

STORY COUNTY BOARD OF HEALTH'S REGULATIONS FOR PUBLIC HEALTH NUISANCES

Pursuant to the authority granted under The Code of Iowa, Chapter 137, the Story County Board of Health hereby adopts the following rules for the protection and improvement of the public health:

A. - Public health nuisance prohibited. The creation or maintenance of a public health nuisance is prohibited.

B. - Public health nuisance defined. The following are hereby declared to be nuisances affecting public health as well as and in addition to any other act, omission of an act, occupation and/or use of property, premises, equipment or structure deemed to be a menace to the public health:

1. All decayed or unwholesome food offered for sale to the public.
2. All diseased animals running at large.
3. Carcasses of animals not buried or destroyed within 24 hours.
4. Any human excreta disposed of in any other manner than provided under Iowa Administrative Code, Chapter 69.
5. Garbage cans which are not fly tight.
6. The pollution of any well, cistern, spring, underground water stream, tile system, lake, river, stream, canal, or body of water by raw sewage or raw industrial wastes.
7. All public exposure of persons having a contagious disease.
8. The use, sale or storage of any toxic substance in such a manner as to constitute a hazard to the public.
9. Any building or structure in which people are housed or congregate for any purposes which has become dangerous for further occupancy because of structural, sanitary, or other defects.
10. All buildings, walls, and other structures which have been damaged by fire, decay or otherwise to an extent as to endanger the safety of the public.
11. All infestations of flies, fleas, roaches, lice, ticks, rats, mice, fly maggots, mosquito larvae and hookworm larvae.
12. Any water supply for human consumption which is bacterially or chemically unsafe according to the latest Federal Environmental Protection Agency's standards.
13. Accumulations of manure, rubbish or junk to remain in any place to become injurious and dangerous to the health and safety of individuals or to the public.
14. All public swimming pools or public bathing beaches which are not maintained in a sanitary and safe manner.
15. Any home, building, structure, or site where hazardous material has been found following clinical reporting, departmental investigation or analytical testing resulting in positive identification of the hazard. Examples of some common hazardous materials include: lead, asbestos, molds, carbon monoxide gas, radon gas and formaldehyde gas.

C. - Inspections. Whenever the Health Department has reasonable grounds to believe that a public health nuisance exists, an inspection may be made of such premises, dwelling or other building, and gather other necessary information, including water samples and other necessary specimens for the purpose of laboratory analysis. The health officer shall enter such premises to make inspections and to obtain samples as are necessary for the investigation. Such inspection shall be made between the hours of 8:00 AM and 5:00 PM, Monday through Friday and at other times with the consent of the occupant, or in case of emergency. The provisions of this section shall apply to all premises, buildings, or dwellings, vacant or occupied. The Health Officer may make as many additional inspections of such premises as are deemed necessary.

{First established as regulation by the BOH on 11/23/1974 and revised on 7/23/2002, placed into County Ordinance No. 110 by BOS on 09/10/2002}

D. - Closing of premises. In such cases, the BOH may order the occupants to vacate premises where a nuisance exists, and determine a reasonable time to abate the nuisance violation. If the order is not complied with, said Board may cause the occupants to be forcibly removed and close the premises and said place shall not again be occupied as a dwelling or place of business without the written permission of the Board.

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NOTE: This regulation may be used in conjunction with Chapter 657 Nuisances, of the Code of Iowa to abate a nuisance(s) or health hazard(s) in Story County.