

**CHAPTER 60
PUBLIC HEALTH NUISANCES**

60.01 Purpose	60.06 Public Health Nuisance Defined
60.02 Applicability	60.07 What Deemed Nuisances
60.03 Authority	60.08 Inspections
60.04 Designated Agency	60.09 Closing of Premises
60.05 Public Health Nuisance Prohibited	

60.01 PURPOSE. The purpose of this chapter is to provide minimum standards for the protection and safeguard of life, health, property, and the general public welfare by regulating and controlling health nuisances.

60.02 APPLICABILITY. The provisions contained herein apply to all nuisances occurring within unincorporated County and all incorporated places in the County which have not established a city Board of Health.

60.03 AUTHORITY. Pursuant to Chapter 137 of the Code of Iowa, local Boards of Health, the Board of Health adopts the rules contained in this chapter necessary for the protection and improvement of public health.

60.04 DESIGNATED AGENCY. Pursuant to Chapter 137 of the Code of Iowa, local Boards of Health, the Environmental Health Department (EH) is the designated agency to interpret, monitor, and enforce the rules contained in this chapter.

60.05 PUBLIC HEALTH NUISANCE PROHIBITED. The creation or maintenance of a public health nuisance is prohibited.

60.06 PUBLIC HEALTH NUISANCE DEFINED. Whatever is injurious to health, indecent, or unreasonably offensive to the senses, or an obstruction to the free use of property, so as essentially to interfere unreasonably with the comfortable enjoyment of life or property, is a nuisance

60.07 WHAT DEEMED NUISANCES.

1. All decayed or unwholesome food offered for sale to the public.
2. All diseased animals running at large.
3. Carcasses of animals not buried or destroyed within 24 hours.
4. Garbage or refuse cans which are not fly tight.
5. The pollution of any well, cistern, spring, tile system, lake, river, stream, canal, or body of water.
6. The use, sale, or storage of any toxic substance in such a manner as to constitute a hazard to the public.
7. Any building or structure in which people are housed or congregate for any purposes, which building has become dangerous for further occupancy because of structural, sanitary, or other defects.
8. Any building or place that is conducive to the breeding, harboring, feeding, or shelter of any vermin or pests, such as (but not limited to) flies, mice, cockroaches, or rats.
9. Any water supply for human consumption which is pathogenically or chemically unsafe according to the latest Federal Environmental Protection Agency's standards.
10. Accumulations of manure, rubbish, derelict appliances, broken furniture, or other solid waste that remains in place for a duration that would be injurious to public health and safety.
11. Any home, building, structure, or site where hazardous material has been found following clinical reporting, departmental investigation, or analytical testing resulting in positive identification of the hazard. Examples of some common hazardous materials include:
 - A. Lead,

- B. Asbestos,
- C. Molds,
- D. Carbon monoxide gas,
- E. Radon gas, and
- F. Formaldehyde gas.

12. Emission of dense smoke, noxious fumes, or fly ash into the air.

60.08 INSPECTIONS. Whenever Environmental Health Department has reasonable grounds to believe that a public health nuisance exists, an inspection may be made of such premises, dwelling, or other building in order to gather information and evidence. Information and evidence may include, but is not limited to, taking statements from residents and neighbors, taking pictures, measuring distances, and collecting water samples, soil samples, and other necessary specimens for the purpose of laboratory analysis. The Environmental Health Department shall enter such premises to make inspections and to obtain samples as are necessary for the investigation. Such inspection shall be made between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, and at other times with the consent of the occupant, or in case of emergency. The provisions of this section shall apply to all premises, buildings, or dwellings, vacant or occupied. Environmental Health Department may make as many additional inspections of such premises as are deemed necessary.

60.09 CLOSING OF PREMISES. In such cases, the Board of Health may order the occupants to vacate premises where a nuisance exists, and determine a reasonable time to abate the nuisance violation or cause the reduction of hazards. If the order is not complied with, said Board of Health may cause the occupants to be forcibly removed and close the premises, and said place shall not again be occupied as a dwelling or place of business without the written permission of the Board of Health.