

Sanitation

Amendment & addition to the International Property Maintenance Code 2003, Section 302.1, Sanitation, (or current code adopted by the City of Keego Harbor) to add the following amendments:

- (a) No person shall permit or allow any manure, fecal matter, rubbish, rubble, refuse, junk or waste paper or other objectionable items to collect, to lie upon or within any property owned or occupied by such person or persons in such a manner as to attract flies, vermin, rodents or similarly objectionable living creatures or as to emit offensive or unhealthy odors, or so permit the same to be scattered by the wind. The use of land for the storage or collection or accumulation of wood, scrapes of wood, and/or building materials including but not limited to such items as doors, windows, trusses, roofing, drywall, pre-constructed wall sections, block, bricks, landscape materials, discarded or broken play toys, including but not limited to swing sets, slides, trampolines, tree forts, bikes, or any used materials or for the dumping or disposal of scrap iron, aluminum, copper, appliances, rubbish or other refuse or ashes, slag or other industrial wastes or by-products is prohibited. Fire wood may be stored on private property if it is neatly stacked and used for burning.

- (b) The word “person or persons” used in this amendment shall be held and construed to mean and include all natural persons, owners and / or occupant, firms, corporations or associations, whether acting by themselves, or by a servant, agent or employee. All persons who violate any of the provisions of this amendment, whether as owner, occupant or as agent, servant or employee, shall be equally liable as principals.

- (c) The city building official, police chief or their designees on routine inspections or upon receipt of a complaint may investigate any property for the presence of manure, fecal matter, rubbish, rubble, refuse, junk or waste paper, construction wood, scrapes of wood, or building materials, including but not limited to such items as doors, windows, trusses, roofing, drywall, pre-constructed wall sections, block, bricks, landscape materials, and discarded or broken play toys including but not limited to swing sets, slides, trampolines, tree forts, or bikes, or other used materials, including the dumping or disposal of junk, scrap iron, aluminum, copper, appliances, ashes, slag or other industrial wastes or byproducts and record the sanitation violation and its circumstances. Fire wood may be stored on private property if it is neatly stacked and used for burning.

(d) **(Notice of removal)** Whenever the city building official, police chief or their designee finds or is notified that any sanitation violation has been permitted or continues to remain on any property within the city, the building official, police chief or their designee shall send by first class mail a first notice stating that if the violation is not corrected in the time allowed in the discretion of the issuer of the notice of violation , a final notice will be sent by certified mail to the property owner shown on the tax assessment records of the city, attached to the property and, if the property is not occupied by the owner, the tenant of the structure or property will also be notified. Such final notice shall allow corrective action within seven (7) days of the date of mailing of the notice or posting of the property. Such notices shall contain the following additional information:

1. Nature of complaint;
2. Description and location of sanitation violation;
3. Statement that the sanitation violation shall be removed from premises no later than seven (7) days after notification;
4. Statement that transfer of materials from the location specified in the notification to another location upon which storage is not permitted is prohibited and shall subject the person to additional penalties;
5. Statement that, if removal is made within the time limits specified, written notification shall be given to the building official, police chief or their designee;
6. Statement of the penalties provided for noncompliance with such notice.

(e) **(Nuisance declared: abatement)** Any items listed in paragraphs a through e above stored unlawfully as defined by this article are declared to be a public nuisance. If the property owner or lessee fails to abate the nuisance by removal within the time required in the notice of removal, the city by and through its employees and agents shall have authority and power, by proper court procedure, to maintain and conduct legal action for abatement of any violations of the provisions of this code, which remedy shall be in addition to the penal provisions contained in this code.

(f) **(Penalty for violation of article)** Any person who violates or fails to comply with any provision of this article shall be deemed to have committed a municipal civil infraction.