

TITLE IV – HEALTH REGULATIONS

CHAPTER 30

GENERAL ENVIRONMENTAL HEALTH REGULATIONS

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30.01 DEFINITIONS.

For use in this chapter the following terms are defined:

1. “Board of Health” means the Warren County Board of Health.
2. “County Sanitarian” means the Warren County Environmental Health.
3. “Garbage” means any putrescible organic waste resulting from the handling, preparation, and consumption of food or of material intended for use as food.
4. “Health Hazard” means any condition, which can or has the potential to cause injury or sickness to human or animal life, or to the environment.
5. “Nuisance” means whatever is injurious to health, indecent, or offensive to the senses or an obstacle to the free use of property so as essentially to interfere with the comfortable enjoyment of life or property. This shall include all definitions in Section 657.2 of the Code of Iowa.
6. “Open Dumping” means the depositing of solid wastes on the surface of the ground or into a body or stream of water.
7. “Rodent and Pest” means any rodents or pests that have caused or have the potential to cause a health hazard. This includes but is not limited to rats, mice, mosquitoes, roaches, bees and wasps.
8. “Rodent and Pest Harborage” means any condition which provides shelter or protections for rodents and pests, thus favoring their multiplication and continued existence in, under, or outside any structure.
9. “Refuse” means putrescible and nonputrescible wastes, including but not limited to garbage, rubbish, ashes, incinerator residues, street cleanings, and market and industrial solid wastes.
10. “Sanitary Disposal Project” means all facilities and appurtenances including all real and personal property connected with such facilities, which are acquired, purchased, constructed, reconstructed, equipped, improved, extended, maintained, or operated to facilitate the final disposition of solid waste without

creating a significant hazard to the public health or safety, and which are approved by the Executive Director of the Department of Natural Resources.

11. "Solid Waste" means garbage, refuse, and other similar discarded solid or semi-solid materials, including but not limited to such materials resulting from industrial, commercial, agricultural, and domestic activities. Solid waste may include vehicles, as defined by subsection one of Section 321.1 of the code of Iowa.
12. "Yard Waste" means any debris such as grass clipping, leaves, garden waste, brush and trees. Yard waste does not include tree stumps.

30.02 GARBAGE AND REFUSE.

No owner or lessee of any public or private premises shall permit to accumulate upon his or her premises any garbage or refuse except in covered containers meeting County specifications. Such containers shall be constructed in such a manner as to be strong, not easily corrodible, rodent proof, insect proof, and shall be kept covered at all times except when garbage and refuse is being deposited therein or removed there from.

30.03 SEPERATION OF YARD WASTE REQUIRED.

All yard waste shall be separated by the owner or occupant from all other solid waste accumulated on the premises. Disposal of yard waste at sanitary landfills is prohibited. However, yard waste which has been separated at its source from other solid waste may be accepted by a sanitary landfill for the purposes of soil conditioning or composting. Composting, incineration, and/or land application are appropriate methods for disposing of yard waste.

30.04 EMERGENCY CONDITIONS.

In case of a natural disaster or other emergency conditions, as established by the board of Supervisors, special disposal procedures may be implemented by resolution of the Board.

30.05 HEALTH HAZARD.

It shall be unlawful for any person to permit to accumulate on any premises, improved or vacant, or on any public place, such quantities of solid waste or refuse, either in containers or not, that shall constitute a health or sanitation hazard.

30.06 OPEN DUMPING PROHIBITED.

No person shall dump or deposit or permit the open dumping or depositing of any solid waste at any place other than a sanitary landfill facility, unless a special permit to dump or deposit solid waste on land owned or leased by such person has been obtained from the Department of Natural Resources. However, this section does not prohibit the use of dirt, stone, brick, or similar inorganic material for fill, landscaping, excavation, or grading at places other than a sanitary disposal project.

30.07 SANITARY DISPOSAL REQUIRED.

It shall be duty of each owner to provide for the sanitary disposal of all refuse accumulating on the owner's premises before it becomes a nuisance. Any such accumulation remaining on any premises before it becomes a nuisance. Any such accumulation remaining on any premises for a period of more than thirty (30) days shall be deemed a nuisance.

30.08 NUISANCES PROHIBITED.

The creation or maintenance of a nuisance is prohibited. The Board of Health can make recommendations and referrals (to other policies, regulations, agencies or persons) to help on nuisances evaluated as non-public health hazards. However, the Board of Health only has a responsibility to assure that public health hazards are addressed.

30.09 ABATEMENT OF NUISANCE.

The Board of Health may order the owner, occupant, or person in charge of any property, building or other place to remove at his or her own expense any nuisance, source of filth, cause of sickness, or health hazard found thereon by serving upon said person a written notice stating some reasonable time within which such removal shall be made, and if such person fails to comply with said notice, the Board of Health may cause the same to be executed at the expense of the owner or occupant.

30.10 COST OF ABATING NUISANCE.

All expenses incurred by the Board of Health in proceeding to abate a nuisance may be recovered by suit in the name of the Board of Health, or the Board of Health may certify the amount of said expenses, together with a description of the property to the County Treasurer who shall enter the same upon the tax books as costs for removing a nuisance and said amount shall be collected as other taxes.

30.11 RODENT AND PEST ATTRACTION.

It shall be unlawful for any person to place, leave, dump, or permit to accumulate any garbage, rubbish or trash in any structure or on any property so that the same may afford food or harborage for rodents and pests.

30.12 RODENT AND PEST HARBORAGE.

It shall be unlawful for any person to permit to accumulate on any property any articles or materials that may constitute a rodent or pest harborage. Such articles or materials shall be placed on racks that are elevated not less than eighteen (18) inches above the ground and evenly piled or stacked.

30.13 RODENT AND PEST CONTROL.

Upon receipt of a written notice or order from the Board of Health, the owner of any property specified therein shall take immediate measures for rodent and pest control. In the event such control measures are not instigated within the time designated, the Board of Health may instigate condemnation and destruction proceedings or proceed to abate the condition as outlined in the nuisance Sections 30.08 through 30.10.

30.14 INTERFERENCE WITH ENFORCEMENT.

No person shall interfere with members of the Board of Health, the County Sanitarian, or peace officers in the discharge of any duty imposed by law or the regulations of the Board of Health.

30.15 RIGHT TO ENTER PREMISES.

The Board of Health or the County Sanitarian may enter any building, property, or other place for the purpose of examining any possible nuisance, source of filth, source of sickness or health hazard.

30.16 REFUSAL OF ADMITTANCE.

In case any member of the Board of Health or the County Sanitarian shall be refused entry to any place, complaint may be made under oath to any court or competent jurisdiction and said court shall thereupon issue its order authorizing any member of the Board of Health or the County Sanitarian to enter such place for the purpose of examining any possible nuisance, source of filth, source of sickness, or health hazard.

30.17 APPEAL.

Any person who feels aggrieved by any notice or order made by the Board of Health or the County Sanitarian shall have the right to appeal to the Board of Health at the next regular meeting of the Board of Health. The Board of Health by majority vote shall modify, withdraw, or order compliance with said order.

30.18 SPECIAL PENALTY.

Any person who violates any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than \$500.00 or by imprisonment of not more than 30 days. The County Sanitarian is the enforcement officer of this provision. In addition thereto, such persons may be enjoined from continuing such violations. Each additional day of neglect or failure to comply with such provision, rule, or lawful order after notice of violation by the Board of Health shall constitute a separate offense.

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