

# **Chapter 20 HEALTH AND SANITATION**

*Last updated October 2007*

## **Articles:**

**20.ED Editor's note to Chapter 20**

**20.04 In General**

**20.08 Weeds**

## **Article 20.ED Editor's note to Chapter 20**

### **Sections:**

**20.ED.010** Editor's note to Chapter 20

### **Section 20.ED.010 Editor's note to Chapter 20**

For state law as to authority of city to make regulations necessary or expedient for the promotion of health and sanitation or for the suppression of disease, see NDCC, § 40-05-01 (45).

As to rabies control, see §§ 5.08.06.020 to 5.08.06.050 of this Code. As to food and food establishments, see Ch. 15. As to frozen desserts generally, see Ch. 16. As to garbage and refuse generally, see Ch. 18. As to meat and meat products generally, see Ch. 22.

## **Article 20.04 In General**

### **Sections:**

- 20.04.010 Department of health--Established**
- 20.04.020 Same--Composition**
- 20.04.030 Public health officer--Qualifications; appointment; term**
- 20.04.040 Same--Oath and bond**
- 20.04.050 Same--Powers and duties generally**
- 20.04.060 Same--Inspection of buildings, lots, etc., for health purposes**
- 20.04.070 Same--Abatement of nuisances, sources of filth, etc.**
- 20.04.080 Depositing of garbage, human excreta, etc., in Heart River**

### **Section 20.04.010 Department of health--Established**

There is hereby established a department of health in and for the city. (Code 1958, § 16-1.)

### **Section 20.04.020 Same--Composition**

The department of health shall consist of the public health officer and such assistants as he may appoint, subject to confirmation by the board of city commissioners. (Code 1958, § 16-2.)

### **Section 20.04.030 Public health officer--Qualifications; appointment; term**

The public health officer shall be a competent physician engaged in the regular practice of medicine and shall be appointed by the board of city commissioners at their regular meeting on the third Tuesday in the month of April of each odd-numbered year or at such other meeting as may be designated by the board, and such appointment shall be for a period of two years. (Code 1958, § 16-3.)

### **Section 20.04.040 Same--Oath and bond**

The public health officer shall take or subscribe the usual oath of office and shall be under bond in the sum of one thousand dollars for the faithful performance of his duties. (Code 1958, § 16-4.)

### **Section 20.04.050 Same--Powers and duties generally**

The public health officer shall perform such duties as may be conferred upon him by the laws of the state or the ordinances of the city. The public health officer shall have all the power and authority granted by the statutes of this state, and it shall be his duty to provide such additional rules and regulations as shall be proper and necessary for the preservation of the health of the people of the city, to prevent the spread of contagious disease, to cause the removal of all objects detrimental to the health of the people and to enforce such rules and regulations as may be provided for the government of the department of health. (Code 1958, § 16-5.)

**Section 20.04.060 Same--Inspection of buildings, lots, etc., for health purposes**

The public health officer or any person acting under him shall have authority to enter into and examine at any time all buildings, lots and places of any description within the city for the purpose of ascertaining the condition thereof so far as the public health may be affected thereby. (Code 1958, § 16-6.)

**Section 20.04.070 Same--Abatement of nuisances, sources of filth, etc.**

In all cases in which the public health officer shall deem it necessary for the protection of the health of the city to abate or to remove any nuisance, source of filth or cause of sickness that shall be found on private property, he shall cause notice to be served on the owner or occupant thereof, requiring him to remove such nuisance, etc., at his own expense within a reasonable time, not less than twenty-four hours.

If such owner or occupant shall refuse or neglect to comply with such notice or if such nuisance, source of filth or cause of sickness exists on property of nonresident owners or upon property the owners of which cannot be found, the public health officer shall cause the removal of such nuisance, source of filth or cause of sickness at his discretion at the expense of the city. The cost of such removal shall be charged against the lot, piece or parcel of land upon which the work has been done and shall be assessed against the property in the manner provided for the assessment and certification of sidewalk assessments. (Code 1958, § 16-7.)

*For state law authorizing cities to prevent, abate and remove nuisances, see NDCC, § 40-05-01 (44). As to assessment of costs for removal by city, see NDCC, § 40-05-01.1.*

**Section 20.04.080 Depositing of garbage, human excreta, etc., in Heart River**

It shall be unlawful for any person to deposit, throw or leave any garbage, dead animals or parts thereof, offal, human excreta or any waste animal or vegetable matter in the Heart River or at any place within the drainage basin or area of the Heart River within the city. Any violation of this section shall constitute a nuisance and shall be abated as provided by law. (Code 1958, § 16-9.)

## **Article 20.08 Weeds**

### **Sections:**

**20.08.00E** Editor's note to Article 20.08

### **Section 20.08.00E Editor's note to Article 20.08**

For state law as to authority of city to establish weed control authority, see NDCC, § 63-01.1-07. As to weed control generally, see NDCC, § 63-01.1-07 et seq.