

## **4-2-2 Definitions**

**ABATEMENT OF NUISANCES:** As defined in Idaho Code, title 50, section 334 or its successors. Cities are empowered to declare what shall be deemed nuisances, to prevent, remove and abate nuisances at the expense of the parties creating, causing, committing or maintaining the same, to levy a special assessment as provided in Idaho Code section 50-1008, on land or premises whereon the nuisance is situated to defray the cost or to reimburse the City for the cost of abating the same.

**PUBLIC NUISANCE:** As defined by Idaho Code, title 52, article 1, a public nuisance is a condition or use of property which is harmful or injurious to, or creates a danger of harm or injury to the health, safety, or welfare of the neighborhood, community, or members of the public, or which is offensive to the senses or an obstruction of the free use of property by the neighborhood, community, or members of the public, including but not limited to the following:

- A. A condition or use of premises or property which creates a fire hazard or any traffic or safety hazard to members of the public and property.
- B. A condition or use of premises or property which creates a health hazard by permitting, allowing, or fostering the harboring and nesting of rodents, vermin and/or insects, or which creates any other type of health hazard to members of the public and property.
- C. A condition or use of premises or property which creates the open storage, deposit, or scattering of discarded lumber or unusable wood, waste petroleum products, scrap or waste paper, trash, garbage, recyclable materials or debris of any type.
- D. A condition or use of premises or property which creates the open storage, deposit, or scattering of scrap, abandoned or discarded objects such as furniture, appliances, cans, containers, tires, tools, or mechanical parts.
- E. A condition or use of premises or property which creates the open storage, deposit, or scattering of dismantled or partially dismantled, wrecked, junked, scrapped, discarded or inoperable motor vehicles or parts thereof or trailers that are not roadworthy. No public nuisance for motor vehicles shall exist under this chapter unless two (2) or more motor vehicles thereof not in operating condition remain standing on the property for more than ten (10) calendar days. This shall not be applicable to approved automotive repair, automotive wrecking yard, junk yard auto repair businesses as defined in the Zoning Code.
- F. A condition or use of premises or property which creates the growth of weeds and grasses over eight inches (8") high or fallen branches, leaves or other tree debris, bushes, shrubs, trees, or other plant life and in such a condition as to cause, or reasonably threaten to cause a fire or safety hazard because of their dried and unkept condition, or causes a traffic or safety hazard that obstructs sight, applying the measurements and standards contained in Idaho Code section 49-221, at intersections or other points at which driveways, lanes, or highways come together.

**WEEDS:** Undesirable or objectionable and non-useful plant growth including noxious weeds as defined by Idaho Code, section 22-2402. (Ord. 355-2018, 11-13-2018)