

## CODE ENFORCEMENT

It is unlawful for any person to create, cause, or maintain a public nuisance on any premises or real property which the person owns, rents, leases, occupies or has charge or possession of, in the City of Star.

A PUBLIC NUISANCE is defined as a condition or use of property which is harmful or injurious to, or creates a danger of harm or injury to, the health, safety or welfare of members of the public.

The most common public nuisances are weeds, trash and abandoned vehicles.

The term "public nuisance" (SCC Section 3-1-2) is also defined as:

- A condition or use of property which creates a fire hazard.
- A condition or use of property which creates a traffic or safety hazard to members of the public. A safety hazard includes sight obstruction at intersections and driveways.
- The growth of weeds, grasses, bushes or other plant life to a size over one foot (1') in height. Tall weeds create a significant fire hazard and create an environment for undesirable rodents.

### Enforcement:

Any complaint concerning an alleged public nuisance shall be received and reviewed by the Zoning Administrator. The Zoning Administrator may refer the complaint to the city code enforcement officer, engineer, the health department, or to other appropriate officials or departments for assistance with the investigation.

If the Zoning Administrator determines that a public nuisance exists, he/she shall take the following actions:

### Notice of Nuisance Existence:

A written notice that a public nuisance exists shall be served upon the owner of the property, and the occupant or person in charge of the property, on which the nuisance is found. Such service shall be by personal service or by certified mail. If written notice cannot be served personally or by mail on the owner and occupant or person in charge of the property on which the nuisance is found, the notice shall be

posted by being affixed to a building or other place on the premises or property so that it is easily visible.

### Contents of Notice:

The written notice shall describe the nuisance and advise that if the conditions and/or alleged nuisance is not abated within fifteen (15) days from the date of the notice, the matter will be referred to the city council for hearing and determination at a regular or special meeting of the city council.

### Misdemeanor Proceedings:

If the City Council decides that misdemeanor proceedings are appropriate, it shall request legal counsel initiate such proceedings. The City Council may decide that both civil and misdemeanor proceedings are appropriate.

### Complaint Process:

When the City of Star receives a complaint, the Code Enforcement Officer pays a site visit to the subject property. The violations are recorded in writing and with photos, as necessary. A letter is generated from the Zoning Administrator to the property owner/resident. The letter is sent out to the owner/resident explaining the violation(s). The owner/resident of the subject property is given fifteen (15) days from the date of receipt of the letter to abate the nuisance. If the nuisance/code violation has not been removed within the allowed time period, the Zoning Administrator will request the Code Enforcement issue be placed on the City Council agenda. If the Council determines that misdemeanor proceedings are appropriate, the Council may direct the City Legal Counsel to take action and issue a citation against violators. In some cases the City of Star will clean up the property and charge the owner/resident the costs of cleanup, PLUS an additional administrative fee.

## ADDITIONAL INFORMATION

**ALLEYS** are not storage or dumping areas (i.e. grass clippings, tree limbs, parking or other items).

**DOGS AND CATS:** No owner may keep, harbor or possess on any property more than four (4) dogs or cats, or any combination thereof, unless a valid kennel license is obtained. The litter of a female dog or cat may be kept with its mother. Such litter, together with the mother, shall count as one dog or cat until the litter reaches six (6) months of age. Animals counted in the litter must be sold, traded or given away before the litter reaches six (6) months of age. (SCC Section 4-4-7)

**DOGS ON PUBLICLY OWNED PROPERTY:** Dogs are allowed in the Westpointe Park. Dogs are not allowed in any other City park or in City Hall. (SCC Section 4-4-5)

**FARM ANIMALS IN RESIDENTIAL DISTRICTS:** See the criteria for housing animals; all criteria must be met. (SCC Section 4-4-4)

**BARBED WIRE FENCES:** Barbed wire fences are prohibited in residential districts. (SCC Section 8-4A-14)

**EXTENDED PARKING:** Extended parking is not permitted on any street or alley for a period of seventy-two (72) hours or longer. No overnight parking of vehicles is permitted on public property. (SCC Section 5-2-7)

**GARAGE and YARD SALES:** The sale of household or personal articles (as furniture, tools, or clothing) held on the seller's own premises. Yard sales are limited to one sale per month, lasting no longer than three (3) days. Yard sales are not commercial activities. (SCC Section 8-2B-1)

**GRAFFITI** must be removed from fences and private property immediately.

**NOISE:** Noise is defined as loud or offensive noise by means of voice, musical instrument, horn, radio, loudspeaker, automobile, machinery, other sound amplifying equipment, or any other means which disturbs the peace, quiet, and comfort of any reasonable person of normal sensitivity residing in the area. Loud or offensive noise is that which is plainly audible within any residence, other than the source of the sound, or upon a public right of way or street at a distance of one

hundred feet (100') or more from the source of such sound. The Noise Ordinance is in effect between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M. (SCC Section 3-2-3)

**OPEN BURNING:** The open burning of tires or other rubber materials, burn barrels of any kind, household solid waste or garbage, junk motor vehicles or any material resulting from a salvage operation, plastics, existing structures, or any material which could be a source of air pollution is not allowed. (SCC Section 3-3-3)

**PARKING IN ALLEYS:** Parking in alleys is not allowed, unless loading or unloading of material and/or passengers. Loading is allowed for no more than thirty (30) minutes. (SCC Section 5-2-6)

**TRUCKS:** No "truck" shall be parked on any residential street, alley or roadway where "No Parking" signs are displayed within the limits of the city, other than for the purpose of loading or unloading cargo. (SCC Section 5-2-9 A)

**TRAILERS:** Any trailer measuring twenty-two feet (22') overall length, shall not be parked upon the streets in any residential area within the incorporated city limits overnight, except while engaged in loading or unloading passengers or cargo. (SCC Section 5-2-9 B)

## Questions:

Please refer to the Star City Code (SCC), Title 3, for additional information.

If you are unable to locate answers to questions regarding Code Enforcement issues, or have questions regarding how to file a complaint, you are encouraged to contact the City of Star Zoning Administrator at 286-7247.