

while they are dangerous, unsafe, un-sanitary, uninhabitable or otherwise unfit for human use and occupancy.

(C) Maintenance outside any habitated building or structure or inside any uninhabited building or structure in a location accessible to small children, any abandoned, any unattended or discarded icebox, refrigerator, deep freezer or other container or equipment which has an airtight door or lid which may not be released from the inside without removing the door or lid or removing the lock from such container or equipment unless the person securely locks or fastens the door to prevent access by small children.

SECTION 4. Each Day Separate Violation. Each day any of the prescribed activity herein is allowed to continue contrary to the provisions of this ordinance shall constitute a separate and distinct offense.

SECTION 5. Enforcement. The Town Constable, Law Enforcement Officer or other designated enforcement official shall enforce the provisions of this ordinance; and shall make periodic inspections and inspections upon complaint to insure that such provisions are not violated.

SECTION 6. Court Order. A Constable or Law Enforcement Officer shall not use force to obtain access to private property to abate a public nuisance, but shall apply to any court having jurisdiction for an order assisting the abatement of the public nuisance.

SECTION 7. Cost of Abatement. In addition to any other penalty imposed by this chapter for the erection, contrivance, creation, continuance or maintenance of public nuisance, the cost of abating a public nuisance by the Town shall be collected as a debt from the owner, occupant or person causing, permitting or maintaining the nuisance; and if a court has ordered abatement without providing for reimbursement of the costs thereof, such costs shall be assessed against the real estate as a special charge.

SECTION 8. Penalty. Any person who shall violate any of the provisions of this ordinance shall, upon conviction of such violation, be subject to a penalty which shall be as follows:

(A) First Offense. Any person who shall violate any provision of this ordinance shall, upon conviction thereof, forfeit not less than \$50.00 nor more than \$500.00, together with the costs of prosecution, and in default of payment of such forfeiture and costs of prosecution, shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not exceeding Ninety (90) days.

(B) Second Offense. Any person found guilty of violating this ordinance who has previously been convicted of a violation of the same ordinance within one (1) year shall, upon conviction thereof, forfeit not less than \$100.00 nor more than \$500.00 for each such