



City of Vernonia

1001 Bridge Street

Vernonia, OR 97064

Phone: (503) 429-5291

Fax: (503) 429-4232

Violation Definitions

“Nuisance” (also referred to herein as “violation” or “nuisance violation”) means:

- A. A violation of any City of Vernonia development, land use, or public health ordinance;
- B. Committing an act, omitting to perform any act or duty, or permitting or allowing any act or omission, which injures, endangers, or interferes with the comfort, repose, health or safety of others, is unreasonably offensive to the senses, or which obstructs or interferes with the free use of property so as to interfere with or disrupt the free use of that property by any lawful owner or occupant; or
- C. The existence, without limitation, of any of the following conditions:
 1. **Trash Covered Premises.** Any premises containing trash or abandoned materials, including, but not limited to, boxes, animal matter or waste, glass, scrap metal, plastic, rags, wire, or packing materials, or any other matter that would mar the appearance, create a stench, or detract from the cleanliness or safety of the property, except that kept in garbage cans or containers maintained for regular collection;
 2. **Dangerous Structures.** Any dangerous, decaying, unkempt, falling or damaged dwelling, fence or other structure;
 3. **Potential Vermin Habitat or Fire Hazard.** Any accumulation of material or debris on a property including, but not limited to building materials which are not properly stored or neatly piled, crates, empty barrels, mattresses or bedding, old appliances or equipment or any parts thereof, furniture, or other objects which endanger property or public safety, or constitute a fire hazard or vermin habitat; provided, that nothing herein shall prevent the temporary retention of waste in approved, covered receptacles;
 4. **Stagnant Water.** An accumulation of stagnant or dirty water in an open container, barrel, pool or other man-made vessel that affords a breeding place for mosquitoes and other insect pests. This section does not apply to wetlands, ponds, streams, springs, creeks, rivers or natural drainage.
 5. **Junk Vehicles.** Any wrecked inoperable, abandoned, immobile or disassembled trailer, recreational vehicle, boat, tractor, automobile or other vehicle, or any parts thereof. Evidence of inoperability and damage includes, but is not limited to a build up of debris that obstructs use, a broken window or windshield, a missing wheel, a flat tire, a nonfunctional motor or transmission, missing bumpers, or missing or expired license plates; provided nothing herein shall prevent the keeping or storage of any vehicle on private property which is screened from view, nor prevent the storage on private property of up to two well-maintained, unlicensed

collector or antique vehicles, as defined by ORS 801.605 (Vehicles of Special Interest) or ORS 801.125 (Antique Vehicles);

- 6. Attractive Nuisances.** Any attractive nuisance which may prove detrimental to children whether in or on a building, on the premises of a building, or upon an unoccupied lot, which is left in any place exposed or accessible to children. This includes unused or abandoned refrigerators, freezers, or other large appliances or equipment or any parts thereof; abandoned motor vehicles; any structurally unsound or unsafe fence or edifice; any unsecured or abandoned excavation, pit, well, cistern, storage tank or shaft; and any lumber, trash debris or vegetation which may prove a hazard for minors;
- 7. Obstructions to the Public Right-of-Way.** Use of property abutting a public street, alley, or sidewalk or use of a public street, alley, or sidewalk which causes any physical or visual obstruction or safety hazard to traffic or to open access to the streets, alleys or sidewalks; provided, that this subsection shall not apply to events, parades, or the use of the streets or public right-of-way when authorized by the city. This section includes the existence of drainage onto or over any sidewalk, public path or alley;
- 8. Noxious Vegetation.** Any noxious, or toxic weed or uncultivated plant, weeds or tall grass which may be a health, safety, fire or traffic hazard, including but not limited:
 - a. Grass or weeds more than 12 inches high;
 - b. Poison Ivy;
 - c. Poison Oak;
 - d. Blackberry bushes that extend into a public thoroughfare or right-of-way or across a property line;
 - e. Plant growth on sidewalks to any property

This section does not apply to vegetation that constitutes an agricultural crop, unless that vegetation is a health, safety, fire or traffic hazard. An owner or person in charge of property shall cut down or destroy grass, shrubbery, brush, bushes, weeds or other noxious vegetation as often as needed to prevent them from becoming unsightly, from becoming a health, safety, fire or traffic hazard or in the case of weeds or other noxious vegetation, from maturing or going to seed.

- 9. Trees.** On any property, including the abutting parking strip, public street, alley or sidewalk:
 - a. Any tree which is in danger of falling and creates a substantial risk of damage or injury. Before removing any tree located in a parking strip, public right-of-way, or alley, the applicable department director shall be notified, unless it is impractical to do so because of imminent threat of harm to persons or property.
 - b. Any trees not maintained or trimmed to a height of not less than 8 feet above the sidewalk and not less than 13 feet 6 inches above any roadway or alley, which has been opened for access.
- 10. Illegal Dumping.** Dumping of any type by any person on public or private property not registered as a legal dump site; and

- 11. Dumping in Waterways.** Dumping, depositing, placing or leaving of any garbage, ashes, debris, gravel, earth, rock, stone or other material upon the banks, channels, beds or bars of any navigable water, or the felling of any tree or trees, so that the same shall in whole or in part project within the high water bank of any navigable watercourse, or the casting, placing, depositing, or leaving of any logs, roots, snags, stumps or brush upon the banks or in the bed or channel of any navigable water course.
- 12. Ditches.** Drainage and irrigation ditches adjacent to or crossing private property that are not maintained by the adjacent property owner in a condition free from debris, brush or vegetation that would impede the flow of storm water and/or reduce the capacity of the ditch or drainage. Drainage or irrigation ditch, as used in this section, does not include any perennial or intermittent stream, channelized stream or any other channel that contains fish.
- 13. Culverts.** Any pipes and culverts used for driveway or walkway purposes adjacent to or crossing private property, that are not maintained by the adjacent property owner; except that any such pipe or culvert installed in the public right-of-way to City standards shall be maintained by the City.
- 14. Nuisance Animals.** The following are nuisance animals, and may be taken into custody by the City and dealt with in accordance with the procedures provided by ordinance for the impoundment of dogs:
- a. Animals at large, except for a domestic cat of species felis catus.
 - b. Dangerous Animals. Any animal exposed in public that has, due to the lack of proper and adequate supervision and control by its owner, demonstrated a propensity to do an act harmful in its character to human beings or animals, regardless of whether done in a playful or hostile manner.
- 15. Radio Interference.** The use or operation of an electrical, mechanical or other device, apparatus, instrument or machine that causes reasonably preventable interference with radio or television reception by a radio or television receiver of good engineering design.
- 16. Barbed Wire or Electric Fences.** Any barbed wire or electric fence along a sidewalk, public way or along the adjoining property line of another person. Nothing herein prohibits barbed wire being placed above the top of other fencing not less than 6 feet, 6 inches high, where such fence height is permitted.
- 17. Commercial Zone.** The following are nuisances in the General Commercial zone, except on property used solely for residential purposes:
- a. Recreational vehicles and trailers, unless parked for less than 12 hours or kept in business licensed for the sale of such goods.
 - b. Temporary storage structures for which a building permit was not obtained.
 - c. Portable storage bins or containers, except for trash receptacles, unless screened from view.

- d.** Windows covered with plywood particleboard, plastic, tape or other temporary covering, except while the window is being repaired, provided such time period for repairing the window does not exceed 30 days past the date of damage. If the owner does not want to replace window with window material that conforms to the Uniform Building Code, owner shall fill in window with permanent exterior structural building materials consistent with the rest of the structure.

*For this subsection, a person may request temporary permission from Vernonia City Council, not to exceed three months at a time, to deviate from the standards of this subsection.