

CODE ENFORCEMENT?



ALL THE TIME

**Springfield Code Enforcement staff respond to approximately
4,500 citizen requests per year for violations of the Nuisance Ordinance**

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SPRINGFIELD MUNICIPAL CODE

NUISANCES IN GENERAL

5.000 Definitions.

For the purposes of sections 5.000 through 5.012 the following mean:

Enforcing Officer. The city manager or his or her designee.

Hearings Official. The person as defined in Article 2, Section 2.020 of the Springfield Development Code.

Person in Charge of Property. An agent, occupant, lessee, tenant, contract purchaser, or other person having possession or control of property or the supervision of any construction project.

Person Responsible. The person responsible for abating a nuisance includes:

- (a) The owner.
- (b) The person in charge of property as defined above.
- (c) The person who caused a nuisance to come into or continue in existence.

Public View. The nuisance is visible from public or private property, including from any upper story. [Section 5.000 amended by Ordinance No. 5938, enacted October 4, 1999.]

5.002 Nuisances Prohibited.

No person shall cause or permit a nuisance on public or private property and causing or permitting a nuisance constitutes an offense under this code. This section is intended to not only prohibit the nuisances set forth herein, but also intended to encourage civil enforcement of these community objectives in accordance with the legal doctrines of statutory tort and negligence per se. The following are declared to be nuisances to be abated and/or cited as a civil infraction as provided in this code:

(1) Dead Organic Matter and Debris. Depositing an animal carcass or part thereof, any excrement or sewage, industrial waste, or any putrid, nauseous, decaying, deleterious, offensive, hazardous or dangerous substance upon any premises or in a storm drain, stream, well, spring, brook, ditch, pond, river, or other inland waters within the city; any accumulation of decomposed animal or vegetable matter, garbage, rubbish, manure, offal, ashes, discarded containers, waste, paper, cartons, debris, trash, brush, tree limbs, hay, grass, straw, weeds, litter, rags, or other refuse matter or substance, which by itself or in conjunction with other substances is deleterious to public health or comfort, or is unsightly, or creates an offensive odor.



(5) Conditions Attracting Rodents. Conditions upon a property or any premises that allow, attract or are likely to attract, feed or harbor rats or mice.

(6) Odors. Premises in such a state or condition as to cause an offensive odor or in an unsanitary condition.

(7) Privies, etc. A privy, vault, cesspool, septic tank or drain that emits a noxious and offensive smell, or that is prejudicial to public health.

(8) [Stagnant Water](#). An accumulation of stagnant or impure water that affords or might afford a breeding place for mosquitoes or other insects.

(9) [Combustible Materials](#). Any combustible materials as defined and declared hazardous in the fire prevention code.

(10) [Stored Vehicle](#). Parking, storing, leaving or permitting the parking or storing of any licensed or unlicensed motor vehicle that is in a rusted, wrecked, partially dismantled, inoperative or abandoned condition, whether attended or not, or any destruction derby vehicles or race cars of any kind, upon any public or private property within the city, unless completely enclosed within a legally permitted building that is wholly or entirely enclosed except for doors for use for ingress and egress or unless it is in connection with a business enterprise, lawfully licensed by the city, and properly operated in the appropriate business zone, pursuant to the zoning laws of the city. Nothing herein shall prohibit the storage of one vehicle not in violation of other provisions of this code, where it is screened from public view within a legally permitted building or behind a six foot solid fence. Nothing herein shall prohibit the parking or storing of a licensed, operable, legally parked, recreational vehicle.



(11) [Prohibited Parking](#). With the exception of an approved driveway or parking lot, no vehicles including but not limited to motor homes, busses, recreational vehicles, boats and utility trailers, shall be parked between the street and the primary building.



(12) [Other](#). Any other thing, substance, condition or activity prohibited by state law, this code or ordinances or which is determined by the council to be injurious or detrimental to the public health, safety or welfare of the city.

(2) [Attractive Nuisances.](#)

- (a) Unguarded machinery, equipment, including substandard Manufactured dwellings and RV's, automobiles and motorcycles, or other devices which are attractive, dangerous, and accessible to children or trespassers.
- (b) Lumber, logs, or pilings placed or stored in a manner so as to be attractive, dangerous, and accessible to children.
- (c) Any open pit, quarry, cistern, open basement, or other excavation without safeguards or barriers to prevent such places from being used by children.
- (d) Any abandoned, unattended or discarded freezer, refrigerator or other container accessible to children which has an air-tight door, or lock which may not be released for opening from the inside. This subsection does not include refrigerators or other containers offered for sale by commercial establishments provided that they are kept within enclosures from which children are excluded at all times except business hours.
- (e) An exposed foundation or portion of foundation, debris or other building or structural remains, for more than 30 days after the destruction, demolition or removal of any building or portion of the building.
- (f) An open, vacant structure which is attractive, dangerous and accessible to children or which is used for habitation by trespassers. This subsection shall not apply to authorized construction projects with reasonable safeguards to prevent injury or death to inquisitive minors.



(3) [Fences.](#) Fences made of pallets, cloth, tarps or sheets of plastic that are non weather resistant, or materials of an unsightly nature are prohibited.

(4) [Used Materials.](#) Waste, debris or discarded items, used building supplies, tires, cartons, paper, scrap, junk, used furniture, plumbing or electrical supplies, appliances and barrels, vehicle engine and body parts, lumber, used wood, pallets, or materials that are stockpiled for the purpose of recycling which are visible from public view. The stored materials shall be considered visible unless within a legally permitted building that is wholly or entirely enclosed except doors for use for ingress and egress or unless it is in connection with a business enterprise, lawfully licensed by the city, and properly operated in the appropriate business zone, pursuant to the development code. Firewood or materials to be used as firewood must be cut and stacked outside of the front yard setback within 30 days of delivery.

