

Chapter 208

NUISANCES

[HISTORY: Derived from Title 5, Ch. 2, Art. 1, of the 1993 Code of the Village of Port Byron. Amendments noted where applicable.]

GENERAL REFERENCES

Ordinance citation procedure — See Ch. 1, Art. V.

Animals — See Ch. 112.

Nuisance vegetation — See Ch. 222, Art. I.

Sanitary Code — See Ch. 235.

Sewers and sewage disposal — See Ch. 240.

Solid waste collection and disposal — See Ch. 255, Art. I.

Streets and sidewalks — See Ch. 265.

Abandoned or wrecked vehicles — See Ch. 285.

§ 208-1. Nuisances, generally.

Within the territorial jurisdiction of the Village it is hereby declared a nuisance for any person to cause any of those acts or omissions that are declared to be nuisances by the laws of the State of Illinois and such as are known as nuisances to the common law of the land not hereinafter specially enumerated.

§ 208-2. Filth in streets.

It shall be unlawful for any person to throw or deposit or cause to be thrown or deposited any unclean water, manure, slop or other offensive matter or ashes or rubbish in any street, alley or public place in the Village.

§ 208-3. Dead animals.

It shall be unlawful for any person owning or in the possession of any dumb animals which may die within the Village to leave the same unburied therein for more than 12 hours after its death, unless sooner notified by the proper authorities to remove and bury the same, or for anyone to bring and leave the carcass of any such animals within the limits of the Village, provided this shall not apply to any such animals fit and intended to be used for food.

§ 208-4. Unhealthy premises.

It shall be unlawful for any person to keep, use or suffer any cellar, vault, private drain, pool, privy, sewer, grounds or any premises belonging to or occupied by any person to become nauseous, foul, offensive, injurious or detrimental to the health of any individual.

§ 208-5. Obstructions in streets.

It shall be unlawful for any person to erect, construct or cause to be erected or constructed in any street or public alley in the Village any step, cellar door or cellar way less than three feet from the side lot line of the street into the sidewalk or street or less than three feet from the line of any alley into the same; or to erect any porch, bulk, jut-window or other encumbrance, or so place or cause to be placed any spout or gutter whereby the passage of any street or alley as aforesaid shall be obstructed.

§ 208-6. Obstructing streets.

It shall be unlawful for any person to place or erect or cause to be placed or erected in any street, road, sidewalk, alley or other place under control of the Village any building or other obstruction or to fail to remove the same after notice from law enforcement so to do.

§ 208-7. Nuisances on private property. [Amended 8-28-1978 by Ord. No. 78-8-28B]

- A. Definition. For the purposes of this section, the term "nuisance" is defined to mean any condition or use of premises or of building exteriors which is detrimental to the property of others or which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which such premises are located. This includes, but is not limited to, the keeping or the deposition on or the scattering over the premises of any of the following:
- (1) Lumber, junk, trash or debris.
 - (2) Abandoned, discarded or unused objects or equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans or containers.
- B. Nuisance prohibited. No person owning, leasing, occupying or having charge of any premises shall maintain or keep any nuisance thereon, nor shall any such person keep or maintain such premises in a manner causing substantial diminution in value of the other property in the neighborhood in which such premises are located.¹
- C. Enforcement. Enforcement of this section may be accomplished by the Village in any manner authorized by law, and in addition, any person who by reason of another's violation of any provision of this section suffers special damage to himself different from that suffered by other property owners throughout the Village generally may bring an action to enjoin or otherwise abate an existing violation.

§ 208-8. Violations and penalties.²

Any person convicted of violating any provisions of this chapter shall be subject to a penalty as set forth in Chapter 1, General Provisions, Article II, of the Village Code. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

¹. Editor's Note: Original ordinance provisions pertaining to abandoned vehicles as nuisances, which immediately followed this subsection, were moved at time of adoption of Code (see Ch. 1, General Provisions, Art. VI). See now Ch. 285, Vehicles, Abandoned or Wrecked, for provisions.

². Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. VI).