

Chapter 11

HEALTH AND SANITATION

Section 11-1. Building Inspector to Serve as City Health Commissioner. [Ord. No. 858, §1]

The Building Inspector of the City of Eureka shall also serve as Health Commissioner for the City and shall exercise all powers and duties pertaining thereto according to law.

Section 11-2. Contract With County for Health Services. [Ord. No. 208, §2 to 4]

The Mayor is authorized to enter into on behalf of the City a contract with the county, whereby the county shall provide the services of trained health department personnel to carry out a public health and sanitation program within the City, including dogcatching and rabies control services, general sanitation and food inspection and such other services and activities, except mosquito control, as the county health commissioner may at any time, and from time to time, determine to be necessary and within the facilities and capabilities of the county's department of public health; all terms and provisions of the contract shall be such as the mayor approves.

The City shall provide all necessary space and office equipment required at no cost to the county. The county is to furnish all inspection and testing equipment, supplies and laboratory facilities for which they are to be paid one dollar per annum.

Agreement executed shall continue in force until December 31, 1966, and from year to year thereafter unless terminated by either party at the end of any calendar year by written notice at least thirty days prior thereto.

Section 11-3. Nuisances Affecting Health. [Ord. No. 154, §6; Ord. No. 919, §2-3]

The following are declared to be nuisances affecting health and are hereby prohibited:

- (1) All decayed or unwholesome food offered for sale to the public.
- (2) All diseased animals running at large.
- (3) All pools of stagnant water.
- (4) Carcasses of dead animals not buried or destroyed within twenty-four hours after death.
- (5) Accumulations of manure, rubbish, garbage, refuse and human and industrial or noxious or offensive waste, except the normal storage on a farm of manure for agricultural purposes.
- (6) Privy vaults or garbage cans which are not fly-tight.

- (7) The pollution of any well, cistern, spring, underground water stream, lake, canal or body of water by sewage or industrial wastes, or other substance harmful to human beings.
- (8) Dense smoke, noxious fumes, gas and soot or cinders, in unreasonable quantities, or the presence of any gas, vapor, fume, smoke, dust or any other toxic substance on, in or emitted from the equipment of any premises in quantities sufficient to be toxic, harmful or injurious to the health of any employee or to any premises occupant, or to any other persons.
- (9) Common drinking cups, roller towels, combs, brushes or eating utensils in public or semipublic places not properly sanitized after use.
- (10) Any vehicle used for septic tank cleaning which does not meet the requirements of general sanitary practices.
- (11) Any vehicle used for garbage and rubbish disposal which is not licensed as such by the city.
- (12) All infestations of flies, fleas, roaches, lice, ticks, rats, mice, fly maggots, mosquito larvae and hookworm larvae.
- (13) The keeping of animals or fowl in close proximity to residences, schools, hospitals, public or semipublic buildings, playgrounds, parks and other public places, except pet cats and dogs, animals in public or licensed zoos or animals in laboratories or farm animals; except, that no swine shall be kept within three hundred feet from any residence nor in a concentration for more than one animal per acre of vacant land.
- (14) Unlicensed dumps.
- (15) Any and all grading which disturbs the surface of the ground and which is not properly reseeded and thereby causes erosion or unnatural drainage of surface water in private or public property.
- (16) The disposing of any waste or sewage not in compliance with this Code or the failure in any way to comply with the requirements of this Code.
- (17) Abandoned or derelict vehicles as defined in Section 13-146.
- (18) All other acts, practices, conduct, business, occupations, callings, trades, uses of property, and all other things detrimental or certain to be detrimental to the health of the inhabitants of the City.

Section 11-3.5. Enforcement Procedures for the Removal of Nuisances Affecting Health as Prohibited in Section 11-3. [Ord. No. 913, §1]

- (a) Whenever any nuisance constituting a violation of Section 11-3., is allowed to exist or remain on any part of any lot or ground within the City, the owner of the lot or ground or, in case of joint tenancy, tenancy by the entireties of tenancy in common, each owner thereof, shall be liable for the cost of the removal of such nuisance.

- (b) Notice, hearing and special tax bill.
- (1) The Building Commissioner of the City shall give notice that in not less than ten (10) days and not more than fifteen (15) days a hearing will be held to determine if a public nuisance exists. This notice shall be given either personally or by United States Mail to the owner or owners or his agents, or by posting such notice on the premises.
 - (2) The Building Commissioner of the City shall conduct a hearing not less than ten (10) days and not more than fifteen (15) days after this notice. Thereupon, the Building Commissioner may declare the existence of a nuisance and order said nuisance removed within not less than five (5) days and not more than thirty (30) days.
 - (3) If the nuisance is not removed as required by the Building Commissioner, the Building Commissioner shall have such nuisance removed. The Building Commissioner shall certify the cost of the removal to the City Clerk, who shall cause a special tax bill therefor against the property to be prepared and to be collected by the Collector with other taxes against the property.
 - (4) Each special tax bill shall be issued by the City Clerk and delivered to the Collector on or before the first day of June of each year. Such tax bills, if not paid when due, shall bear interest at the rate of eight percent (8%) per annum.
 - (5) The tax bill from the date of its issuance shall be on a first lien on the property until paid and shall be prima facie evidence of the recitals therein and of its validity.

Section 11-4. Sanitation Code. [Ord. No. 367, §1]

The definitions; the inspection of food service establishments; the issuance, suspension and revocation of permits to operate food service establishments; the prohibiting of the sale of adulterated or misbranded food or drink; and the enforcement of this section shall be regulated in accordance with the unabridged form of the 1962 Edition of the "United States Public Health Service Food Service Sanitation Ordinance and Code", three certified copies of which shall be on file in the office of the city clerk; provided, that the words "municipality of _____" in such unabridged form shall be understood to refer to municipality of Eureka, Missouri. Provided further, that in such ordinance the parentheses enclosing words referring to grading shall be understood to be deleted.