

# 1. Animals

## 1.1 Dogs

- No more than 2 dogs over the age of 3 months shall be kept in any dwelling unit in the City. The owner or keeper of any dog shall properly water and feed it at regular intervals and shall keep the premises occupied by it in a sanitary condition. (see 11.22)
- No owner or keeper of any dog shall permit, for any reason whatsoever, their dog to be upon any grounds or premises under the jurisdiction of the Park and Recreation Department. (see 11.22)
- The keeping or harboring of any animal or fowl which by frequent or habitual howling, yelping, barking, crowing or making of other noises shall greatly annoy or disturb a neighborhood or any considerable number of persons within the City is considered to be a Public Nuisances. (see 12.05)
- All animals running at large are considered to be declared to be public health nuisances (see 12.03)
- No person shall keep or maintain a total of more than four cats, dogs or Vietnamese Pot Bellied Pigs in any dwelling unit in the City. ( See 11.22)
- A female dog in season must be under control of a person or confined (see 11.22)
- Accessory pet kennels may be placed in the rear yard of any residential district upon the issuance of a building permit provided that the kennel is located not closer than five (5) feet from a lot line; that the kennel is placed on a pad of concrete, asphalt, or coarse stone or gravel; that the kennel is enclosed by a fence not less than four (4) feet nor more than six (6) feet in height; and that no pet kennel shall exceed three hundred (300) square feet in area. (see 22.58)

### **No owner or keeper of any dog shall permit or allow his dog to:**

- Run at large within the City. A dog is considered to be running at large if it is off the premises of its owner and not under the physical control of the owner or some other person. (see 11.22)
- Excessively bark, yelp or howl so as to annoy or disturb any neighbor or neighborhood. (see 11.22)
- Deposit feces on public or private property unless immediately picked up by the owner or keeper, his own property excepted. (see 11.22)
- Be tied by a rope or chain less than 6' long. (see 11.22)

## 1.2 Cats:

- No person shall keep or maintain more than 2 cats over the age of 6 months in any household in the City. (see 11.22)
- No owner or keeper of any cat shall permit or allow his cat to run at large within the City. (see 11.22)

- All animals running at large are considered to be a public health nuisances (see 12.03)
- Every owner of a cat more than 5 months of age on January 1 of any year or 5 months of age within the license year shall annually or on or before the date the cat becomes 5 months of age pay a cat license fee and obtain a license. (See 11.22)

### **1.3 Other Animals (see 11.24)**

#### **1.4 Pet Feces**

- The owner or person in charge of any animal shall not permit solid fecal matter of such animal to be deposited on any street, alley or other public or private property unless such is immediately removed by the owner or person in charge. (see 11.24)
- The owner or person in charge of private property shall not permit solid fecal matter of animals kept on the private property to accumulate on the private property, including the space between the street or curb and the sidewalk adjacent to such property, for a period in excess of 24 hours. (see 11.24)
- No owner or keeper of any dog shall permit or allow his dog to deposit feces on public or private property unless immediately picked up by the owner or keeper, his own property excepted. (see 11.22)

#### **1.5 Rodents**

- Whenever accumulation of rubbish, boxes, lumber, scrap metal, car bodies, or any other materials provide rat harborage, the person owning or in control of such materials shall cause the materials to be removed or stored so as to eliminate the rat harborage. Lumber and similar materials shall be neatly piled. These piles shall be raised at least a foot above the ground. When the owner of the materials cannot be found, after reasonable search, the owner or manager of the premises on which the materials are stored shall be responsible for disposal, or proper storing, of the materials. (see 13.01)
- No person shall place, or allow to accumulate, any materials that may serve as a food for rats, in a site accessible to rats. Any waste material that may serve as food for rats shall be stored in rat-proof containers. Feed for birds, fowl and animals shall be kept where it is not accessible to rats. (see 13.01)
- Whenever rat holes, burrows, or other evidences of rat infestation are found on any premises or in any building within the City, the owner or manager of such property shall exterminate the rats or cause the rats to be exterminated, within 10 days. The owner, manager or tenant shall cause the rat holes or burrows to be filled. (see 13.01)
- The owner, manager or tenant of any building in the City shall make such building reasonably rat-proof, replace broken basement windows, and when necessary cover the basement window openings with hardware cloth or other suitable material for preventing rats from entering the building through such

window openings. The owner, manager or tenant of any premises upon which sheds, barns, coops or buildings are located shall eliminate the rat harborage from within and under such structure by rat-proofing, raising the buildings above ground, or by some other suitable method. Such sheds, barns, coops, or other buildings shall be razed as deemed necessary by the Health Department. (see 13.01)

- Every basement window used for ventilation, and every other opening to a building which might provide an entry for rodents, shall be supplied with a screen or such other device that will prevent their presence. (See 17.06 )
- Every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein, wherever his dwelling unit is the only one infested; provided, when infestation is caused by failure of the owner to maintain a dwelling in a rodent proof or substantially insect proof condition, extermination shall be the responsibility of the owner. (see 17.09)
- Every owner or operator shall be responsible for extermination of any insects, rodents or other pests whenever infestation occurs in more than one dwelling unit in a dwelling or in the shared or public parts of a dwelling of 2 or more units, or in any vacant unit. (see 17.09 )

## **2.0 Automobiles, Trucks & Trailers**

- Motor vehicle means any automobile, automobile part, all-terrain vehicle, snowmobile, motor home, bus, motorcycle, van or other device designed for travel. (see 12.07)
- Any vehicle that has been allowed to remain standing on any alley, street, highway, private or public property in the City without the owner's permission for more than 72 hours is deemed abandoned and constitutes a public nuisance. (see 12.07)
- Dismantled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors, trailers: motor vehicles, truck bodies, tractors or trailers in such state of physical or mechanical condition as to be incapable of propulsion or being operated upon the public streets or highways including, but not limited to, unlicensed motor vehicles. (12.07)
- Temporary trailers or modular structures such as a temporary classroom or office building may be permitted in any business, manufacturing, or institutional district during the planning and construction of a permanent structure. A temporary trailer permit may be issued for a period of up to one year. In authorizing the temporary use permit it may be required that the trailer be oriented in a manner that is compatible with adjacent land uses; may require berms and/or landscaping to buffer the temporary use from adjacent uses. (see 22.64)
- No person shall accumulate, store or allow any dismantled, inoperable, junked, wrecked vehicle, or abandoned motor vehicle, truck bodies, tractors or trailers in the open, upon any private or public property within the City for a period exceeding seventy-two hours, unless it is in connection with an

automotive sales, repair, or storage business enterprise located in a properly zoned area. (see 12.07)

- Any business engaged in automotive sales or repair may retain such vehicles in the open on private property for a period not to exceed 20 days after which such vehicles must be removed. (see 12.07)
- No person shall accumulate, store, or allow any junk outside of any building on any real estate located in the City for more than 72 hours. (see 12.07)
- It shall be unlawful for any person or persons to use a motor vehicle, camping trailer, mobile home or other vehicle as defined in sec. 340.01, Wis. Stats., as a temporary residence, for sleeping purposes, or as a place of habitation, on any street, public parking lot or public ramp. (see 7.04)
- The placing, erection or maintenance upon any lot within the City of any wagon, car, tent, trailer, shed or any other substitute for a building used or to be used for the display or sale of food or of other merchandise or used for any business or residential purposes is prohibited. (see 16.10)

## **2.1 Parking of Motor Vehicles on Residential Lots**

- A motor vehicle shall not be parked on the front lawn, but shall be parked on the driveway or parking area having an improved surface. The term "motor vehicle" means a vehicle which is self-propelled. (see 12.08)

Improved Surface. A surface of bituminous paving over a base course, Portland cement concrete, brick or block design for this use and laid over a sand base, an oiled base course or crushed rock, which provides a stable, hard-driving surface which resists rutting, is impervious to erosion, does not result in blowing dirt or dust and the ponding of water, which eliminates the accumulation of dust, dirt, and mud. (see 12.08)

## **3.0 Building Maintenance**

- The purpose of this chapter is to **prevent** the deterioration of residential units and neighborhoods. This chapter recognizes that such deterioration could develop because of faulty design and/or construction; poor maintenance; lack of proper sanitary facilities; inadequate lighting and ventilation; inadequate heating facilities; or a combination of these factors.(see 17.01)
- Buildings that could become so dilapidated and neglected that they jeopardize or **are detrimental to the health, safety, morals, general welfare or the economic values of adjoining properties.** (see 17.01)
- The adoption and enforcement of this Chapter is therefore declared to be essential to the public interest. It shall be liberally construed **to maintain a pleasant, safe and healthful environment and is intended to ensure the maintenance of property values within the City.** (see 17.01)
- This chapter and the regulations and restrictions set forth herein are enacted for the purpose of promoting public health, safety, morals, comfort and general welfare; **to conserve and protect property, property values, to** secure the most appropriate use of land; and to facilitate adequate and

economical provisions for public improvements all in accordance with a comprehensive plan for the desirable future development of the City.(see 22.02)

### **3.1 Cleanliness and Good Repair**

- All buildings shall be kept in good repair and in a clean and sanitary condition. Exterior surfaces shall be painted or suitably surfaced to prevent deterioration of the structure and a detriment to the visual character of the area. (see 17.07)
- Every building and structure shall be kept in good repair to maintain the conditions of safety and habitability; rainwater shall be drained and conveyed there from so as to prevent dampness in the walls and ceilings of any building. (see 16.11)
- Every owner of a dwelling shall be responsible for maintaining in a safe, clean and sanitary condition all communal, shared, or public areas of the dwelling and premises thereof which are shared or used by the occupants of 2 or more dwelling units. (see 17.09)
- Every occupant of a dwelling or dwelling unit shall maintain in a clean and sanitary condition that part of the dwelling, dwelling unit and yard which he occupies and controls. (see 17.09)

### **3.2 Maintenance**

- Every inside and outside stair, every porch and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the load that normal use would cause to be placed thereon, and shall be kept in sound condition and good repair, and in a clean and sanitary condition. Such stairs shall be kept free of refuse or stored material. Hand rails shall be installed as required in City and State Building Codes. (see 17.07)
- All rainwater shall be so drained and conveyed from the roof so as not to cause dampness in any wall, ceiling or floor of a habitable room, bathroom, or toilet room. All exterior drain pipes shall be maintained in safe and sanitary condition. Such drainpipes, eaves & troughs, etc., shall be maintained so they do not detract from the visual character of the neighborhood. (see 17.07)
- Every dwelling shall have supplied automatic or manually operated water heating facilities which are properly installed, are maintained in safe and good working condition, and are properly connected with hot water lines required, are capable of heating water to a temperature of at least 120° Fahrenheit and to permit an adequate amount of hot water to be drawn at every required sink, lavatory basin, bathtub or shower even when the dwelling heating facilities are not in operation. (17.05)
- Foundation Repairs - Final grade must ensure drainage away from the foundation. (see 16.21)
- No owner, occupant or operator shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling let or occupied by him, except

for such temporary interruption as may be necessary while actual repairs or alterations are in progress, or during temporary emergency when discontinuance of service is approved by the enforcing officer. (see 17.07)

- Each exit from a dwelling unit shall be kept in a reasonably good state of repair. Required exits shall, in addition, comply with all provisions of the appropriate codes of the State of Wisconsin. (17.05)
- All stairways in dwellings shall have at least one firmly constructed handrail at not less than 2 feet 6 inches vertically above the nose of the tread. All stairways shall, in addition, comply with all provisions of the appropriate codes of the State. (see 17.05)
- Whenever it shall be reported to the Health Department that the plumbing in any building is contrary to this chapter, is of faulty construction and liable to breed disease or sickness or is a menace to health, the Health Department shall direct the Plumbing Inspector to examine all the plumbing in such building and report his findings in writing to the Health Department. (see 19.14)
- Any device, piece of equipment or system required to be installed by this Code or applicable standards referenced therein for which express maintenance requirements are not established shall be continuously maintained in good working condition.(see 21.03)
- No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness, electrical or other disturbance; glare; liquid or solid refuse or wastes; or other substance, condition or element in such a manner or in such amount as to adversely affect the surrounding area or adjoining premises .(see 22.59)
- Every chimney and every supplied smoke pipe shall be adequately supported, reasonably clean, and maintained in a good state of repair. (see 17.07)
- Any area which qualifies as an exception to the height requirement for weeds as provided for in shall be kept free of noxious weeds and unsightly debris, the accumulation of which has an adverse effect on the area or City property values, health, safety or general welfare. (see 17.14)

### **3.3 Unsafe Buildings**

- A building or a structure that may be or shall at any time become dangerous or unsafe shall, unless made safe and secure, be taken down and removed. (see 16.18)
- A building or structure declared structurally unsafe by the Building Inspector may be restored to safe condition, provided that if the damage or cost of reconstruction or restoration is in excess of 50% of the fair value of the building or structure, exclusive of foundations, such building or structure, if reconstructed or restored, shall be made to conform with respect to materials and type of construction to the requirements for buildings and structures hereafter erected. (see 16.18)

- Upon receipt of information that a building, structure or part thereof is dangerous to life, health or adjoining property by reason of bad condition, defective construction, overloaded floors, decay, lack of guards against fire, general dilapidation or other cause, the Building Inspector shall make or cause to be made an inspection and if it is found that an unsafe condition exists, he shall serve on the owner a written notice containing a description of the building or structure deemed unsafe, a statement of the particulars in which the building or structure is unsafe and an order requiring the same to be made safe and secured or removed.(see 16.18)
- In no event shall a building permit be issued where the cost of remodeling or repairing shall exceed 50% of the fair market value of the building at the time of damage unless such building shall be made to conform fully to this chapter. (see 16.12)
- Every building or structure that may be damaged by fire or otherwise shall be examined by the Building Inspector before a permit is issued to repair or replace the same and such parts of such building as in his opinion are unsafe or damaged to an extent that will impair the safety of the reconstructed building shall be taken down. (see 16.12)
- The Chief or his designee may make reasonable orders for the repair or removal of any building or other structure which for want of repair or by reason of age or dilapidated condition, or for any other cause is especially liable to fire and which is so situated as to endanger other buildings or property, and for the repair or removal of any combustible or explosive material or flammable conditions, dangerous to the safety of any building or premises or the occupants thereof, or endangering or hindering firefighters in case of fire. (see 21.03)
- If the Housing Inspector determines that a building is in such condition that it constitutes a public nuisance and that there is great and immediate danger to the public health, safety and welfare, or that a building or part thereof is unsanitary and unfit for human habitation, occupancy or use, he shall post a notice on the premises containing the following words: "THIS BUILDING CANNOT BE USED FOR HUMAN HABITATION, OCCUPANCY OR USE," and he shall immediately prohibit the use of the building for human habitation, occupancy or use, until the necessary repairs have been made. (see 17.04)

#### **4.0 Bugs/Insects**

- Every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein, wherever his dwelling unit is the only one infested; provided, when infestation is caused by failure of the owner to maintain a dwelling in a rodent proof or substantially insect proof condition, extermination shall be the responsibility of the owner. (see 17.09)
- Every owner or operator shall be responsible for extermination of any insects, rodents or other pests whenever infestation occurs in more than one dwelling

unit in a dwelling or in the shared or public parts of a dwelling of 2 or more units, or in any vacant unit. (see 17.09)

- When flies or other pests are prevalent, all openable windows as required by subsection (2) shall be effectively screened, and screen doors shall be self-closing. Screens and screen doors shall be maintained in good condition. ( see 17.06)

## **5.0 Crowds**

- Any unauthorized or unlawful use of property abutting on a public street, alley or sidewalk or of a public street, alley or sidewalk which causes large crowds of people to gather, obstructing traffic and free use of the streets or sidewalks.(see 12.05)
- No person shall conduct, maintain, promote, advertise, undertake, organize, manage or sell or give tickets to a public assembly, Special Event or other event, which involves more than four hundred (400) individuals, in public parks or other recreational property under the jurisdiction of the Park, Recreation and Forestry Board, without a permit. (see 8.115)
- No person shall participate in an unlawful assembly. An "unlawful assembly" is an assembly which consists of 3 or more persons and which causes such a disturbance of public order that it is reasonable to believe that the assembly will cause injury to persons or damage to property unless it is immediately dispersed. (see 11.10)

## **6.0 Driveways/Streets/Alleys**

- No person shall deposit or permit to be deposited in or upon any street, alley, or driveway in the City any glass, crockery, nails, tacks, pieces of metal, wire, briar, thorns, broken stone or other articles liable to injure the wheels or tires of vehicles. (see 6.05 )
- No person shall deposit, scatter, or permit to be deposited, scattered or dripped, any oil or gasoline upon any street or alley in the City. All oil trucks, automobiles and other similar vehicles used or operated upon the streets shall be provided with proper dripping-pans, to effectually prevent deposit, scattering or dripping of any such oil or gasoline upon said street or alley. (see 6.05)
- No person shall haul any rubbish, ashes, earth, sand, stone, concrete or other material liable to become scattered on the streets, except on a vehicle provided with a box well closed so as to retain such material and no person shall scatter or permit to be scattered any such materials upon any such streets. (see 6.05)
- No person shall throw or place or deposit or cause to be deposited directly or indirectly any dirt, filth, straw, ashes, rubbish, litter or other refuse matter in any street, alley, or public place in the City. (see 6.05)

## **7.0 Electrical**



- No activity shall emit radioactivity or electrical disturbances outside its premises that are dangerous or adversely affect the use of neighboring premises. (see 22.59)
- No owner, occupant or operator shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling let or occupied by him, except for such temporary interruption as may be necessary while actual repairs or alterations are in progress, or during temporary emergency when discontinuance of service is approved by the enforcing officer. (see 17.07)

## **8.0 Fencing/Retaining Walls**

- All retaining walls shall be structurally sound and shall be constructed and maintained in good repair and in such a manner as not to cause repeated flow of mud, gravel or debris upon any public sidewalk, street or alley. (see 17.14)
- All fences shall be structurally sound and maintained and kept in good repair.(see 17.14)
- Any fence erected or maintained in the City equipped with or having barbed wire spikes or any similar device within 5 feet of the ground level. Any fence so equipped shall have such barbed wire or other device mounted on supports solidly attached or bolted to the fence posts or standards and slanted toward the property enclosed or protected by said fence. (see 12.05)
- A fence intended to guard property against unauthorized entry, and to protect stored goods and products from theft and other unauthorized handling. Security fences usually exceed six feet in height, are often made of wrought iron or woven wire, and may incorporate additional security features such as barbed wire.(see 22.05)
- Barbed wire fences and electric fences are prohibited except in the T-1 Temporary District. T-1 fences are permitted up to the lot line and shall not exceed four (4) feet in height in the street yard or six (6) feet in height in the side yard or rear yard. (see 22.58)
- A structure of rails, planks, stakes, strung wire, or similar material erected as an enclosure, barrier, or boundary. Solid fences are those with 50 percent or less of their surface area open for free passage of light and air and designed to conceal from view the activities conducted behind them. Examples of such fences include but are not limited to stockade, board-on-board, board and batten, basket weave, louvered fences, and chain link with screening insert (see 22.05)
- Where architectural walls or ornamental fences are used, sufficient landscaping shall be used in conjunction with such wall or fence to create an attractive view from the residential side, and all walls and fences shall be maintained in a structurally sound and attractive condition. Any wall or fence shall be no less than four (4) feet nor more than six (6) feet in height.( see 22.14)

- Residential fences are permitted up to the lot line in the side and rear yards of residential districts, but shall not exceed a height of six (6) feet, and shall not extend into the street yard. Residential fences may be solid fences. Residential fences shall be constructed in such a manner that the finished side shall face the neighboring property. Fence posts shall be on the side of the fence facing away from the neighboring property. (see 22.58)
- Ornamental fences, are permitted in the street yard in any district, but shall not be erected in a street right-of-way and shall not exceed a height of four (4) feet. Ornamental fences shall comply with traffic visibility. Ornamental fences shall be constructed in such a manner that the finished side shall face the neighboring property. Fence posts shall be on the side of the fence facing away from the neighboring property. (see 22.58)

## **9.0 Fire Hazard**

- All activities involving the manufacturing and storage of flammable or explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and with adequate fire-fighting and fire-suppression equipment and devices that are standard in the industry. All materials that range from active to intense burning shall be manufactured, utilized, processed, or stored only within completely enclosed buildings which have incombustible exterior walls and an automatic fire extinguishing system. (see 22.59)
- The Chief or his designee may make reasonable orders for the repair or removal of any building or other structure which for want of repair or by reason of age or dilapidated condition, or for any other cause is especially liable to fire and which is so situated as to endanger other buildings or property, and for the repair or removal of any combustible or explosive material or flammable conditions, dangerous to the safety of any building or premises or the occupants thereof, or endangering or hindering firefighters in case of fire. (see 21.03)
- Outdoor burning is prohibited within the City except in the manner provided under subsection (3) and (4), and with the exception of substances that are burned for the purpose of cooking in a broiler, rotisserie or any other appliance designed for that purpose. ( see 21.04)

## **10.0 Garbage** (also see junk & trash)

- Every dwelling shall have adequate receptacles or disposal equipment for garbage and for rubbish to hold all garbage and rubbish produced by each dwelling unit. Such receptacles shall comply with requirements and standards set by the Board of Public Works. (see 17.05)

- Every occupant of a dwelling or dwelling unit who does not otherwise provide for the disposal of garbage in a sanitary and inoffensive manner shall prepare all his garbage for collection and place it, pending collection, in a proper receptacle as provided herein. The owner shall be responsible for supplying such facilities or receptacles for all dwelling units in dwellings containing more than 2 dwelling units. In all other cases, the occupant shall be responsible for such facilities or receptacles. (see 17.09)
- Privy vaults and garbage cans must be fly-tight. ( see 12.03)
- Any use of property, substances or things within the City, or within 4 miles thereof, emitting or causing any foul, offensive, noisome, nauseous, noxious or disagreeable odors, effluvia or stench 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. (see 12.03)
- 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 constitute a public nuisance. (see 12.03)
- No person shall place, or allow to accumulate, any materials that may serve as a food for rats, in a site accessible to rats. Any waste material that may serve as food for rats shall be stored in rat-proof containers. Feed for birds, fowl and animals shall be kept where it is not accessible to rats. (see 13.01)
- All compost piles other than compost piles consisting solely of yard waste, excluding fruit, shall be enclosed in a free standing compost bin. (See 13.10)
- All compost piles and bins shall be so maintained as to prevent the attraction or harborage of rodents and pests and the creation of a public nuisance. The presence of rodents or other vermin in or near a compost pile or bin shall be cause for the city to proceed. (see 13.10)
- All compost piles and bins shall be so maintained as to prevent unpleasant odors. Compost bins containing horse manure or fruits shall be kept covered, except when turning. All compost piles or bins shall be located not less than three feet from a property line or building. (see 13.10)
- No compost pile or bin shall be located in any yard except a rear yard. All piles or bins shall be placed between the rear building wall, excluding all portions of a building which are occupied seasonally, and the rear lot line extended to the side lot line. (see 13.10)
- No compost bin shall contain cooked food scraps, except coffee grounds and tea leaves. (see 13.10)

## **10.1 Garbage Containers**

- Every occupant of a dwelling or dwelling unit shall place all his rubbish accumulating between times of collection or other satisfactory disposal in proper receptacles. (see 17.09)
- Privy vaults and garbage cans must be fly-tight (see 12.03).
- Details concerning the appropriate screening of trash dumpsters and mechanical equipment. Trash dumpsters and rooftop and grade-level

mechanical equipment should be installed to be unobtrusive and should be screened from public view. Trash dumpsters should be screened on at least three sides by a solid wall or fence. The height of the wall or fence should at least equal the height of the dumpster (see 22.18)

- Every dwelling shall have adequate receptacles or disposal equipment for garbage and for rubbish to hold all garbage and rubbish produced by each dwelling unit. Such receptacles shall comply with requirements and standards set by the Board of Public Works. (see 17.05)
- Containers for the collection of refuse shall be placed in the area between the sidewalk and the curbline in front of the premises or adjacent to the paved roadway area where no curb exists, and at the rear of premises where pickup is in an alley. Said containers shall be placed as directed above no earlier than 12:00 noon on the day prior to the scheduled collection and containers shall be removed not later than 12:00 noon on the day following collection of such refuse.

## **11.0 Graffiti**

- Graffiti contributes to blight, deterioration to surrounding properties, and reduces the attractive physical qualities of neighborhoods, all to the detriment of the City; constitutes a public nuisance and must be abated promptly to avoid the detrimental impact of graffiti on the City, its residents and businesses and to protect the surrounding properties and neighborhoods. (see 12.09)
- No owner of any property within the City may maintain or allow any graffiti to remain upon such property when the graffiti is visible from the street or other public or private property. (See 12.09)

## **12.0 Holes in Ground**

- All abandoned wells must be securely covered or secured from public use. (see 12.03)
- All open and unguarded pits, wells, excavations or unused basements freely accessible from any public street, alley or sidewalk constitute a public nuisance. (see 12.05)

## **13.0 Ice & Snow**

- All ice and snow not removed from public sidewalks within 12 hours after it has ceased to fall thereon. (see 12.05)
- The owner, occupant, or person in charge of each dwelling or building in the City fronting upon or adjoining any street, and the owner or person in charge of any unoccupied building or lot fronting as aforesaid, shall clean the sidewalk in front of or adjoining such dwelling or building, or unoccupied lot or building, as the case may be, of snow and ice to the width of such sidewalk

within 12 hours after the snow has ceased to fall, and shall keep the sidewalk free of snow so as to prevent an accumulation of ice. (see 6.12)

- No person shall place snow upon any public street after the same has been cleared of snow in such a manner as to obstruct or interfere with the free movement of traffic upon such street or interfere with or obstruct the use of any parking space provided upon the streets. (see 6.12)
- The owner, occupant or person in charge of each building or dwelling is required to remove snow upon any portion of a sidewalk which leads to the street and intersects with the curb at an intersection or corner. The cost of such removal by the City shall be \$25.00 per property. (see 6.12)
- No person shall park any vehicle on a street or alley during a snow emergency or immediately thereafter until such main street or alley has been cleared of snow (see 7.06)
- No person shall operate a snowmobile on any public right-of-way, in any park, on grounds and premises under the jurisdiction of Waukesha Joint School District No. 1 and on grounds and premises under the jurisdiction of the Park and Recreation Department of the City, or on any other public City property. (see 7.10)

## **14.0 Junk** (also see garbage & trash)

Junk is described as worn out or discarded material of little or no value including, but not limited to, household appliances or parts thereof, machinery and equipment or parts thereof, tools and discarded building materials, or any other unsightly debris, the accumulation of which has an adverse affect on the neighborhood or City property values, health, safety or general welfare. (See 12.07)

- No person shall accumulate, store, or allow any junk as defined above outside of any building on any real estate located in the City for more than 72 hours. (see 12.07)
- Whenever accumulation of rubbish, boxes, lumber, scrap metal, car bodies, or any other materials provide rat harborage, the person owning or in control of such materials shall cause the materials to be removed or stored so as to eliminate the rat harborage.( see 13.01)
- Lumber and similar materials shall be neatly piled. These piles shall be raised at least a foot above the ground. When the owner of the materials cannot be found, after reasonable search, the owner or manager of the premises on which the materials are stored shall be responsible for disposal, or proper storing, of the materials. (see 13.01)
- No person shall place, deposit, throw, permit or leave any glass, garbage, rubbish, debris, dirty water, or other waste material in, upon or along any street, sidewalk, alley, or other public place, park or ground or upon any private property without the owner's consent. (see 11.08)
- Any person may pick up, gather, or collect junk or refuse left on terraces for collection by the City, provided such pickup, gathering, or collection shall be

done between 8:00 a.m. and 8:00 p.m. only and provided such junk or refuse is not scattered about to cause either the City or the person who placed such junk or refuse on the terrace to clean up the remaining junk or refuse. (see 8.02)

- No combustible junk shall be stored in any building unless the building is approved by the Building Inspector and is of fireproof construction as defined in the Building Code (see 8.02)
- No person shall leave outdoors, in a place accessible to children, any abandoned, unattended or discarded ice box, refrigerator or any other container which has an airtight door or lock which may not be released for opening from the inside. Before leaving any such container, the person in charge thereof shall remove the lock from such container.(see 11.14)
- All abandoned refrigerators or iceboxes from which the doors and other covers have not been removed or which are not equipped with a device for opening from the inside are considered a public nuisance (see 12.05)
- Details concerning the appropriate screening of trash dumpsters and mechanical equipment. Trash dumpsters and rooftop and grade-level mechanical equipment should be installed to be unobtrusive and should be screened from public view. Trash dumpsters should be screened on at least three sides by a solid wall or fence. The height of the wall or fence should at least equal the height of the dumpster. (see 22.18)

### **14.1 Junk Business**

- No person shall engage in the junk business without being licensed.

**Junk** is described as old iron, chain, brass, copper, tin, lead or other base metals, paper, waste paper, paper clippings, rags, rubber, glass or bottles, and all articles and things discarded as manufactured articles composed of or consisting of any one or more of the materials or articles mentioned, including industrial metal or scrap, or other material commonly included within the term "junk." (See 8.02)

- Junk Business. The buying, selling, gathering, delivering, or storing of junk. (see 8.02)
- Junk Dealer. A person who buys, sells, gathers, delivers or stores junk and maintains a yard or building. (see 8.02)
- Junk Peddler. A person engaged in buying and gathering junk by means of any vehicle. (see 8.02)
- Itinerant Junk Dealers. Any person who buys, sells, collects, or delivers junk within the City as a business or employment within the City, but who is not an operator of a junk yard within the City or an employee of such an operator. (see 8.02)

### **15.0 Landscaping/Lawns/Weeds**

- All noxious weeds which include Canada thistle, leafy spurge, field bindweed (creeping jenny), ragweed, bull thistle, harmful barberry, sow thistle and nodding thistle are considered a public nuisances.(see 12.03)
- Lawns shall not be allowed to deteriorate to such a condition as to be a serious blighting influence on surrounding areas or adjoining premises. (see 17.14)
- Lawns shall be kept free of unsightly debris, the accumulation of which has an adverse effect on the neighborhood or City property values, health, safety or general welfare. (see 17.14)
- The owner or operator shall be responsible for maintaining lawn areas between the curb line and the sidewalk on any street. Grass or weeds shall not exceed the height of 8". (see 17.14)
- Whenever any grass or weeds exceed 8" or more in height, the City may order the condition corrected within seven (7) days. An owner or operator that fails to correct a violation within seven days of receipt of written notice will be subject to a penalty (see 17.14)
- No premises shall be graded or maintained so that stagnant water will accumulate or stand on the premises or adjacent premises or within any building or structure. No premises shall be graded or maintained so that surface runoff causes damage to any person or property. In addition, yards shall be landscaped so that the visual character of the neighborhood is preserved. (see 17.09)
- The owners of filled, re-graded or otherwise un-sodded or un-surfaced residential lands are required to seed, sod or surface the same so as to preserve the character of the landscape. In so doing, existing drainage or topography shall not be altered so as to adversely affect adjoining property nor shall any slope exceed the normal angle of slippage of the material involved and all slopes shall be protected against erosion. (see 17.09)
- Any area which qualifies shall be kept free of noxious weeds and unsightly debris, the accumulation of which has an adverse effect on the area or City property values, health, safety or general welfare.(see 17.14)
- No clear cutting of woodland areas shall be permitted in RS-1, RS-2, and RS-3 residential districts. Clear cutting in other districts, or removal of topsoil from properties, shall be permitted by conditional use permit only. Deciduous shade trees five (5) inches or larger in caliper and coniferous trees ten (10) feet or greater in height shall be preserved unless it is demonstrated to the satisfaction of the Plan Commission that they will unduly restrict development of the site. (see 22.19)
- All deciduous trees five (5) inches or larger in caliper or coniferous trees ten (10) feet or greater in height destroyed during the development process which were not identified for destruction in the approved landscape plan shall be replaced. (see 22.19)
- Structures and other amenities shall be located in such a manner that the optimum number of existing trees will be preserved. (see 22.19)
- Forestation, reforestation, or landscaping shall utilize a variety of tree species and no species currently under disease epidemic shall be used. Species planted

shall be hardy under local conditions and compatible with the local landscape.  
(see 22.19)

- Conditions on excavating and filling of lots or portions thereof are required in order to preserve the natural topography as much as possible and in order to protect against dangers and damage caused by man-made changes to the existing topography, and to avoid unsightly and hazardous exposed earth sections. (see 22.17)
- The final grade of all foundation repairs must ensure drainage away from the foundation (see 16.21)

## **16.0 Lighting**

- No activity shall emit glare or heat that is visible or measurable outside its premises except activities which may emit direct or sky reflected glare which shall not be visible outside their district. All operations producing intense glare or heat shall be conducted within a completely enclosed building. Exposed sources of light shall be shielded so as not to be visible outside their premises. (see 22.59)
- No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness, electrical or other disturbance; **glare**; liquid or solid refuse or wastes; or other substance, condition or element in such a manner or in such amount as to adversely affect the surrounding area or adjoining premises, provided that any use permitted or not expressly prohibited by these regulations may be undertaken and maintained if it conforms to the regulations of this chapter limiting dangerous and objectionable elements at the point of the determination of their existence. (see 22.59)
- No exterior lighting used for parking lots, recreational facilities, product display, or security shall interfere with the operation motor vehicles and uses of land in the vicinity of the light source. These requirements shall not apply to lighting placed in a public right-of-way for public safety. (see 22.59)
- All areas designated on approved site plans for vehicular parking, loading, or circulation and used for any such purpose after sunset shall provide artificial illumination in such areas at a minimum intensity of 0.4 foot-candles, exclusive of approved anti-vandal lighting. This standard shall not apply to properties in agricultural and single-family residential districts. (see 22.59)
- The intensity of illumination, measured at the property line, shall not exceed 0.5 foot-candles. (see 22.59)
- Lighting which creates or becomes a public nuisance is not permitted. (see 22.59)
- Where the land adjacent to the buffer yard is a parking lot, the buffer yard shall be sufficiently opaque to prevent the penetration of headlight glare. Overhead lighting installed in or adjacent to a buffer yard shall not throw any rays onto adjacent residential properties.( see 22.14)



## **17.0 Noise**

- No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; **noise or vibration**; smoke, dust, odor or other form of air pollution; heat, cold, dampness, electrical or other disturbance; glare; liquid or solid refuse or wastes; or other substance, condition or element in such a manner or in such amount as to adversely affect the surrounding area or adjoining premises, provided that any use permitted or not expressly prohibited by these regulations may be undertaken and maintained if it conforms to the regulations of this chapter limiting dangerous and objectionable elements at the point of the determination of their existence. (see 22.59)
- Noise of any kind tending to unreasonably disturb the peace and quiet of persons in the vicinity thereof constitutes a public nuisance. (see 12.05)
- No activity in any manufacturing district shall produce a sound level outside the district boundary or at any point within an adjacent residential district that exceeds the following sound level measured by a sound level meter and associated octave level filter: (22.59)
- All noise shall be muffled or otherwise controlled as to not become objectionable due to intermittence, duration, beat frequency, impulse character, periodic character or shrillness. All sirens, whistles, and bells which are maintained and utilized solely to serve a public purpose are exempt from the sound level standards of this section.(22.59)
- No person shall play, use or operate on the public streets, alleys, etc., any device known as a sound truck, loud speaker or sound amplifier, **radio** or phonograph with a loud speaker or **sound amplifier**, or any other instrument known as a calliope, or any instrument which emits there from loud and raucous noises, and is attached to a vehicle operated or standing upon the streets or public places, between 5:00 p.m. and 9:00 a.m., nor shall such apparatus be used at any time in congested areas, hospital areas, church areas, or school areas. (see 11.18)

## **18.0 Obstructions /Street, Sidewalk**

- All signs and billboards, awnings and other similar structures over or near streets, sidewalks, public grounds or places frequented by the public, so situated or constructed as to endanger the public safety. (See 12.05)
- All unauthorized signs, signals, markings or devices which purport to be or may be mistaken as official traffic control devices placed or maintained upon or in view of any public highway or railroad crossing. (see 12.05)
- All trees, hedges, billboards or other obstructions which prevent persons driving vehicles on public streets, alleys or highways from obtaining a clear view of traffic when approaching an intersection or pedestrian crosswalk. (see 12.05)

- All obstructions of streets, alleys, sidewalks or crosswalks and all excavations in or under the same, except as permitted by the ordinances of the City or which, although made in accordance with such ordinances, are kept or maintained for an unreasonable length of time after the purpose thereof has been accomplished. (see 12.05)
- All wires over streets, alleys or public grounds which are strung less than 15 feet above the surface of the street or ground. (see 12.05)
- No trap doors, coal holes or other openings of any kind shall be left in any sidewalk without being securely covered at all times when not in use, and when securely covered shall at all times be kept flush with the sidewalk. No chains, chain chairs or other obstruction of any kind shall be placed at such openings. The covers shall be securely fastened over the entire opening at all times when not in use.(see 6.11)
- No person shall park or leave standing any motor vehicle, except an emergency vehicle attended or unattended, between the curb line (terrace area) and the sidewalk on any street. (see 7.04)
- No person shall construct any steps, stairs, building, fence, bay-window, platform, trap-door, cellar-door, area, balcony cornice, or other encroachment or obstruction upon, in or under any street, alley or public ground without the consent of the Common Council. (see 6.06)

## **19.0 Odors**

- The escape of smoke, soot, cinders, noxious acids, fumes, gases, fly ash or industrial dust within the City limits or within one mile there from in such quantities as to endanger the health of persons of ordinary sensibilities or to threaten or cause substantial injury to property.( see 12.03)
- Any use of property, substances or things within the City, or within 4 miles thereof, emitting or causing any foul, offensive, noisome, nauseous, noxious or disagreeable odors, effluvia or stench 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. (see 12.03)
- No emission of odorous gasses or other odorous matter shall be permitted as to be offensive, obnoxious, or unhealthful at any point outside the premises from which the emission occurs. Any process which may involve the creation or emission of any odors shall provide a primary and secondary safeguard system, so that control of odors will be maintained by the secondary safeguard system should the primary safeguard system fail. (see 22.59)
- No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration; smoke, dust, **odor or other form of air pollution**; heat, cold, dampness, electrical or other disturbance; glare; liquid or solid refuse or wastes; or other substance, condition or element in such a manner or in such amount as to adversely affect the surrounding area or adjoining premises, provided that any use permitted or not expressly prohibited by these regulations may be undertaken and maintained if it

conforms to the regulations of this chapter limiting dangerous and objectionable elements at the point of the determination of their existence.(see 22.59)

- No person or activity shall emit any fly ash, dust, fumes, vapors, mists, or gases in such quantities so as to substantially contribute to exceeding state or federal air pollution standards. (see 22.59)

## **20.0 Plumbing**

All habitable buildings shall comply with the following requirements for maintenance:  
(see 17.07)

- Every plumbing fixture and water and waste pipe required under this section shall be installed in accordance with the Plumbing Code and maintained in good working condition, free from defects, leaks and obstructions. (see 17.07)
- The floors of all toilet and bathrooms shall be constructed and maintained so as to be leak proof, and shall be kept in a clean and sanitary condition. (see 17.07)
- Every occupant of every dwelling shall have unrestricted access to a bath and flush toilet and to a sink or lavatory basin located within that dwelling. (see 17.07)
- Every occupant of a dwelling unit shall keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for care in the proper use and operation thereof. (see 17.07)
- Whenever it shall be reported to the Health Department that the plumbing in any building is contrary to this chapter, is of faulty construction and liable to breed disease or sickness or is a menace to health, the Health Department shall direct the Plumbing Inspector to examine all the plumbing in such building and report his findings in writing to the Health Department. (see 19.14)

## **21.0 Roofs**

- All rainwater shall be so drained and conveyed from the roof so as not to cause dampness in any wall, ceiling or floor of a habitable room, bathroom, or toilet room. (see 17.07)
- All exterior drain pipes shall be maintained in safe and sanitary condition. Such drainpipes, eaves & troughs, etc., shall be maintained so they do not detract from the visual character of the neighborhood. (see 17.07)

## **22.0 Sidewalks**

- The occupant, owner or agent of each lot, part of lot or building in the City, fronting upon any street, shall keep the sidewalk along the same clean and free from all dirt, rubbish, encumbrance, or obstruction. If the dirt, rubbish, encumbrance or obstruction be not removed, the Mayor, Director of Public

Works, Chief of Police, or any alderman shall cause the same to be cleared or removed and cause suit to be commenced for the expenses. (see 6.09)

- The owner, occupant, or person in charge of each dwelling or building in the City fronting upon or adjoining any street, and the owner or person in charge of any unoccupied building or lot fronting as aforesaid, shall clean the sidewalk in front of or adjoining such dwelling or building, or unoccupied lot or building, as the case may be, of snow and ice to the width of such sidewalk within 12 hours after the snow has ceased to fall, and shall keep the sidewalk free of snow so as to prevent an accumulation of ice. (see 6.09)
- If the owner, occupant or person in charge of removal of snow as herein provided fails to so remove snow, at the time designated herein, the City may, through its employees and officials of the Department of Public Works, and at its option, cause the snow and ice to be removed from any sidewalk within the City and the cost of such removal shall be at the rate of 50 cents per front foot. (see 6.12)
- If the weather conditions cause ice to accumulate on such sidewalk and it cannot with due diligence be removed, the owner, occupant, or person in charge shall keep the same sprinkled with ashes, salt or sand and shall remove accumulated ice to the width of the sidewalk as soon as weather conditions permit. (see 6.12)

### **23.0 Trash (also see junk & garbage)**

- 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 are considered a public Nuisances.(see 12.03)
- No person shall place, scatter, or throw any shopper, pamphlet, leaflet, advertisement, notice, publication or other printed material upon any steps, lawn, yard, driveway, porch, sidewalk, inside or outside door, or mailbox in any private building or residence. (see 11.08)
- Details concerning the appropriate screening of trash dumpsters and mechanical equipment. Trash dumpsters and rooftop and grade-level mechanical equipment should be installed to be unobtrusive and should be screened from public view. (See 22.18)
- Trash dumpsters should be screened on at least three sides by a solid wall or fence. The height of the wall or fence should at least equal the height of the dumpster (see 22.18)
- No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness, electrical or other disturbance; glare; liquid or solid refuse or wastes; or other substance, condition or element in such a manner or in such amount as to adversely affect the surrounding area or adjoining premises, provided that any use permitted or not expressly prohibited by these regulations may be undertaken and maintained if it

conforms to the regulations of this chapter limiting dangerous and objectionable elements at the point of the determination of their existence (see 22.59)

## **24.0 Water**

- All stagnant water in which mosquitoes, flies or other insects can multiply are considered a public Nuisance. (see 12.03)
- The pollution of any public well or cistern, stream, lake canal or body of water by sewage, creamery or industrial wastes or other substances. (see 12.03)

## **25.0 Discharge of Water /Waste**

- No person shall fill either wholly or in part or obstruct or damage any ditch or drain in any street, lane, alley or public ground within the City. No person shall build any driveway or bridge over or lay any tile or pipe in any ditch or drain in any street or alley in the City. (see 6.05)
- Every person owning any buildings in the City situated shall cause the pipes conducting the water from the eaves of the building to be constructed as not to spread the water over the sidewalk. (see 6.12)
- No premises shall be graded or maintained so that stagnant water will accumulate or stand on the premises or adjacent premises or within any building or structure. No premises shall be graded or maintained so that surface runoff causes damage to any person or property. In addition, yards shall be landscaped so that the visual character of the neighborhood is preserved. (see 17.09)
- All rainwater shall be so drained and conveyed from the roof so as not to cause dampness in any wall, ceiling or floor of a habitable room, bathroom, or toilet room. All exterior drain pipes shall be maintained in safe and sanitary condition. Such drainpipes, eaves and troughs, etc., shall be maintained so they do not detract from the visual character of the neighborhood. (see 17.07)
- No discharge shall be permitted at any point into the public sewers, private sewage disposal system, surface or subsurface waters so as to contaminate, pollute or harm such waters or cause floating or submerged debris, oil, scum, unsightliness or be harmful to human, animal, plant or aquatic life. (see 22.59)
- No person shall allow downspouts or rainwater leaders from roof gutters to be disconnected, spilling the water in such manner as to overflow the adjacent property of the neighborhood. Anyone found guilty of causing such condition to exist shall, upon notice in writing, cause such condition to be corrected within 10 days after receiving such notice. (see 16.13)
- No person shall permit any drain or sewer from the dwelling house, barn, stable, shop or other building upon the premises occupied by him to discharge into any open sewer or gutter, upon any street or public alley or upon or over any sidewalk. (see 19.11)

- No person shall deposit or permit to be deposited in any public sewer or drain or in any sewer or drain connecting with such public sewer or drain any garbage, gas, tar, grease, rags or any other substance likely to cause any obstruction, nuisance or explosion therein or do any act which may cause injury thereto. (see 19.10)
- No water drained from swimming pools shall be discharged onto adjacent properties without written consent of the owner, or into a municipal sanitary sewerage system, or directly into a navigable body of water; (see 22.58)