

**ARTICLE 14-14 PROHIBITION OF  
NUISANCE USES OF  
OCCUPIED PROPERTIES**

**UPDATED/REVISED JULY 21, 2016**

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**14-14-01 Intent and Purpose**

The purpose of this section is to promote the “Quality of Life”, health, safety, economic, aesthetic and general welfare of the citizens in the Town of Mammoth, and to protect neighborhoods against all nuisances, blight and deterioration. By establishing these requirements for the maintenance and security of all properties; we will promote a more attractive and wholesome environment within the Town of Mammoth.

This section shall apply to all lands within the Town of Mammoth Arizona without regard to zoning or use.

All property, residents, premises, buildings thereof must comply with these Regulations and shall be maintained in a clear, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or otherwise adversely affect the public health, safety, or “Quality of Life” for the citizens of the Town of Mammoth.

**14-14-02 Scope**

The Planning Administrator in co-operation with the Designated Planning and Zoning Commissioner shall inspect and determine from time to time the condition of any properties deemed to need attention by owners. Planning Administrator/Planning and Zoning Commission will also act in response to a complaint that a violation is reported by a citizen to the Police Department and/or Town Clerk, who shall notify Administrator and Designated planning and Zoning Commissioner responsible for notifications to the property owners.

**14-14-03 Definitions**

**“Debris”** Rubble, wreckage, litter, all other refuse and trash, to include lumber, cement, tires, weeds and brush.

**“Designated Planning and Zoning Commissioner”** This is the Planning and Zoning Commissioner who is responsible for notifications and keeping records of notifications. That whenever the Planning and Zoning Commissioner is used in this ordinance does mean as further implied the “Designated Commissioner”.

**“Dilapidated Building”** Any real property structure that is in such disrepair or is damaged

to the extent that its strength or stability is substantially less than a new building or it is likely to burn or collapse and its condition endangers the life, health, safety, or property of the public.

**“Dwelling”** A building or portions thereof designed or used exclusively for residential occupancy, including but not limited to, single family, two family and multiple family dwellings.

**“Garden”** A portion of land used to grow vegetables or fruit. (Reference 14-2-2)

**“Manufactured home”** A single family dwelling unit built after June 15, 1976, on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation and with the tongue and wheels removed.

**“Modular Home”** Also called a prefabricated home do not have axles or a frame, meaning that they are typically transported to their site by means of flatbed trucks. These are then constructed according to state and local building codes.

**“Organic Composting”** Any vegetable, bread, egg shells, etc. mixed with or without paper products. No meats, proteins, bones, or fats.

**“Unsafe Structure”** One that is found to be dangerous to the life, health, property or safety of the public by not providing minimum safeguards to protect from fire and/or vandalism. This also includes any structure that is so damaged, decayed, dilapidated, structurally unsafe or unstable foundations exist that partial or complete collapse is possible.

## **14-14-04 Regulations**

### **A. Yard Maintenance and Composting**

1. All plant materials shall be maintained in a living condition and dead materials removed. Surrounding yards shall be maintained in a weed and litter free condition. These should have the “appearance” in keeping with “The Land Use and Development Codes of Mammoth Arizona Section 14-1 Sections F&G.  
F. To secure safely from fires, floods, traffic hazards (plant obstruction of street corner views) and other hazards that may affect the residents of The Town of Mammoth.  
G. To promote a more attractive, “Quality of Life” environment within the Town of Mammoth.
2. Organic Composting Only. NO Proteins (meats) NO Fats (cooking oils, grease, etc.) Any vegetable, bread, egg shells or paper products. Shredded Newspaper and Cardboard only, NO magazine, photo, or glossy paper may be used. Worms are required when composting to insure the breakdown of composted materials. Horse and Cow Manure is allowed only if pre dried and mulched. All composting must be enclosed.

### **B. Tire Storage Prohibited**

1. Other than by a bona fide commercial entity, engaged in the retail sale of used tires, and are properly licensed and operating.
2. No person shall store, or allow the storage of, used automobile, truck or other vehicle

tires in a quantity greater than can be used by such person on the vehicles owned by such person. In NO event, will any person store, keep or maintain used tire outside on any property within the Town of Mammoth limits. Businesses licensed for this are exempt. But, they must comply with state standards for storage.

**C. Vehicle Storage or Parking**

1. Vehicles must be owned or leased by the current owner/resident/occupant of the property.
2. Vehicles must have a current, valid registration or a de-registration certificate from the Motor Vehicle Department and must be available upon request.
  - a. The lack of a current license plate/tags or a de-registration certificate, i.e.: an expired plate/tags shall constitute proof that a vehicle does not have a valid and current registration, and will be grounds for citation.
  - b. NO MORE THAN TWO (2) DISABLE VEHICLES PER PROPERTY, will be allowed at any one given time.
3. Any and All vehicles being repaired or restored must be kept within your properties boundaries in a manner which is shielded from public view.
4. Vehicles must be actively worked on. Specifically, visible signs of progress within a fourteen (14) day/ two (2) week period of notification. This may include but is not limited to actual work preformed and/or dated receipts for parts purchased specifically for these vehicles.
5. EPA Regulations also require that vehicles being worked on have ground protection in the form of a cement pad, or 6 mil thickness plastic encompassing the entire area under the vehicle. (Please keep some Kitty Litter handy in the event of any spills.)

**D. Manufactured/Modular Homes**

All manufactured or modular homes shall be skirted with material similar in appearance to the material used to cover the manufactured or modular home, and must be maintained to enhance the character of the home as well as act as a deterrent from wild life and other critters.

**E. Exterior Sheds/Storage Units**

All exterior sheds/storage units must be maintained in accordance with all regulations concerning buildings.

**F. Demolition or Destruction of a Building or Structure**

Any portion of a building or structure remaining on a site after the demolition or destruction of the building or structure that constitutes a building or portion thereof to be considered unattractive, hazardous, or a nuisance to the public shall be required to be removed. The Town of Mammoth holds the ability to correct this situation and charge the property owner for the cost of removal should this not be addressed by the owner.

**14-14-05 Notification and Compliance, Non-Compliance Process**

**1. Notification of Violations**

The Zoning Administrator and/or Enforcement Officer shall survey and make a complete record of all cases of non-conformance and maintain such record thereafter, reviewing each case as often as the designated Planning and Zoning

Commissioner may prescribe. Such record shall include the name and address of owner of record, not to include renter or lessee. The designated Planning and Zoning Commissioner and/or the Zoning Administrator shall inform the owner of record of the occupied property by certified mail as to the classification and nature of the non-conformity and the regulations applicable to it continuance. Then a copy of the record shall be filed by the Designated Planning and Zoning Commissioner. Such record shall constitute prima facie evidence of the number, character and extent of non-conformance existing on the effective date of this ordinance or any subsequent amendment thereto.

## **2. Failure to Comply**

The owner of record shall have fourteen (14) days from the date of the certified letter/notice sent, to submit a plan of action to resolve the violations as stated in their certified letter to the Planning and Zoning Administrator.

Failure to comply within the time prescribed or mutually agreed upon, is a Class 1 misdemeanor violation, in addition to any fine which may be imposed for a violation of any provision of this section, the owner is also liable for all costs which may be assessed pursuant to this section for the removal of the rubbish, weeds, trash, or debris, of the same. The cost of such activities shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate. This will include the aforementioned 5% Administrative Fees.

**Exceptions**—It is not the intent of this section to create hardship for any owner/resident, should circumstances exist, please notify the Planning and Zoning Administrator within seven (7) days of the date on the certified notice. These will be determined on a case by case basis.

### **14-14-06 Fines**

Fines will amass for non-compliance once an owner has been deemed non-compliant after fourteen (14) days from the date of notice received. At this time a non refundable fine of Fifty (\$50.00) Dollars shall be assessed. Also from the date of notice there will be an accruing fine not to exceed eight (\$8.00) per day that will continue until the property is in compliance and deemed complete to the satisfaction of the original notification in the certified letter from the Designated Planning and Zoning Commissioner. Any further violation not mentioned in the original notification will constitute a new violation and will be subject to a new initial contact and process.

### **14-14-07 Solutions**

The Town of Mammoth will pick up limbs and standard vegetation (grass/weeds) preferably bagged if possible. Please make your request for pickup at the Mammoth Town Hall. If you need workers to help with you process please notify Planning and Zoning and we will attempt to give you names and phone numbers works capable of performing the work with/for you. You will need to contact them and make arrangements for work and payment to those individuals.

### **14-14-08 Compliance Rewards**

The Town of Mammoth reserves the right to "Reward" those owners who have received a notice of violation and respond in a timely manner as instructed within this ordinance.

**Furthermore, the Town of Mammoth reserves the right to reduce the daily fine amount for those owners who fully comply within the prescribed fourteen (14) days.** The Town of Mammoth reserves the right to adjust these "Rewards" and/or Reductions which will only effect the daily fines amassed, **These will not affect non-refundable fines nor the 5% Administration Fees should the Town of Mammoth need to perform the work because of non-compliance.**