

## CHAPTER 161

### PROPERTY MAINTENANCE

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**161.01 PURPOSE.** The purpose of this chapter is to designate the responsibilities of persons for maintenance of structures, equipment and exterior property 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 safety and preserve the health and welfare of the citizens of the City.

**161.02 DEFINITIONS.** For the purpose of this chapter, the following terms are defined:

1. “Blighted area” is defined as set forth in Section 403.17 of the Code of Iowa.
2. “Vermin” means any of various insects; bugs or small animals regarded as objectionable because they are destructive, disease carrying, etc.

**161.03 AUTHORITY FOR ENFORCEMENT.** The Mayor shall be responsible for the enforcement of this chapter and shall have all the necessary authority to carry out such enforcement. Any person designated by the Mayor to enforce this chapter shall be known as the Property Maintenance Official.

**161.04. INTERFERENCE WITH THE PROPERTY MAINTENANCE OFFICIAL.** No person shall interfere with the Property Maintenance Official while engaged in the enforcement of this chapter.

**161.05 NUISANCES.** A failure to satisfy any of the following provisions shall constitute a nuisance:

1. General. All structures, equipment and exterior property, whether occupied or vacant, shall be maintained in good repair, 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. Rodent and Vermin Harborage. All structures, equipment and exterior property shall be kept free from rodent and vermin harborage and infestation. Where rodents and vermin are found, approved processes that will not be injurious to human health shall promptly exterminate them. After extermination, proper precautions shall be taken to eliminate rodent and vermin harborage and prevent re-infestation.
3. Accessory Structures. All accessory structures, including detached garages, fences, and walls shall be maintained structurally sound and in good repair.
4. Protective Treatment. 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 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. Foundation Walls. 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 and vermin.
6. Exterior Walls. All exterior walls shall be maintained plumb; free from cracks, holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
7. Roofs and Drainage. 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 downspouts shall be maintained in good repair and proper anchorage and free from obstructions.
8. Stairways, Decks, Porches and Balconies. Every exterior stairway, deck porch, and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.
9. Chimneys and Towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, 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. Handrails and Guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
11. Basement Hatchways. Every basement hatchway shall be maintained to prevent entrance of rodents, vermin, and rain and surface drainage water.

**161.06 NOTICE TO ABATE.** Upon discovery of any violation of Section 161.05, the City shall within five (5) days initiate abatement procedures as outlined in Chapter 50 of this Code of Ordinances.

**161.07 EMERGENCY ABATEMENT.** Notwithstanding any other provisions of this chapter, whenever in the judgment of the Property Maintenance Official any nuisance is an immediate and imminent threat to life and property, the Property Maintenance Official may, with or without prior notice as required within, order the nuisance abated and costs assessed against the property for collection in the same manner as a property tax. However, prior to such assessment, the City shall give the property owner notice as provided by the Code of Iowa and this Code of Ordinances.