

CHAPTER X

PUBLIC NUISANCE

10.01 PUBLIC NUISANCE PROHIBITED

No person shall erect, contrive, cause, continue, maintain or permit to exist, any public nuisance within the town.

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 so as to:

- (a) Substantially annoy, injure or endanger the comfort, health, repose or safety of the public;
- (b) In any way render the public insecure in life or in the use of property;
- (c) Greatly offend the public morals or decency;
- (d) 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 SPECIFIC NUISANCES & REGULATIONS THEREOF

The following acts, omissions, places, conditions and things are hereby declared to be public nuisances affecting peace, health and safety, but such enumeration shall not be construed to exclude other nuisances affecting public peace, health or safety coming within the definition of Section 10.07.

(1) Illegal Buildings. All buildings erected, repaired or altered in violation of the provisions of the ordinances of the town relating to materials and manner of construction of buildings and structures within the town.

(2) Dilapidated Buildings. All buildings or structures so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use.

(4) Disposition of Waste Material It shall be unlawful for any person, corporation, partnership, or other type of organization, to deposit waste on lands in the Township of Osborn, Outagamie County, Wisconsin, unless first obtaining a permit pursuant to Chapter 6 of the Town of Osborn Code of Ordinances. It shall also be unlawful to dispose of waste material contrary to the terms of a permit granted by the town. Any disposal of waste without a permit or if a permit was granted, contrary to the terms of said permit shall be deemed a public nuisance.

10.04 ABATEMENT OF PUBLIC NUISANCES

Enforcement. The Supervisors, the Building Inspector and Health Officer shall enforce those provisions of this chapter that come within the jurisdiction of their offices, and they shall make periodic inspections and inspections upon complaint to insure that such provisions are not violated. No action shall be taken under this section to abate a public nuisance unless the officer shall have inspected or caused to be inspected the premises where the nuisance is alleged to exist and have satisfied himself that a nuisance does in fact exist.

10.05 COST OF ABATEMENT

In addition to any other penalty imposed by this chapter for the erection, contrivance, creation, continuance or maintenance of a public nuisance, the cost of abating a public nuisance by the town shall be collected as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance, and if notice to abate the nuisance has been given to the owner, such cost shall be assessed against the real estate as a special charge.

10.20 PENALTY

Any person, partnership, corporation, or other entity, convicted of a violation of this chapter shall be fined not less than \$50.00, nor more than \$500.00 together with costs of prosecution of each offense. Every calendar day of violation shall be deemed to be a separate offense.