CHAPTER 11
HEALTH AND SANITATION

Sec. 11.1. UNWHOLESALE FOOD.
Any person who sells or offers to sell for consumption any unwholesome, decaying or spoiled meat, fruit, vegetable or other commodity unfit for food, is guilty of a misdemeanor.
(Ord. No. 812, Sec. 109; Code 1956, Sec. 76-109)

Sec. 11.2. OFFENSIVE SUBSTANCES; TRANSPORTING, DEPOSITING.
Any person who hauls along or through any of the streets in the city, any refuse, garbage, offal, decayed meat or vegetables, night soil, or any other filthy substances, giving off offensive odors or stenches, except when the same is contained in such boxes, barrels or other receptacles as will in every case prevent the escape of such odors or stenches and the dropping, scattering or depositing, of any such filthy substances on any street, alley or private property, is guilty of a misdemeanor.
(Ord. No. 777, Sec. 2; Ord. No. 312, Sec. 105; Code 1956, Sections 57-2, 76-105)

Sec. 11.3. POISONS -- SETTING OUT.
Any person who places or throws any poison, poisoned food or substances on any street, avenue, alley, public or private grounds, within the city, in such a way that it may endanger the life of any person or animal, is guilty of a misdemeanor. Provided, however, that nothing herein prohibits the setting out of poison in a prudent manner upon one's own premises for the purpose of exterminating vermin or rodents.
(Ord. No. 777, Sec. 10; Ord. No. 812, Sec. 91; Code 1956, Sections 76-91, 57-10) [State Law Ref. Iowa Code Sec. 717.1]

Sec. 11.4. URINATION AND DEFCATION.
No person shall urinate or defecate onto any sidewalk, street, alley, or other public way or onto the floor, hallway, steps, stairway, doorway or window of any public or private building.
(Ord. No. 777, Sec. 14; Code 1956, Sec. 57-14; Ord. No. 2490, Sec. 2, 11-26-74; Ord. No. 3003, Sec. 10, 2-23-88; Ord. No. 4132, Sec. 11.4, 11-27-12)

Sec. 11.5. PENALTIES FOR OFFENSES PERTAINING TO HEALTH AND SANITATION.
(1) A violation of any provision of Chapter 11, Health and Sanitation, shall be a municipal infraction punishable by a penalty of $50 for a person's first violation and $100 for each repeat violation.
(2) Alternatively, a violation of any provision of Chapter 11, Health and Sanitation, can be charged by a peace officer of the city as a simple misdemeanor.
(Ord. No. 2523, Sec. 2, 8-5-75; Ord. No. 3497, Sec. 9, 8-25-98; Ord. No. 3551, 3-7-00; Ord. No. 4140, 2-26-13) [State Law Ref. Iowa Code Sec. 137.21]

Sec. 11.6. BURIAL OF HUMAN BODIES OUTSIDE CEMETERIES.
Burial of human bodies outside legally established cemeteries is prohibited.
(Ord. No. 3027, Sec. 1, 11-22-88; Ord. No. 4140, 2-26-13)
Sec. 11.7. HAZARDOUS MATERIALS CLEAN UP.

(1) Definitions. For the purpose of this section these words and phrases have the following meanings:

(a) Hazardous waste means any substance as defined in section 455B.411, subsection 3, paragraph a, Code of Iowa, and the rules of the Iowa Department of Natural Resources.

(b) Hazardous substance means any substance as defined in section 455B.381, subsection 5, of the 1993 Code of Iowa.

(c) Hazardous conditions means the same as set out in section 455B.381, subsection 4, of the 1993 Code of Iowa.

(d) Persons having control over a hazardous substance means the same as set out in section 455B.381, subsection 7, of the 1993 Code of Iowa.

(e) Clean up means the same as set out in section 455B.381, subsection 1, of the 1993 Code of Iowa.

(f) Treatment means a method, technique, or process, including neutralization, designed to change the physical, chemical or biological character or composition of a hazardous substance so as to neutralize it or to render the substance non-hazardous, safe for, transport, amendable for recovery, amendable for storage, or to reduce it in volume. Treatment includes any activity or processing designed to change the physical form or chemical composition of hazardous substance to render it non-hazardous.

(2) Clean Up Required. Whenever a hazardous condition is created by the deposit, injection, dumping, spilling, leaking or placing of a hazardous waste or substance, so that the hazardous substance or waste or a constituent of the hazardous waste or substance may enter the environment or be emitted into the air or discharged into any waters, including ground waters, the person having control over a hazardous substance shall cause the condition to be remedied by a clean up, as defined in the proceeding section, as rapidly as feasible to an acceptable, safe condition. The cost of clean up shall be borne by the person having control over a hazardous substance. If the person having control over a hazardous substance does not cause the clean up to begin in a reasonable time in relation to the hazard and circumstances of the incident, the City may proceed to procure clean up services and bill the person having control over a hazardous substance. If the bill for those services is not paid within thirty (30) days the City shall proceed to obtain payment by all legal means it deems reasonable and appropriate.

(3) Notification. The City employee leading the response to a hazardous materials spill shall notify the Story County Sheriff as soon as possible.

(Ord. No. 3271, Sec. 1, 4-26-94; Ord. No. 4140, 2-26-13)

SEC. 11.8. OUTDOOR STORAGE OF HOUSEHOLD APPLIANCES AND FIXTURES.

Any person who abandons or otherwise leaves unattended any refrigerator, icebox, washing machine, dishwasher, kitchen range, clothes dryer, freezer, commode, urinal, bathroom sink, kitchen sink, or other large household appliance, bathroom fixture, kitchen fixture, or similar container, outside of buildings, or any person who allows such refrigerator, ice box, washing machine, dishwasher, kitchen range, clothes dryer, freezer, commode, urinal, bathroom sink, kitchen sink, bathroom fixture, kitchen fixture, or other large household appliance, or similar container, to remain outside of buildings or premises in the person’s possession or control, abandoned or unattended, commits a violation of this section.

(Ord. No. 3486, Sec. 1, 6-9-98; Ord. No. 4140, 2-26-13)