

AN ORDINANCE PROHIBITING UNSIGHTLY NUISANCES AND DANGEROUS NUISANCES WITHIN THE CITY OF ROLLA, NORTH DAKOTA, AND PROVIDING PENALTIES FOR VIOLATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, NORTH DAKOTA:

Section 1. If any person shall suffer or permit any grass or weeds to grow until the same becomes unsightly and offensive to the neighborhood or a fire hazard, or shall suffer or permit any cut or fallen tree or trees, unused or dilapidated or junk automobile, truck, machinery, refrigerator, equipment or appliance, or any unsanitary condition or any condition dangerous to public health, to remain upon any street or alley, or upon any grounds or premises belonging to or occupied by him, except grounds used in the business of buying and selling junk, so as to become an unsightly condition and offensive to the neighborhood, or so as to become dangerous to public health, or so as to be dangerously attractive to playing children, the same shall be deemed and is hereby declared to be a nuisance; and such owner or occupant shall be subject to the penalty hereinafter defined, and shall be subject to a like penalty for each and every day such nuisance shall continue after the first conviction.

Section 2. It shall be the duty of the chief of police to carry out all of the orders of the health officer of the City in regard to any unsanitary condition in the City, or any condition dangerous to public health; to proceed immediately upon view or information when complaint shall be made, regarding any condition described in Section 1 hereof, and make a thorough examination, and cause such nuisances to be abated with reasonable promptness. For the purpose of carrying out the foregoing requirements, the Chief of Police or any police officers shall be permitted at all times between the rising and the setting of the sun, to enter upon all lots or grounds, to cause grass and weeds to be cut, and to cause stagnant water to be drained off, and pools, sinks, vaults, drains, sewers or low grounds to be cleansed purified, filled up or otherwise improved, amended or abated, and to cause any dead animal or other nauseous or unwholesome thing or substance to be limited or removed beyond the city limits.

Section 3. It shall be the duty of the Chief of Police or any police officer to serve notice in writing or printing, or partly both, upon the owner, occupant or agent thereof, of any lot or premises upon which any nuisance as hereinbefore defined may be found, or upon the person who may be the cause of such nuisance, requiring him to abate or remove the same in such a manner as such officer shall prescribe, within such time as such officer shall deem reasonable; Provided, that it shall not be necessary in any case for such officer to specify in his notice the manner in which such nuisance shall be removed or abated, unless he shall deem it advisable to do so; And such notice may be given or served by any person or officer who may be directed or deputed to give or make the same, or by the officer who signed the same, and if such owner, occupant, agent, or person who may be the cause of the nuisance, shall neglect or refuse to comply with the requirements of such notice or order within the time specified, he shall be subject to the penalty as hereinafter defined for every violation. It shall be the duty of such officer upon the expiration of the time specified in such notice, to cause such nuisance to be abated or removed. Provided, that whenever the owner, occupant, or their agent, of any lot or premises upon which any such nuisance may be found, or the owner or cause of such

1 nuisance, is unknown or cannot be found, the Chief of Police shall  
2 proceed to abate the same without notice. In all cases the Chief  
3 of Police shall proceed to assess and collect the expenses of the  
4 abatement of all nuisances upon the premises or property, upon  
5 which the same may be found, or against which such expenses may be  
6 chargeable, as in the case of expenditures for building sidewalks,  
7 or by suit in the name of the City against the owner, occupant or  
8 agent of such lot or premises, or the owner or the person who may  
9 be the cause of the nuisance, as for money paid at his request;  
10 And in all cases where nuisances shall be found on any premises,  
11 and abated under the provisions hereof at the expense of the City,  
12 after notice to the owner, occupant or agent of the premises,  
13 when known and can be found, to abate the same in accordance  
14 herewith, it shall be the duty of the officer to report the amount  
15 of the expenses thereof to the City Council in writing and a  
16 description of the premises chargeable therewith, the name of the  
17 owner when known, and the manner in which notice was served. Such  
18 further proceedings in the assessment and collection of such  
19 expense shall then be had as is required in the assessment and  
20 collection of expenditures for sidewalks, Sections 40-29-05 and  
21 40-29-09, N. D. C. C., including assessment expense, or as the  
22 City Council may direct.

23 Section 4. Saving Clause. Should any portion of this  
24 ordinance be found unconstitutional, the remainder of the ordinance  
25 shall not be effected thereby and all portions hereof are declared  
26 to have been enacted and in force and effect regardless of any  
27 part thereof which may be found unconstitutional.

28 Section 5. Penalties. Any person violating the provisions  
29 of this ordinance shall upon conviction be punished by a fine of  
30 not to exceed \$100.00, or by imprisonment not to exceed 30 days,  
31 or by both such fine and imprisonment in the discretion of the  
32 Court; the Court to have power to suspend said sentence and to  
33 revoke the suspension thereof.

34 Section 6. Effective date. This ordinance shall be in full  
force and effect and take effect immediately upon its final passage  
and the publication of its title and penalty clause.

First reading: *Dec 5, 1966*

Second reading and final passage: *Jan 3rd, 1967*

Approval: *Jan 3rd, 1967*

*M. B. Katterand*  
RUDOLPH J. WALDER  
Mayor, City of Rolla, N.D.

ATTEST:  
*Victor C. Jackson*  
VICTOR C. JACKSON  
City Auditor.

Publication of title and  
penalty clause:  
*January 12, 1967*