

CHAPTER 21 PROPERTY MAINTENANCE

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6-21-1 PURPOSE. The purpose of this ordinance is to designate the responsibilities of persons for maintenance of structures within the City; to define nuisances as a result of the failure to perform such maintenance; and to provide for the abatement of such nuisances in order to provide for the health, safety and welfare of residents of the City.

6-21-2 AUTHORITY FOR ENFORCEMENT. The City Manager shall be responsible for the enforcement of this chapter and shall have all necessary authority to carry out such enforcement. The City Manager may delegate his/her enforcement authority to a Property Maintenance Official.

1. There is hereby created and established an advisory committee consisting of five members, citizens and residents of the City, who shall be appointed by the Mayor with the approval of the City Council. The term of the five persons to be appointed by the Mayor shall be three years, except that the term of two of the members appointed to the first committee shall be for only one year and the term of two members of the first committee shall be for two years. In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed for the unexpired portion of the term.

2. The City Manager, or his/ or her designated Property Maintenance Official, may, in his or her discretion, consult with the advisory committee concerning potential violations of this chapter. The advisory committee may make non-binding recommendations to the City Manager or the Property Maintenance Official concerning enforcement of this chapter. However, the City Manager or designated Property Maintenance Official shall retain sole responsibility for the enforcement of this chapter.

6-21-3 INTERFERENCE. No person shall interfere with the City Manager or Property Maintenance Official while engaged in the enforcement of this chapter. A violation of this provision shall constitute a simple municipal infraction.

(Ord. 1142, Passed June 2, 2018)

6-21-4 NUISANCES. A failure to satisfy any one or more of the following provisions shall constitute a nuisance:

1. All structures, equipment and exterior property, whether occupied or vacant, shall be maintained in good repair and in structurally sound and sanitary condition as provided herein, so as not to cause or contribute to the creation of a blighted area or adversely affect the public health or safety.

2 All structures, equipment and exterior property shall be kept free from rodent and vermin harborage and infestation. Where rodents and vermin are found, they shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent and vermin harborage and prevent re-infestation.

3. All accessory structures, including, but not limited to, detached garages, fences, storage sheds, fences and walls shall be maintained in structurally sound condition and in good repair.

4. All exterior surfaces, including, but not limited to, doors, door and window frames, cornices, porches and trim, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or application of other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors, and skylights, shall be maintained weather resistant and watertight.

5. All foundation walls shall be maintained plumb and free from open cracks and breaks, and shall be kept in such condition so as to prevent the entry of rodents or vermin.

6. All exterior walls shall be maintained plumb unless otherwise designed or engineered; free from cracks, holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

7. All roofs and flashing shall be sound, tight, and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and down spouts shall be maintained in good repair, with proper anchorage and free from obstructions.

8. Every exterior stairway, deck, porch, or balcony, and all appurtenances thereto, shall be maintained in structurally sound condition, in good repair, and proper anchorage, and capable of supporting the imposed loads.

9. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained in structurally sound condition and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

10 Every handrail and guardrail shall be firmly fastened and capable of supporting normally imposed loads, and shall be maintained in good condition.

11. Basement entrances. Every basement hatchway or exterior basement entrance shall be maintained to prevent entry of rodents or vermin, and shall be maintained so as not to allow rain or surface drainage water to enter.

12. Broken doors or windows. Broken exterior doors and broken windows shall be replaced or repaired.

(Ord. 987, Passed February 16, 2004)

6-21-5 ABATEMENT OF NUISANCES. The City Manager or designated Property Maintenance Official may abate any nuisance identified pursuant to this chapter in accordance with the procedures for abatement of nuisances contained in Title III Chapter-2 of the City of Maquoketa Code of Ordinances.

1. Any violation of this chapter shall also constitute a municipal infraction pursuant to Title III Chapter 17.

2. If it is determined that an emergency exists by reason of the continuation or creation of a nuisance under this chapter, the City Manager or designated Property Maintenance Official may abate the nuisance in accordance with the procedures of Section 3-2-8 of the City of Maquoketa Code of Ordinances.

(Ord. 981, 2-3-02)