

## **50-34 MAINTENACE AND OPERATING STANDARDS.**

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### **50-34.1 General maintenance requirement.**

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When the standards and procedures of this Chapter require that any building or site feature be constructed or installed, or when conditions attached to a special use approval, variance or zoning permit approval require that building or site features be constructed or installed, the property owner shall be responsible for maintaining those building or site features in good repair, and for replacing them if they are damaged or destroyed or, in the case of living materials, if they die after installation. In addition, property owners shall be responsible for the additional maintenance, replacement and operating standards set forth in this Section 50-34.

#### **A. Maintenance of signs.**

Any private sign, including any sign for which a permit is not required, that has become damaged, dilapidated or dangerous shall be immediately, or within the time frame mandated by the building official, repaired or removed. If the paint on any sign has checked, peeled or flaked to the extent that the sign cannot be read in whole or in part, the sign shall be repainted or removed. Signs that contain messages that have become obsolete because of the termination of the use or business or product advertised, or for some other reason, shall have such message removed within 60 days of its becoming obsolete;

#### **B. Landscape maintenance.**

Landscaped areas and plant materials required by this Chapter shall be kept free from refuse and debris. Plant materials shall be maintained in a healthy growing condition and be neat and orderly in appearance. If any plant material required by this Chapter dies or becomes diseased, it shall be replaced by the property owner on or before October 1 of the year the dead or diseased planting is discovered or within the time frame mandated by the building official;

#### **C. Temporary erosion and sediment control maintenance.**

All temporary erosion and sediment control measures required by Section 50-18.1.E shall be maintained as described in Section 50-18.1.E.4.

#### **D. Stormwater management system maintenance.**

All stormwater management systems required by Section 50-18.1.E shall be maintained as described in Section 50-18.1.E.8. (Ord. No. 10044, 8-16-2010, § 6.)

## **50-34.2 Operating standards.**

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All structures, uses and activities in all zone districts shall be used or occupied so as to avoid creating any dangerous, injurious, noxious or otherwise objectionable condition that would create adverse impacts on the residents, employees or visitors on the property itself or on neighboring properties. This responsibility shall include but not be limited to the following:

### **A. Glare.**

Glare, whether direct or reflected, such as from floodlights or high temperature processes, and as differentiated from general illumination, shall not be visible at any property line;

### **B. Noise.**

All activities shall comply with state statutes and regulations;

### **C. Odors.**

All activities shall comply with state statutes and regulations;

### **D. Smoke.**

All activities shall comply with state statutes and regulations;

### **E. Vibration.**

Operations shall cause no inherent and recurring generated vibration perceptible without instruments at any point along the property line. Temporary construction is excluded from this restriction;

### **F. Electromagnetic radiation.**

It shall be unlawful to operate, or cause to be operated, any planned or intentional source of electromagnetic radiation for such purposes as communication, experimentation, entertainment, broadcasting, heating, navigation, therapy, vehicle velocity measurement, weather survey, aircraft detection, topographical survey, personal pleasure or any other use directly or indirectly associated with these purposes that does not comply with the current regulations of the FCC regarding such sources of electromagnetic radiation. However, in case of governmental communications facilities, governmental agencies, and government owned plants, the regulations of the interdepartmental radio advisory committee shall take precedence over the regulations of the FCC regarding those sources of electromagnetic radiation;

### **G. Hazardous materials.**

The storage and handling of flammable liquids, liquefied petroleum, gases and explosives shall comply with all applicable regulations of the state. All applicable federal, state and local laws, rules and regulations shall apply to the treatment, storage, transportation and disposal of any hazardous materials, hazardous wastes or solid waste;

### **H. Materials and waste handling.**

No person shall cause or permit any materials to be handled, transported or stored in a manner that allows particulate matter to become airborne or liquid matter to drain onto or into the ground. All materials or wastes that might cause fumes or dust or that constitute a fire hazard or that may be edible by or otherwise be attractive to rodents or insects shall be stored outdoors only in closed, impermeable trash containers that are screened in accordance with the requirements of this Code. Toxic and hazardous materials and chemicals shall be stored, secured and maintained so that there is no contamination of ground, air or water sources at or adjacent to the site. Provisions shall be provided so that all lubrication and fuel substances shall be prevented from leaking or draining onto the property. All treatment, storage, disposal or transportation of hazardous waste shall be in conformance with all federal and state statutes, codes and regulations. All sewage and industrial wastes shall be treated and disposed of in such a manner as to comply with the water quality standards applicable to the classification assigned to the receiving water by the city, the state and the U.S. environmental protection agency;

H. Nuclear radiation.

Research operations shall cause no radiation at any property line that violates any regulation of the U.S. nuclear regulatory commission;

I. Nuisance prohibited.

All structures and land uses within the city shall be constructed, used, operated and maintained in such a manner so as to be free of nuisances, as defined in state law. (Ord. No. 10044, 8-16-2010, § 6.)