordinance shall take effect immediately upon its passage and approval.

PASSED AND APPROVED BY THE COUNCIL OF THE TOWN OF LEEDS, UTAH,  
this 33 Day of May, 2000.

Ron Mosher

Ron Mosher, Mayor

ATTEST:

Joy Stevens  
Joy Stevens, Town Recorder

**VOTE:**

5 Aye Votes

0 Nay Votes

0 Abstentions

Ordinance # 2000-02 is passed  rejected

  
Joy Stevens, Clerk/Recorder

**CERTIFICATE OF PUBLICATION OR POSTING:**

The undersigned, Clerk/Recorder of the Town of Leeds, hereby certifies that in accordance with the Statutes of the State, due notice was given; and the Open and Public Meetings Act, (52-4-6 UCA) was complied with, the foregoing Ordinance was duly posted by me at the Town Offices not less than 24 hours before the meeting at which it was heard, notice was given to the media; and the members of the Council and Town Attorney were provided copies of the agenda 24 hours prior to the meeting.

  
Joy Stevens, Clerk/Recorder