

AN ORDINANCE DEFINING PUBLIC NUISANCES, PROHIBITING THEIR CREATION OR MAINTENANCE.

The village council of Shelly do ordain as follows:

Section 1. Public Nuisance Defined. A nuisance is a thing, act, failure to act, occupation, or use of property which

1. Shall annoy, injure, or endanger the safety, health, comfort, or repose of any considerable number of persons; or
2. Shall offend the public decency; or
3. Shall unlawfully interfere with, obstruct, or tend to obstruct or render dangerous for passage, a lake, navigable river, bay, stream, canal, or basin, or a public park, square, street, alley, or highway; or
4. Shall in any way render any considerable number of persons insecure in life or in use of property.

Section 2. Public Nuisances affecting health. The following are hereby declared to be public nuisances affecting health:

1. All decayed or unwholesome food offered for sale to the public.
2. All diseased animals running at large.
3. All ponds or pools of water or vessels holding stagnant water, in which mosquitoes can breed.
4. Milk which is produced by cows which have not been tested and found free from tuberculosis within the year previous to the offering of such milk for sale to the public.
5. Carcasses of animals not buried or otherwise disposed of in a sanitary manner within 24 hours after death.
6. Accumulations of manure or rubbish which are breeding places for flies, mosquitoes or vermin.
7. Privy vaults and garbage cans which are not fly-tight.
8. The pollution of any public well or cistern, stream, lake, canal, or body of water by sewage, creamery, or industrial wastes or other substances.
9. All noxious weeds and other rank growths of vegetation upon public or private property.
10. Dense smoke, noxious fumes, gas and soot, or cinders in such quantities as to render the occupancy of property uncomfortable to a person of ordinary sensibilities.
11. Offensive trades and businesses as defined by statute not licensed by the village board of health as provided by law.
12. All public exposure of persons having contagious disease.
13. The use of a common public drinking cup or roller towel.
14. The distribution of samples of medicines or drugs unless such samples are placed in the hands of an adult person.

- 92
15. All other acts, omissions of acts, occupations, and uses of property which are in fact a menace to the public health.

Section 3. Public Nuisances Affecting Morals and Decency.  
The following are hereby declared to be public nuisances affecting public morals and decency:

1. All gambling devices, slot machines and punch boards.
2. All houses kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame, and bawdy houses.
3. All domestic animals in the act of copulation exposed to public view.
4. All places where intoxicating liquors are manufactured, sold, bartered, or given away in violation of law or where persons are permitted to resort for the purpose of drinking intoxicating liquors as a beverage, or where intoxicating liquors are kept for sale, barter, or distribution in violation of law, and all liquors, bottles, kegs, pumps, bars, and other property kept at and used for maintaining such a place.
5. Any vehicle used for any immoral or illegal purpose.
6. All indecent or obscene pictures, books, pamphlets, magazines and newspapers.
7. The public use of profane or obscene language.
8. Betting, bookmaking, prize fighting, and all apparatus used in such occupations.
9. Places used for the holding of public dances unless conducted as provided by ordinance or by statute.

Section 4. Public Nuisances Affecting Peace and Safety.  
The following are declared to be public nuisances affecting public peace and safety:

1. All snow and ice not removed from public sidewalks as provided by ordinance.
2. All limbs of trees which project over a public sidewalk or street and are less than eight feet above the surface of such public sidewalk and twelve feet above the surface of such street.
3. All wires which are strung less than fifteen feet above the surface of the ground.
4. All buildings, walls and other structures which have been damaged by fire, decay or otherwise, and which are so situated as to endanger the safety of the public.
5. All use or display of fireworks except as provided by ordinance.
6. All loud or unusual noises and annoying vibration which offend the peace and quiet of persons of ordinary sensibilities.
7. Obstructions and excavations affecting the ordinary use by the public of streets, alleys, and sidewalks, or public grounds except under such conditions as are provided by ordinance.
8. Any use of the public streets or sidewalks which causes large crowds of people to gather, obstructing traffic and the free use of the streets or sidewalks.

- 9. All hanging signs, awnings, and other similar structures over the streets or sidewalks, so situated or constructed as to endanger public safety.
- 10. The allowing of rainwater, ice, or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk.
- 11. All barbed wire fences which are located within three feet of any public sidewalk.
- 12. All dangerous, unguarded machinery, in any public place, or so situated or operated on private property as to attract the public.
- 13. Allowing any horses, mules, asses, cattle, hogs, sheep, goats, kids, or domestic fowls, to run at large or herding or picketing such animals on the public streets, alleys, or grounds of this village.

Section 5. Penalty. Any person, who shall knowingly cause or create any nuisance or permit any nuisance to be created or to be placed upon or to remain upon any premises owned or occupied by him shall upon conviction thereof be deemed guilty of a misdemeanor. Each day's continuance thereof may in the discretion of the court constitute a separate offense.

Passed the village council this 30th day of November, 1927.

A. B. Hansson  
President.

(Seal)

Attest:

E. E. Silver  
Village Recorder.