

AN ORDINANCE REGULATING AND CONTROLLING NUISANCES WITHIN

THE COUNTY OF BOND, STATE OF ILLINOIS

BE IT ORDAINED by the County Board of Bond

SECTION I PURPOSE

- 1.1 This ordinance is created to regulate nuisances so as to protect the individual's rights to control that which may be offensive and detrimental to his person and property.

SECTION II DEFINITIONS:

- 2.2 For the purpose of this ordinance the following terms are defined:

- 2.1.A NUISANCE: any condition which may be offensive and detrimental to a person or his property or which may constitute a hazard to the health of any person.
- 2.1.B HEALTH OFFICER: The Director of Environmental Health of the Bond County Health Department or his designated agent.
- 2.1.C ANIMAL: Cattle, swine, horses, mules, donkeys, sheep, dogs, cats, goats, rabbits, or any other animal, and chickens, turkeys, geese, pigeons, doves, ducks, or other fowl, and reptile including snakes, lizards, turtles.
- 2.1.D STANDARD FARMING PRACTICES: Any agricultural practice which is recognized as one in wide and general usage for the preparation, growing, harvesting and storing of agronomic commodities, or for the production of farm animals.
- 2.1.E STANDARD ROAD WORK PRACTICES (COUNTY AND TOWNSHIP ROADS): Any practice which is recognized as one in wide and general usage for the preparation of road building or repair.

Amended
6-13-77

SECTION III NUISANCES DEFINED:

- 3.1 GENERAL NUISANCES: - - The following, except in conjunction with standard farming practices, and standard road work practices (county and township roads), are here declared general nuisances when affecting the health and well being of persons residing within Bond County or adversely affecting those people's property.
- 3.1.A To cause the carcass of any animal, trash, sewage discharge, garbage, rubble, filthy or putrid substance of any other offensive or annoying substance to be collected, deposited, or to remain in any place, public or private.
- 3.1.B To throw or deposit any sewage, garbage, trash, litter or other offensive matter, or the carcass of any animal in any water course, lake, pond, spring, well, street or public highway.
- 3.1.C To corrupt or render unwholesome or impure the water of any spring, river, stream, pond or lake.

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- 3.1.D All diseased animals running at large.
- 3.1.E All ponds and pools of stagnant water.
- 3.1.F Garbage cans without fly-tight lids or garbage cans in poor repair.
- 3.1.G The burning of household garbage in an unapproved incinerator.
- 3.1.H Dense smoke, noxious or annoying fumes or odors, vapors, gas, dust, soot, cinders, or other airborne particles in unreasonable or toxic quantities.
- 3.1.I All buildings, walls, or other structures which have been damaged by fire or have become dilapidated, rundown, or decayed and are so situated as to endanger the safety of the public or provide a possible harborage for rodents, insects or other pests.
- 3.1.J To cause any derelict automobile, truck, wagon, or vehicle of conveyance to remain on any property, public or private, except in licensed salvage yards. A derelict automobile, truck, wagon, or vehicle or conveyance shall be defined as that which is not currently licensed for operation or is not in condition for use and is not kept under a suitable cover.
- 3.1.K Any man-made hole, cistern, well, or depression on any property, public or private, which may endanger the safety of the public.
- 3.1.L Any deposit of discarded lumber, trash, building material, rubble or any other material on any property, public or private, which may endanger the safety of the public.
- 3.1.M Any building, shed, barn, other structure or any collection of materials or refuse on public or private property where rats, flies and other pests may exist or breed.
- 3.1.N To maintain any kennel, stable, barn, house, coop, pen, yard, or any other place where animals, including pets, are kept in an unsanitary condition where upon an odor or insect nuisance is created.
- 3.1.O All abandoned refrigerators on any premises without the doors removed to prevent a health hazard.
- 3.1.P To permit any well drilled for oil, gas, salt water disposal or any other purpose in connection with the production of oil and gas, to remain unplugged, after such well is no longer used for the purpose for which it was drilled.
- 3.1.Q To construct or operate any salt water pit storage tanks or oil field refuse pit, commonly called a "burn out pit", so that salt

water, brine or oil field refuse or other liquids may escape therefrom in any manner except by evaporation,

- 3.1.R To permit concrete bases, discarded machinery and materials to remain around any oil or gas well, or to fail to fill any holes, cellars, sludge pits and other excavations made in connection with any such well or to restore the surface of the lands surrounding any such well to its condition before the drilling of any such well, upon abandonment of any such oil or gas well.

SECTION IV ENFORCEMENT

- 4.1 Section III of this ordinance shall be enforced by the Health Officer and other designated county officials.

SECTION V INSPECTION

- 5.1 The Health Officer shall have the right to enter any property at a reasonable time to inspect any facility or condition thereon for the purpose of determining whether Section III of this ordinance is being complied with. Refusal, by said owner, of right of entry shall cause the Health Officer to seek the permission of the court for right of entry.
- 5.2 Notice to abate -- Whenever the Health Officer discovers any violations of Section III of this ordinance, the owner, agent, or occupant causing, allowing, or permitting such violation shall be notified by means of a written notice of inspection. Such notification shall set forth the specific conditions found and the correction necessary to bring about such shall constitute a separate violation of Section III of this ordinance. The owner, agent, or occupant causing, allowing, or permitting such violation may be given up to thirty (30) days to abate.
- 5.3 Service of notice -- Notices provided under part 5.2 of this Section shall be deemed to have been properly served when the original of this inspection report or other notice has been delivered personally to the owner, agent, or occupant, as the case may be, or the premises and/or storage site concerned, or such notice has been sent by certified mail to the last known address of such person or persons.
- 5.4 Failure to abate -- In case the owner, agent or occupant of any premises fails to abate a nuisance or nuisances, after due notice and time specified under Part 5.2 of this Section the Health Officer shall file a complaint in the Circuit Court. Upon conviction the person responsible for the violation shall be guilty of a Class C Misdemeanor.
- 5.5 Any complaints shall be made in writing and signed by complainant.

SECTION VI PENALTY

- 6.1 Any person, who after notification of violation and method of correction, continues to violate and/or refuses to obey any provision of this ordinance specified in Section III shall upon conviction be deemed guilty of a Class C Misdemeanor, Each day a violation is continued shall constitute a separate offense.

SECTION VII VALIDITY

- 7.1 Should any section, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof other than the part so declared to be invalid.
- 7.2 In any case where a provision of this ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, health, or related code or ordinance existing on the effective date of this ordinance, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

SECTION VIII RECORD

- 8.1 All transactions under this ordinance shall be reduced to writing and placed on file in the health department office as a matter of public record.

SECTION IX EFFECTIVE DATE

- 9.1 This ordinance shall be in full effect from and after passage and approval as provided by law.

Passed this eighth day of March, 1977
and filed in the office of the County Clerk of Bond County, State
of Illinois, on the eighth day of March, 1977.

ATTEST:

Robert A. Bingham
County Clerk

Wendell R. Cooper
Chairman of Bond County Board