

CHAPTER 4

AIR POLLUTION

§ 4-1. Discharge of pollutants into air prohibited 401
 § 4-2. Discharge from boats, engines and machinery prohibited ... 401
 § 4-3. Discharge of dirt into air prohibited..... 402
 § 4-4. Enforcement 402
 § 4-5. Penalties for offenses 402

[HISTORY: Adopted by the Common Council of the City of Dunkirk 5-23-1922 as Chapter XIII of the Ordinances of the City of Dunkirk. Amendments noted where applicable.]

GENERAL REFERENCES

- Fumigation of buildings - See Ch. 17.
- Fire prevention - See Ch. 32.
- Removal of plant growth - See Ch. 53.

§ 4-1. Discharge of pollutants into air prohibited.

It shall not be lawful within the limits of the City of Dunkirk for any person or persons, firm or corporation, or any servant, agent or employee of any person, firm or corporation, to permit or allow, or cause to be permitted or allowed, the discharge or escape into the open air of large quantities of smoke, soot, dust, gas, steam or offensive odor in such manner or in such quantities as to cause, or have a natural tendency to cause injury, detriment or annoyance to any person or persons or the public or to endanger the comfort, repose, health or safety of any person or persons or the public, or in such manner as to cause, or to have a natural tendency to cause injury or damage business or property.

§ 4-2. Discharge from boats, engines and machinery prohibited.

No person or persons, firm or corporation, owning or operating any boat, locomotive engine, other engine or any other machinery used or employed in said city, nor any servant, agent or employee of any such person, firm or corporation, shall permit or allow, or cause to be permitted or allowed, the discharge or escape into the open air of large quantities of smoke, cinders, soot, dust, gas, steam or offensive odor in such manner or in such quantities as to cause injury, detriment or annoyance to any person or persons, or to endanger the comfort, repose, health or safety of any persons or the public, or in such manner as to cause injury or damage to business or property.

§ 4-3. Discharge of dirt into air prohibited.

No person or persons, firm or corporation shall, in the said city, permit or allow, or cause to be allowed or permitted, the escape into the open air of quantities of fine sand, dirt or particles of earth or other material in such manner as to cause, or to have a natural tendency to cause injury, detriment or annoyance to any person or person or to the public, or to endanger the comfort, repose, health or safety of any person or persons or the public, or in such manner as to cause, or to have a natural tendency to cause injury or damage to business or property.

§ 4-4. Enforcement. [Amended 10-1-1940]

It shall be the duty of the Plumbing and Sanitary Inspector to investigate all complaints made to him of violation of any of the provisions of this chapter, and it shall be the duty of the Plumbing and Sanitary Inspector and all police officers of said city to immediately report to the Common Council all persons, firms or corporations guilty of violation of this chapter, together with the names and addresses of all witnesses having knowledge concerning, or being in the possession of facts showing such violation; the Common Council, Plumbing and Sanitary Inspector or police officer shall have the right and authority at all reasonable hours to visit and inspect premises and all such machinery, boilers, furnaces or other appliances connected therewith, necessary to such inspection, for the purpose of ascertaining the kind or character of fuel used and the manner of using same, and any other fact or facts showing compliance with or violation of this chapter.

§ 4-5. Penalties for offenses.

The violation of any of the provisions of this chapter is hereby declared to be a misdemeanor, and any person, upon being convicted of such violation, shall be punishable as provided in Chapter 1, General Provisions, Article 1, of the Code of the City of Dunkirk.