

## CHAPTER 9

### HEALTH

#### Section

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#### Nebraska Statutes

For statutory provisions on city health regulations, see R.R.S. §§16-231 and 16-240.

#### **9-1-1. Health Officer; defined.**

For the purpose of this Chapter, the term "health officer" shall include such employees of the City as the City Manager shall designate, or other persons or agencies with whom the City may contract, to perform the duties described in this Chapter.

#### **9-1-2. Premises; unhealthful conditions, situations; prohibited; nuisance.**

No person in the City shall create, maintain or permit, on any lot, yard, building parking, or sidewalk, or the area abutting thereon, to the center of the street, or to the center of the alley, owned, occupied or controlled by him, or for which he or she is agent, or who has charge thereof for the owner, any condition or situation endangering, or tending to endanger, the public health; and any such condition or situation is hereby declared to be a public nuisance. (Ord. 1116 § 10-102.)

#### **9-1-3. Entry; inspection; health officers; power.**

The health officers of the City shall have the power in the performance of their duties, at all reasonable times to go upon, enter and inspect all premises, buildings or structures within the City, and to inspect all furniture, fixtures, machinery, implements, utensils, equipment, supplies, materials, goods, stock

in trade, foods, foodstuffs, beverages, animals and poultry within the City. (Ord. 1116 § 10-103.)

**9-1-4. Food; sale; storage; distribution; sanitary requirements; general.**

The floors, side walls, ceilings, furniture, fixtures, machinery implements and utensils of every establishment or place where food is sold, stored, or distributed, or kept for sale, shall at no time be kept in an unclean, unhealthy or unsanitary condition. For the purposes of the foregoing provision, unclean, unhealthy and unsanitary conditions shall be deemed to exist if food therein stored, kept for sale, sold or distributed is not securely protected from flies, dust, dirt, and as far as may be necessary by all reasonable means from all other foreign or injurious contamination; and if the clothing of operatives, employees, clerks or other persons therein employed is unclean. (Ord. 1116 § 10-104.)

**9-1-5. Same; owner; person in charge; duties; liabilities.**

All duties necessary to be performed in order to avoid the prohibited conditions referred to in section 9-1-4, shall devolve upon the owner or other person in actual charge of any such food establishment, and any failure of any such food establishment to meet with the requirements of such section shall be deemed a violation thereof by such owner or other person in charge thereof. (Ord. 1116 § 10-104.01.)

**9-1-6. Quiet zones; creation.**

The City Council, whenever it shall determine by resolution that the creation of a quiet zone or zones in the vicinity of a hospital, convalescent or nursing home, home for the aged, or other institution for the care of persons would promote the health, safety, recovery or welfare of persons in such institution, by resolution may designate streets, alleys, or other public places, or parts thereof, in the vicinity of such institution as a quiet zone. Such a resolution, if adopted, shall become effective upon its passage, approval and publication in the minutes of the City Council meeting, unless otherwise provided in the resolution. (Ord. 1995 § 1, 1973: Ord. 1116 § 10-114.)

**9-1-7. Same; signs.**

Quiet zones, when established, shall be clearly marked with appropriate signs marked "Quiet Zone". Such signs shall be located near the curb in a conspicuous position at intervals of not more than two hundred (200) feet. (Ord. 1995 § 2, 1973: Ord. 1116 § 10-115.)

**9-1-8. Repealed by Ord. 3452, 1995.**

**9-1-9. Excrement; similar substances; removal; waterproof container; required.**

All tanks or other appliances used for the removal of excrement and other substances taken from cesspools and grease traps to the place of deposit shall be waterproof, so as to prevent the escape of any such matter in the process of removal. (Ord. 1116 § 10-117.)

**9-1-10. Violations; penalties.**

A violation of any provision of this Article is a Class II violation.