

TITLE 4
PUBLIC HEALTH AND SAFETY

Chapter/Subject	Page
CHAPTER 1 NUISANCES	3
CHAPTER 2 HOUSE NUMBERS.....	10
CHAPTER 3 GARBAGE DISPOSAL.....	10

CHAPTER 1
NUISANCES¹

Section:

- 4-1-1: Nuisances
- 4-1-2: Cellars, Drains, Ditches, Pools, Privies, Sewers
- 4-1-3: Foul And Nauseous Substances
- 4-1-4: Livery Stables In Foul Condition
- 4-1-5: Dead Animals
- 4-1-6: Standing Water
- 4-1-7: Depositing Earth, Dirt Upon Streets
- 4-1-8: Filth Or Rubbish In Streets Or Alleys
- 4-1-9: Offensive Premises
- 4-1-10: Posting Bills
- 4-1-11: Hog Pens
- 4-1-12: Putting Garbage On Lot Of Another
- 4-1-13: Slaughtering Animals
- 4-1-14: Throwing Garbage In Streets
- 4-1-15: Clearing Public Ways
- 4-1-16: Steaming, Boiling Or Rendering Animal Substance
- 4-1-17: Abatement
- 4-1-18: Duties And Powers Of Officers

4-1-1: NUISANCES:

- A. Prohibited: No person shall cause, or be in any manner whatever instrumental in causing or permitting, any nuisance of any kind within the limits of this town; and no person shall permit or suffer to exist any nuisance of any kind upon any place or premises in this town, owned or occupied by him, or over which he has charge and control. The following conditions upon lands within the limits of the town of Superior are hereby declared to be a public nuisances: “wastes”, “garbage and trash”, “junk”, “weeds”, “grasses”, “obstructions” as defined as in section 4-1-9 of this chapter.
- B. Penalty: Any person violating the provisions of this section shall be subject to penalty as provided in section 1-4-1 of this code. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-2: CELLARS, DRAINS, DITCHES, POOLS, PRIVIES, SEWERS:

Any person who shall cause or permit any cellar, private drain, ditch, pool, privy, sewer or other thing or place upon any premises within the limits of this town belonging to or occupied by him to become noisome, foul, offensive or injurious

¹ For power to regulate, see WS subsection 15-1-103(a)(xix). For additional power to regulate, see WS § 35-10-408.

to the public health shall be deemed the author of a nuisance and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. Each twenty four (24) hours such thing or place is suffered or permitted to so continue after notice to abate the nuisance as hereinafter provided shall constitute a separate offense. Any thing or place in the condition herein described is hereby declared a nuisance. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-3: FOUL AND NAUSEOUS SUBSTANCES:

Any tanner, brewer, soap boiler, tailor, chandler, livery stable keeper, hotel keeper, restaurant keeper, or boardinghouse keeper, or other person, who shall by himself or by another, discharge out of, or permit to flow from any workshop, manufactory, livery stable, or other house, or place, any foul or nauseous liquor or substances of any kind whatever, into or upon any other adjacent ground or lot, or into any street, alley or any other public place, shall, upon conviction, be subject to penalty as provided in section 1-4-1 of this code. Every twenty four (24) hours such nuisance shall continue after notice to abate the nuisance as hereinafter provided shall constitute a separate offense. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-4: LIVERY STABLES IN FOUL CONDITION:

Any owner or occupant of any livery stable or barn, or private stable or barn in this town who shall cause or suffer the same to become nauseous, foul, or offensive shall be deemed the author of a nuisance, and upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. Each day the same is permitted to remain in such condition after notice to abate the same is given shall constitute a separate offense. Any such foul or offensive condition in any such structure or place herein described is hereby declared to be a nuisance. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-5: DEAD ANIMALS:

Any owner or keeper of, or other person having in his possession or charge or under his control any horse, ox, cow, or other animal that shall die within the limits of this town and shall fail or neglect to remove the body or carcass of such animal within twenty four (24) hours after its death, beyond the limits of the town and bury the same, shall be deemed the author of a nuisance, and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. Any such body or carcass not removed and buried as herein provided is hereby declared to be a nuisance. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-6: STANDING WATER:

Any person who shall permit water to stand on any lot or premises owned or occupied by him in this town, until such water becomes, or is likely to become, foul, offensive or injurious to the public health, shall be deemed the author of a nuisance, and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. Any such standing water is hereby declared to be a nuisance. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-7: DEPOSITING EARTH, DIRT UPON STREETS:

Any person who shall throw or cause to be thrown or deposited into or upon any street, alley or other thoroughfare in this town, any earth, sand, dirt, plaster, lime, lumber or wood without the permission of the town marshal shall be deemed the author of a nuisance, and, upon conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this code. Any such articles so placed shall be deemed to be a nuisance. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-8: FILTH OR RUBBISH IN STREETS OR ALLEYS:

Any person who shall throw or deposit or cause to be thrown or deposited into or upon any street, alley, sidewalk, or vacant lot in this town any wrapping paper, waste paper, land bills, old clothes, boots, shoes, hats, tin cans, coal, wood, ashes, manure or the refuse of any stable or any combustible material or rubbish of any kind shall be deemed to be the author of a nuisance, and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. Any such article or rubbish so thrown or deposited is hereby declared to be a nuisance. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-9: OFFENSIVE PREMISES:

Any person who shall own, occupy or keep any grounds or premises in this town in such a condition as to be offensive and a nuisance to the neighborhood or to any family or person shall be deemed the author of a nuisance, and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. The following conditions upon lands within the limits of the town of Superior are hereby declared to be public nuisances: "wastes", "garbage and trash", "junk", "weeds", "grasses", "obstructions", are defined as in section 4-1-9 of this chapter.

The following conditions upon lands within the limits of the town of Superior are hereby considered to be offensive and a nuisance and are hereby declared to be a public nuisance:

GARABAGE AND TRASH: The presence of trash is defined as to include, but not be limited to, wire, bottles, broken glass, dead weeds, stumps, brush, shoes, discarded parts, appliances, equipment, yard trimmings, discarded building materials, paper and cloth products, ash, wood, glass, metal, cloth, leaves, hay/alfalfa,

and solid wastes resulting from industrial and manufacturing processes. Also, any other material, manmade or organic, that is considered a breeding ground for rodents and pests living in and/or feeding in the area, as these are considered a health risk. Also included is any material considered to be a fire hazard.

JUNK: The presence of junk , which is defined to include lumber, barrels, metals, discarded appliances, or any worn, cast off, or discarded articles, and materials which are ready for destruction or have been collected and stored for salvage or conversion to some other use. Any article of material which, unaltered or unchanged can be used as readily as when new shall not be considered junk. Any and all portions of disabled vehicles, not being used for the repair of a vehicle within twenty (20) days shall be considered junk.

OBSTRUCTIONS: Any item including, but not limited to, bushes, hedges, trees, fences, walls, or structures which impede the view of a driver of a vehicle, or which hinder the passage of pedestrians on sidewalks, alleyways, and streets shall be deemed a nuisance.

WASTES: Wastes resulting from the handling, preparation, cooking, or consumption of foods; wastes from the handling, storage and sale of produce; any other matter whatsoever that may decompose and become foul, offensive, unsanitary or dangerous to the health. Domestic composting shall not be considered a nuisance unless shown to be a breeding ground for rodents or pests or a health hazard.

WEEDS AND GRASSES: All weeds defined as noxious by the Wyoming board of agriculture or the Wyoming weed and pest council, and all weeds or tall grasses within the town limits, which exceed a height of twelve inches (12") are a nuisance unless cultivated for aesthetic purposes. Trees, flowers, or other ornamental plants are not to be considered a nuisance except as they may constitute obstructions.

(Ord. 1003, 7-28-1994; amd. 2005 Code; amd. Ord. 1042)

4-1-10: POSTING BILLS:

Any person who shall post, paint or stick or cause to be posted, painted or stuck, any handbills or placards upon any public or private house, store, or other building or upon any fence or other structure in this town without permission from the owner or occupant of the same shall be deemed the author of a nuisance and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of

this code. Handbills or placards so posted, painted, or stuck are hereby declared to be a nuisance. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-11: HOG PENS:

Any pen, place or premises in this town in or upon which more than ten (10) hogs, shoats, or pigs shall be confined or kept at one time, and any pen, place or premises in which less than that number of hogs, shoats or pigs shall be so kept as to be offensive or an annoyance to any person is hereby declared to be a nuisance and any person who shall own or keep or use any pen or pens, place or premises in either case so as to be a nuisance under the provisions of this section shall be deemed the author of a nuisance and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code for every day he shall fail or refuse to abate the same after being notified by a town officer. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-12: PUTTING GARBAGE ON LOT OF ANOTHER:

Any person who shall throw or deposit or cause to be thrown or deposited any ashes, soot, garbage, offal, slops or other filth of any kind upon the lot or realty of another in this town, whether owned or occupied by another, shall be deemed the author of a nuisance and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. Any such refuse, if thrown or deposited in any such place, shall be and is hereby declared to be a nuisance. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-13: SLAUGHTERING ANIMALS:

Any person who shall slaughter, kill or dress any cattle, calves, sheep or swine, or steam any lard or tallow within the limits of this town, or within one mile of the limits thereof, who shall conduct or carry on such business in this town, or within one mile of the corporate limits of the town, who shall permit or suffer to remain on his premises any blood, filth, offal or other matter so that the same shall become offensive or injurious to the public health, or any annoyance to the neighborhood, shall be deemed the author of a nuisance and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. Any place in the condition herein described is hereby declared a nuisance. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-14: THROWING GARBAGE IN STREETS:

Any person who shall throw any garbage, offal or filth of any kind in the streets or alleys of this town, any occupant of any building allowing such garbage, filth or offal to be thrown into said streets or alleys; any person who may throw any garbage, offal or filth of any kind into or upon any unoccupied lot near the streets and alleys of this town; any person who may dump any garbage, offal or filth or

the refuse within the limits of this town; any person allowing manure to accumulate in stables, yards, or corrals, shall each be deemed the author of a nuisance and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code; provided the manure may be dumped on any land enclosed for agricultural purposes by permission of the owner of said enclosure and shall not be deemed a nuisance. Any of the said articles so placed, as provided herein, shall be deemed a nuisance. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-15: CLEARING PUBLIC WAYS:

Every person owning lots or land within this town shall, after the passage date hereof, clear or cause to be cleared up, all rubbish, stones or obstruction of any kind in any street or alley in front of or on either side of or in the rear of said lots or land. Any person who shall fail to so clear the streets and alleys adjoining his premises as herein provided shall be deemed the author of a nuisance and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. Any such rubbish, stones, or obstructions on the places herein described are hereby declared to be a nuisance. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-16: STEAMING, BOILING OR RENDERING ANIMAL SUBSTANCE:

Any person who shall steam or boil or in any way render any offal, tainted or damaged, lard or tallow, or steam or boil or render any animal substance in such manner as to occasion any offensive smell, or which will, by steaming, boiling or otherwise rendering, so to taint the air as to render it unwholesome or offensive to the smell within the limits of the town shall be deemed the author of a nuisance and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code, and such rendering or boiling of the aforesaid articles is hereby declared to be a nuisance. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-17: ABATEMENT:

- A. Notice To Abate: In order to carry out the provisions of the foregoing sections and for the purpose of carrying the foregoing provisions into effect, it shall be the duty of the town marshal, or such other officer as may be directed by the town council or mayor, to serve a notice, in writing, upon the owner, occupant or agent of any lot, building or premises in or upon which any nuisance may be found, or upon him who may be the owner or cause of any such nuisance, requiring him to abate the same within twenty four (24) hours after the receipt of such notice; provided, that a longer time may be given if the officer, in his discretion, may deem it necessary.
- B. Failure To Comply: If such owner, occupant or agent shall neglect or refuse to comply with the requirements of such order within the time

- specified, he shall be subject to penalty as provided in section [1-4-1](#) of this code for every such violation.
- C. Duty To Remove; Unknown Owner: It shall be the duty of said officer to proceed at once, upon the expiration specified in said notice, to cause such nuisance to be abated; provided, that whenever the owner, occupant, or agent, of any premises in or upon which any nuisance may be found, is unknown or cannot be found, the said officer shall proceed to abate the same without notice.
 - D. Cost Of Abatement: Whenever any nuisance shall be found on any premises and abated, under the provisions of this or any other ordinance, at the expense of the town, after notice to the owner or occupant of the premises, when known and can be found, to abate the same in accordance therewith, it shall be the duty of the officer to report, in writing, to the town council, the amount of such expenses and a description of the premises in or upon which the same be found, the name of the owner or occupant of such premises, when known, and the manner of the service of said notice, and thereupon suit shall be instituted for the recovery of the expenses incurred in abating such nuisance, as in the case of monies expended to his use at his request; provided, however, that if the town council so direct, the town clerk-treasurer and ex officio assessor shall thereupon assess upon the tax list for the ensuing year the cost and expenses of abating such nuisance as a special assessment against the person for whom the nuisance was abated. Such assessment shall be collected in the same manner as general town taxes are collected, and the town clerk-treasurer shall have the same power to enforce collections by distress and sale of real estate and lands that he now has for the collection of general town taxes.
 - E. When Not Chargeable To Real Estate: In all cases arising under this or any other ordinance, where the expenses of removing any nuisance cannot be made chargeable to any real estate, or the owner of any real estate, notice may be given to the author of such nuisance, when known, to abate the same, in the manner required by the foregoing subsection, and in case of his neglect or refusal to abate the same in accordance with such notice, it shall be the duty of the officer serving said notice to cause such nuisance to be abated, and report the expense thereof to the town council for collection as provided in the foregoing section. (Ord. 1003, 7-28-1994; amd. 2005 Code)

4-1-18: DUTIES AND POWERS OF OFFICERS:

For the purpose of carrying the foregoing provisions into effect, it shall be the duty of the marshal and such other officers as may be directed or deputized by the marshal or mayor from time to time, to ascertain and cause all nuisances, declared to be such by this chapter, to be abated. Each and all of said officers shall have power at all times, between the rising and setting of the sun, to enter any store, house, stable, or any building, and to cause the floors to be raised, if

he or they shall deem it necessary, in order to make a thorough examination of cellars, vaults, sinks or drains; to enter upon all lots or grounds, and to cause all stagnant waters to be drained off, and pools, sinks, vaults, drains, or low grounds to be cleansed, filled up, or otherwise improved or amended; to cause all privies to be cleansed and kept in good condition, and to cause all dead animals and other nauseous substances to be buried or removed beyond the limits of the town. (Ord. 1003, 7-28-1994)

CHAPTER 2 HOUSE NUMBERS

Section:

4-2-1: House Numbers

4-2-1: HOUSE NUMBERS

A. House Numbers Required: All residential dwelling units and commercial business structures shall have a house or building number, in legible Arabic numerals with a minimum height of four (4) inches, which shall be visible from the street with a color that contrasts from the building or structure color.

B. Effective Date: All residential dwelling units and commercial business structures in existence at the time of adoption of this ordinance shall be in compliance within ninety (90) days of adopted date.

C. Compliance: Failure to have or maintain such building numbers shall constitute a misdemeanor punishable by not more than twenty-five dollars (\$25.00), with each day of continuing non-compliance constituting an additional offense.

CHAPTER 3 GARBAGE DISPOSAL

Section:

4-3-1: Definitions

4-3-2: Garbage collection by Commercial Services

4-3-3: Responsible for Removable of Certain Material to Transfer Station

4-3-4: Transfer Station Rates, Hours and Penalties

4-3-5: Penalty

4-3-1 – DEFINITIONS:

For the purpose of this chapter, the following words shall have the meanings respectively ascribed to them by this section. The word “shall” is always mandatory and not merely directory:

“Ashes” - The residue from the burning of wood, coal, coke or other combustible materials.

“Town” - The Town of Superior

“Collector” - Either the Town or a person holding a business license issued or granted by the Town authorizing such person to operate, conduct and maintain a municipal garbage and refuse collection and disposal system upon, on and over streets, alleys and public ways of the Town.

“Garbage” - Wastes resulting from the handling, preparation, cooking or consumption of foods; wastes from the handling, storage and sale of produce; and other matter whatsoever that may decompose and become foul, offensive, unsanitary or dangerous to health.

“Owner and Occupant” - Every person in possession, charge, custody or control of any premises where garbage, refuse and rubbish is created or accumulated.

“Person” - Any person, firm, partnership, association, company, corporation or organization of any kind.

“Premises” - Land and all buildings and structures thereon, including but not excluding by enumeration, single or multi-family dwellings, rooming houses, apartment houses, hospitals, convalescent and nursing homes, hotels and motels, restaurants, drive-in establishments, schools (academic, trade or industrial, and kindergarten) and any other place of habitation, office, shop or establishment or place of conducting a business, trade or occupation.

“Refuse” - Combustible and noncombustible discarded materials including but not limited to, paper, wood, branches, leaves, excepting non-offensive compost piles, furniture, bedding, building materials, ashes and solid wastes resulting from industrial and manufacturing processes.

“Rubbish” - Nonputrescible solid waste (Excluding ashes) consisting of both combustible and noncombustible waste, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, and similar materials.

4-3-2 – GARBAGE COLLECTION BY COMMERCIAL SERVICES:

A. Garbage, refuse and rubbish may be collected and removed by a private garbage collection services only when such service holds a current and valid non-exclusive business license from the Town of Superior.

B. Collection equipment shall be of an enclosed compaction type unit as approved by the Town of Superior; all vehicles used to transport garbage or refuse over Town streets shall be watertight and shall be provided with an adequate cover to prevent offensive odors and materials from escaping.

C. The Town Council may, by contract or resolution, make such other and further rules and regulations concerning collection by private licensed garbage collection services as it shall find reasonable, necessary and not inconsistent with the Town ordinances.

4-3-3 – RESPONSIBLE FOR REMOVABLE OF CERTAIN MATERIAL TO TRANSFER STATION:

- A. It shall be the duty of owners and occupants of any premises to prevent any unnecessary accumulation of garbage, refuse and/or rubbish, and shall be held responsible for the removal to the Town's Transfer Station or County Landfill, of trash, refuse and rubbish.
- B. The Town may, by resolution of the Town Council, prohibit and or/ limit the amount and/or type of material accepted by the Transfer Station, including accessing an additional fee for certain materials and/or capacity depleting loads.
- C. All plaster, broken concrete, stone, wood, roofing materials, wire or metal binding, sacks or loose discarded or unused materials of all kinds, resulting from wrecking, construction, reconstruction or remodeling of any room, basement, wall, fence, sidewalk or building shall be promptly removed or stored in such a manner as not to be scattered by wind or otherwise, and, as soon as possible, shall be removed by the persons responsible for such work. Such person shall be held liable for any damages caused by the scattering of refuse upon adjacent property and for the costs of cleaning up such scattered refuse.

4-3-4 – TRANSFER STATION RATES, HOURS AND PENALTIES:

- A. Transfer Stations Rates - All rates for use or disposal of refuse at the Transfer Station shall be set and amended by Resolution of the Town Council.
- B. Transfer Stations Hours – The Transfer Station hours of operation shall be set and amended by Resolution of the Town Council.

- C. It shall be unlawful for any person other than authorized personnel of the Town to be inside the Transfer Station area when the transfer station is not open for public use in accordance with the schedule set forth above.
- D. It shall be unlawful for any person, firm, or corporation, to dump or cause to be dumped any garbage, refuse trash, rubbish, refuse or junk outside the gates or fences of the transfer station.
- E. It shall be unlawful for any person, firm or corporation to remove anything, which has been deposited or dumped and left at the transfer station without first having asked for and received consent from the Town to do so. Such consent to be obtained from a Transfer Station attendant.

4-3-5 PENALTY:

Any person, firm, or corporation violating a prohibition in this Chapter has committed a misdemeanor punishable by a fine on no more than seven hundred and fifty dollars (\$750.00). Each day of a continuing violation may constitute a separate offense. (ORD 1063: 3/23/2017)