

221. PUBLIC NUISANCE

The Breckenridge Police may be required to take enforcement action on certain severe Public Utility codes violations in the City concerning garbage. Breckenridge City Ordinance, 273, Article III [Garbage and Solid Wastes] will not be cited for this purpose State Statute 609 74 (1) will be the citation on all such complaints.

Complaints referred to the Police will be those that can not be handled by the Codes Administrator because of the need for immediate action as a public safety concern. These incidents will be considered severe when garbage is not enclosed in a container, and open or, accessible to animals. Garbage for this purpose will mean any decaying organic material or food remains if animals, flies and odor, are drawn to the site this may be reason to indicate a more aggregated situation. Officers reports must indicate all such details.

Procedure

- a. Each nuisance location must be photographed.
- b. Citations will be issued to the property owner. This will be done in person or by mail. The property owners name may be obtained from the Codes Administrator, or, other reasonable source. In cases involving residential properties where the tenant is renting a home and paying for Utilities the tenant will be cited. This may require further investigation.
3. The Officer, will arrange for immediate pick up of the garbage by Breckenridge Transfer. Ail cost to be billed to the City. If Breckenridge Transfer cannot pick up garbage such as on weekends, nights or, Holidays, contact the Street Department staff to pick up garbage.

Officers must obtain a cost for the pickup in each case. Breckenridge Transfer or the Street Department must be advised to prepare a bill as soon as the garbage is cleaned up. The bill must be attached to the officers report so that the court can order restitution.

It should be made clear that the first priority is to have the garbage nuisance removed. The issue of the citation can be done when the proper information is obtained.