

City of Nixa Code of Ordinances

Section 22-344 - Solid Waste Storage.

Section 14-24 - Certain Conditions or Actions Declared Nuisances.

Section 14-25 - Nuisance prohibited.

Section 16-88 - Littering.

- **Sec. 22-344. – Solid waste storage.**

(a)

The occupant of every dwelling unit shall use a solid waste container provide by the city's approved waste disposal contractor; and all institutional, commercial or business, industrial or agricultural establishment producing solid waste within the corporate limits of the city, shall provide sufficient and adequate containers for the storage of all solid waste.

(b)

The occupant of every dwelling unit and of every institutional, commercial, industrial, agricultural or business establishment shall place all solid waste to be collected in proper solid waste containers, except as otherwise provided herein, and shall maintain such solid waste containers and the area surrounding them in a clean, neat and sanitary condition at all times.

(c)

Residential solid waste shall be stored in containers provided by the city's approved solid waste disposal contractor. Containers shall be leak-proof, waterproof, and fitted with a fly-tight lid and shall be properly covered at all times except when depositing waste therein or removing the contents thereof. The containers shall have handles, bails or other suitable lifting devices or features.

(d)

Commercial solid waste shall be stored in solid waste containers as approved by the director. The containers shall be waterproof, leak-proof and shall be covered at all times except when depositing waste therein or removing the contents thereof; and shall meet all requirements as set forth by [section 22-347](#), rules and regulations.

(e)

Following the direction of city council, federal or state declaration of natural disaster(s) (tornado, ice storm, snow or the like) tree limbs can be placed at the curb of city removal.

(f)

Solid waste containers not in compliance with this article are prohibited.
(Prior Code, § 9-2; Ord. No. 1621, 11-2009; Ord. No. 1793, 8-19-2013)

• **Sec. 14-24. - Certain conditions or actions declared nuisances; listing deemed nonexclusive.**

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions are hereby declared to be and constitute a public nuisance and a violation of this chapter; provided, however, this enumeration shall not be deemed or construed to be exclusive, limiting or restrictive:

(1)

No property owner shall be permitted to allow weeds, grass, brush, briars, and other rank vegetation to grow in excess of 12 inches in height, exclusive of ornamental shrubs or flowers, vegetable crops, fruit trees, berry bushes, cover crops and domestic grains or other cultivated crops. A violation unabated for a period greater than seven days will warrant the issuance of a summons to the property owner. The property owner shall be responsible for all abatement costs. Owners of undeveloped land shall maintain their property so that weeds shall not exceed a height of 18 inches.

(2)

Accumulation of rubbish, trash, refuse, junk and other abandoned materials, metals, lumber or items offensive to the senses or a risk to health, safety and/or welfare.

(3)

Any condition which provides harborage for rats, mice, snakes and other vermin.

(4)

Allowing or permitting vegetation, grass or weeds to grow outside or extend beyond the boundaries of any lot or property to a length greater than six inches, to a height greater than 12 inches or encroach upon any sidewalk more than four inches.

(5)

Conditions contributing to or causing rank or noxious odors and stench, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stench.

(6)

The pollution of any public well or cistern, stream, lake, canal or body of water by sewage or industrial wastes.

(7)

Abandoning, discarding or knowingly permitting to remain on premises or property, in a place accessible to children, any abandoned or discarded icebox, refrigerator or other airtight or semi-airtight container which has a capacity of 1½ cubic feet or more and which has a door or lid equipped with hinge, latch or other fastening device capable of securing such door or lid, without rendering such equipment harmless to human life by removing such hinges, latches or other hardware which may cause a person to be confined therein. No part of this subsection shall apply to any icebox, refrigerator or other airtight or semi-airtight container located in that part of a building occupied by a dealer, warehouseman or repairman of such products.

(8)

All furniture, machinery, discarded containers or any other appliance, article, item or equipment designed for use inside a dwelling unit if stored, placed or set upon the ground or on any open porch, in any attached carport or freestanding carport, or in any garage or shed that is without doors to conceal such articles.

(9)

To permit, cause, keep, maintain or allow a fence or partitioning containing barbed wire, razor wire, electric wire or razor ribbon fencing in any residential or commercially zoned district.

(10)

Dismantled, nonlicensed, inoperable or junk vehicles as defined herein.

(11)

Bricks, shingles, building materials, salvage materials including, but not limited to, auto parts, scrap metal, tires and any other trade materials stored, deposited, dumped discarded and/or abandoned on any section of property.

(12) Buildings, structures or other surfaces upon which graffiti exists.

(13)

Any flammable material which may endanger public safety.

(14)

All substances or things, which cause an odor disagreeable to the surrounding neighborhood.

(15)

Ashes, slop, filth, excrement, stones, straw, soot, rubbish, manure, offal, stagnant water, decaying animal matter, decaying fruit or vegetable matter, wrecks or parts of worn-out vehicles or machinery, scrap iron or other metals, cans, bottles, broken glass, discarded wearing apparel, dead animals or any other offensive or disagreeable substances or thing, dilapidated buildings or building materials which may be offensive to the sight or smell or a menace to health, safety, peace or comfort, or which may be or become harborers or breeding places for mosquitoes, ants, flies, rats, mice or other vermin, animals or insects, or which may provide shelter, food or protection for rodents, whether left or deposited upon private premises or vacant lots or upon any public property.

(16)

All mud, dirt, rocks or debris from construction sites, fields or pastures which fall on city streets from the loads, tires or bodies of vehicles driven from said sites onto city streets. Developers and contractors are required to provide the city with a route plan for construction traffic in and out of new subdivisions and development sites. Failure to do so will be a violation of this Code.

(17)

Any vehicle operable or not, parked off street in a residential district in a space not complying with the definition of "parking space" in the zoning ordinance of the city. In addition to the vehicle capacity of a residence including garage space and driveway space, one accessory space may be designated. This space must be constructed out of three-fourths-inch base rock, asphalt or concrete. If constructed of base rock, it must be bordered with landscaping timbers. Vehicles parked to the rear of the front elevation of the house must be covered with an appropriate cover or behind a privacy fence at least six feet tall. This includes storage of boats, campers, trailers, and all other accessory vehicles. Any vehicle not parked according to these guidelines will be considered in violation of the nuisance code.

(Prior Code, § 13-5; Ord. No. 1693, 7-2011)

- **Sec. 14-25. - Nuisance prohibited.**

(a)

It is unlawful for any owner or occupant having control of any lot or land or any part thereof in the city to cause, permit or maintain any nuisance on any such lot or land or contribute to the creation or maintenance of any nuisance as defined within this chapter; and it is further unlawful for any person or his agent, servant, representative or employee to cause or maintain a nuisance on the property of another, with or without permission.

(b)

Any person who shall cause, create or maintain a nuisance or contribute to any nuisance as defined within this chapter shall be guilty of violating the provisions hereof and shall be liable for all costs and expenses attendant upon the removal and/or correction of such a nuisance in addition to any penalties provided. Each day that a nuisance is maintained can be the basis of a separate offense.

(Prior Code, § 13-7; Ord. No. 1693, 7-2011)

- **Sec. 16-88. - Littering.**

A person commits the offense of littering if he or she places, deposits, or causes to be placed or deposited, any glass, glass bottles, wire, nails, tacks, hedge, cans, garbage, trash, refuse, or rubbish of any kind, nature or description on the right-of-way of any public road or state highway or on or in any of the waters in this state or on the banks of any stream, or on any land or water owned, operated or leased by the state, any board, department, agency or commission thereof or on any land or water owned, operated or leased by the federal government or on any private real property owned by another without the owner's consent.

(Prior Code, § 14-31; Ord. No. 858, 5-1994; Ord. No 1921, § 3, 12-19-2016)

State Law reference— Similar provisions, RSMo 577.070.