

CHAPTER 5

NUISANCES

The Town of Bethel repeals the previous ordinance with the same chapter and title adopted March 1, 1988 and replaces it with this Chapter 5 entitled "Nuisances".

The Town of Bethel does hereby ordain:

Sec. 5-1. Nuisance defined.

For purposes of these Ordinances, the term "nuisance" is defined as any condition of the Town land, or of the buildings erected thereon, or of the trade or business conducted therein or thereon, or of unsightly or unsanitary objects or articles collected therein or thereon, or of animals permitted to live or gather therein or thereon, or of obnoxious odors arising therein or thereon or therefrom, or any other condition that arises from the unreasonable or unlawful use by a person of his or her own property, real or personal, or from his or her improper conduct that works as an injury to the right of the public, and produces material annoyance, inconvenience, discomfort or hurt, or that is injurious to the health, or is indecent or offensive to the senses, so as to interfere with a person's comfortable use or enjoyment of life or property or so as to constitute a menace to the public health or safety.

Sec. 5-2. Power of Council to identify and abate nuisances; procedures.

- (a) Subject in all respects to the applicable provisions of the Town Ordinances, the Council shall have full power and authority to enact or adopt resolutions to identify, prevent, abate, and remove all nuisances at any time existing or deemed to be contemplated by any property owner or tenant of any property owner, whether in streets or on sidewalks or in any other public or private place within the Town, either on its own inspection, or on information given, or on written complaint of any resident of the Town (on a form provided by the Town Clerk and filed at the Town office) stating the character and location of such nuisance and signed by the resident making the complaint.
- (b) If Council finds that a nuisance exists, the Council or the Alderman, if any, shall give notice in writing, signed by the President of the Council, to the person or persons responsible for the existence of such nuisance, requiring such person or persons to remove or abate the same. Such notice shall be sent to such person or persons at his or her last known address by certified mail, return receipt requested.
- (c) If such person or persons fail or refuse to remove or abate such nuisance within ten (10) days after such notice is given, the Council shall cause such nuisance to be removed or abated at the expense of the person or persons responsible for the existence of such nuisance. In aid of its duties

hereunder, Council is empowered to commence legal action against such person or persons in a court of competent jurisdiction, to enlist the assistance of law enforcement, and to hire third party contractors.

Sec. 5-3. Nuisance damages; fines.

In addition to the fines authorized by other applicable provisions of these Ordinances, the Council shall determine the amount of costs and damages attributable to the nuisance in question, and the Council shall prepare and render to the person or persons responsible for the existence of such nuisance a bill stating such amount, which bill shall be payable within ten (10) days of its receipt.