

TITLE IV - HEALTH REGULATIONS

CHAPTER 30

GENERAL ENVIRONMENTAL HEALTH REGULATIONS

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30.01 DEFINITIONS. For use in this chapter, the following terms are defined:

1. "County Sanitarian" means the Dallas County Environmental Sanitarian.
2. "Garbage" means any putrescible organic waste resulting from the handling, preparation and consumption of food or of material intended for use as food.
3. "Health Hazard" means any condition which can or has the potential to cause injury or sickness to human or animal like or to the environment.
4. "Nuisance" means whatever is injurious to health, indecent or offensive to the senses or an obstacle to the free use of property so as essentially to interfere with the comfortable enjoyment of life or property. This includes all definitions in Section 657 of the Code of Iowa. (As amended hereafter.)
5. "Open Dumping" means the depositing of solid wastes on the surface of the ground or into a body or stream of water.
6. "Rat Harborage" means any condition which provides shelter or protection for rodents, thus favoring their multiplication and continued existence in, under or outside any structure.
7. "Refuse" means putrescible and nonputrescible wastes, including, but not limited to, garbage, rubbish, ashes, incinerator residues, street cleanings and market and industrial solid waste.

8. "Sanitary Disposal Project" means all facilities and appurtenances including all real and personal property connected with such facilities, which are acquired, purchased, constructed, reconstructed, equipped, improved, extended, maintained, or operated to facilitate the final disposition of solid waste without creating a significant hazard to the public health or safety, and which are approved by the Executive Director of the Department of Natural Resources.

9. "Solid Waste" means garbage, refuse and other similar discarded solid or semi-solid materials including but not limited to such materials resulting from industrial, commercial, agricultural, and domestic activities. Solid waste may include vehicles, as defined by subsection one of Section 321.1 of the Code of Iowa.

30.02 GARBAGE AND REFUSE. No owner or lessee of any public or private premises shall permit to accumulate upon his or her premises any garbage or refuse except in covered containers meeting County specifications. Such containers shall be constructed in such a manner as to be strong, not easily corrodible, rodent proof, insect proof, and shall be kept covered at all times except when garbage and refuse is being deposited therein or removed therefrom.

30.03 HEALTH HAZARD. It is unlawful for any person to permit to accumulate on any premises, improved or vacant, or on any public place, such quantities of solid waste or refuse, either in containers or not, that constitute a health or sanitation hazard.

30.04 OPEN DUMPING PROHIBITED. No person shall dump or deposit or permit the open dumping or depositing of any solid waste at any place other than the sanitary landfill facilities designated by the County, unless a special permit to dump or deposit solid waste on land owned or leased by such person has been obtained from the Department of Natural Resources. However, this section does not prohibit the use of dirt, stone, brick or similar inorganic material for fill, landscaping, excavation, or grading at places other than a sanitary disposal project.

30.05 SANITARY DISPOSAL REQUIRED.

a. All unrecycled solid waste generated within the County shall be transported to the Metro Park West Sanitary Landfill unless written permission is received from the Landfill to dispose of solid waste at another permitted site.

Pursuant to a contract between Metro Park West Commission of which Dallas County is a member, Metro Waste Authority is authorized to enforce this section.

b. It is the duty of each owner to provide for the sanitary disposal of all refuse accumulating on the owner's premises before it becomes a nuisance. Any such accumulation remaining on any premises for a period of more than thirty (30) days shall be deemed a nuisance.

c. All rural subdivisions located within Dallas County with ten (10) or more occupied dwelling sites shall have municipal solid waste disposal service with a State licensed solid waste hauler. Included with this service shall be curbside recycling. All tonnages recycled by the licensed solid waste hauler shall be reported to the Metro Park West Sanitary Landfill.

30.06 NUISANCES PROHIBITED. The creation or maintenance of a nuisance is prohibited.

30.07 ABATEMENT OF NUISANCE. The Board of Health may order the owner, occupant or person in charge of any property, building or other place to remove at his or her own expense any nuisance, source of filth, cause of sickness or health hazard found thereon by serving upon said person a written notice stating some reasonable time within which such removal shall be made, and if such person fails to comply with said notice, the Board of Health may cause the same to be executed at the expense of the owner or occupant.

30.08 COST OF ABATING NUISANCE. All expenses incurred by the Board of Health in proceeding to abate a nuisance may be recovered by suit in the name of the Board of Health, or the Board of Health may certify the amount of said expenses, together with a description of the property to the County Treasurer, who shall enter the same upon the tax books as costs for removing a nuisance and said amount shall be collected as other taxes.

30.09 RODENT ATTRACTION. It is unlawful for any person to place, leave, dump or permit to accumulate any garbage, rubbish or trash in any structure or on any property so that the same may afford food or harborage for rodents.

30.10 RAT HARBORAGE. It is unlawful for any person to permit to accumulate on any property any articles or materials that may constitute a rodent harborage. Such articles or materials shall be placed on racks that are elevated not less than eighteen (18) inches above the ground and evenly piled or stacked.

30.11 RODENT CONTROL. Upon receipt of a written notice or order from the Board of Health, the owner of any property specified therein shall take immediate measures for rodent control. In the event such control measures are not instigated within the time designated, the Board of Health may instigate condemnation and destruction proceedings or proceed to abate the condition as outlined in the nuisance Sections 30.06 through 30.08.

30.12 INTERFERENCE WITH ENFORCEMENT. No person shall interfere with members of the Board of Health, the County Sanitarian or peace officers in the discharge of any duty imposed by law or the regulations of the Board of Health.

30.13 RIGHT TO ENTER PREMISES. The Board of Health or the County Sanitarian may enter any building, property, or other place for the purpose of examining any possible nuisance, source of filth, source of sickness or health hazard. In case any member of the Board of Health or the County Sanitarian shall be refused entry to any place, complaint may be made under oath to any court of competent jurisdiction and said court shall thereupon issue its order authorizing any member of the Board of Health or the County Sanitarian to enter such place.

30.14 APPEAL. Any person who feels aggrieved by any notice or order made by the Board of Health or the County Sanitarian shall have the right to appeal to the Board of Health at the next regular meeting of the Board of Health. The Board of Health by majority vote shall modify, withdraw or order compliance with said order.

30.15 PENALTY. The provisions of Chapter 2 of this Code of this Code of Ordinances shall be applicable for violations of this chapter.