

NUISANCE CHECKLIST

Subject	Checklist Question	Y or N
I. Facility/Property		
A. Location	1. Is property within the limits of an incorporated town/city?	
	a. If yes, does town/city have ordinances that regulate complaint issue?	
	b. If no, does county have ordinances/codes that regulate complaint issue?	
	2. Is area where property is located zoned for specific uses?	
	3. Does investigator have authority to enter property without permission? <i>Consult with County Attorney</i>	
	4. Is this a rental property?	
B. Inhabitants	1. Does inhabitant(s) have history of violence or criminal activity?	
	2. Does property or inhabitants have suspected drug activity?	
	3. Does complaint potentially pose an immediate threat to health of inhabitants or public?	
	<i>If yes to any question, request local law enforcement to accompany investigator!</i>	
II. Animals		
A. Small Animals	1. Are multiple dogs, cats or other pet animals present? How many? _____	
	a. If yes, are animals bred, sold, or housed for compensation? <i>If yes, refer to this link for regulations and information.</i> https://agriculture.ks.gov/divisions-programs/division-of-animal-health/animal-facilities-inspections	
	b. If no, are animals kept inside?	
	2. Is animal waste being managed properly? <i>Composted, or bagged and disposed in the trash.</i>	
	3. Are any small dead animals present? <i>If yes, animals can be buried or bagged and disposed in the trash.</i>	
B. Large Animals	1. Are cattle, swine, sheep, goats, or horses present? How many? _____	
	2. Is the animal waste leaving the property?	
	3. Is animal feed kept on property?	
	4. Is a strong odor present?	
	5. Are excessive flies and/or other vectors present?	
	<i>If yes to any of these questions, please contact local KDHE district office or refer to the following link for regulations and information.</i> https://www.kdhe.ks.gov/436/Livestock-Waste-Management-Section	
	6. Are any large dead animals present? <i>If yes, animals can be given to a renderer, covered with lime and buried, or taken to local landfill with their permission.</i>	
III. Water		
	1. Is the residence on rural water? <i>If yes, contact your local KDHE district office as they are on a public water supply.</i>	
	2. Does residence/property have a water well?	
	a. If yes, is it used for drinking water?	
	b. If yes, has well been recently tested for contaminants?	
	c. Is the water well constructed properly? https://www.kdhe.ks.gov/347/Water-Well-Program	
	d. Are 25 or more people served 60 days or more out of the year? <i>If yes, contact your local KDHE district office as they may be considered a public water supply.</i>	
	Information: https://www.kdhe.ks.gov/409/Public-Water-Supply	
IV. Wastewater		
	1. Is residence/facility connected to a municipal wastewater system?	

	a. If yes, refer to municipal contact.	
	2. Does the facility have an approved domestic onsite wastewater system? <i>Contact Local Environmental Protection Program - Sanitarian for your county to make this determination.</i>	
	3. Is domestic sewage on surface? <i>If yes, contact the LEPP if they are not connected to a municipal system.</i>	
	Information: https://www.kdhe.ks.gov/998/Local-Environmental-Protection-Program	
V. Solid Waste	1. Is solid waste present on the property? If yes, answer the following questions.	
	a. Is waste kept inside? <i>If yes, inhabitant may be a hoarder and no regulations exist that prohibit this.</i>	
	b. If waste is kept outside, estimate the quantity. _____	
	c. Is waste kept in a receptacle that is covered?	
	d. Are vectors or rodents present?	
	2. Is household waste burned in a barrel? <i>This is allowed unless prohibited by local ordinances.</i>	
	3. Are chemicals present outside? <i>If yes, contact local KDHE district office.</i>	
	4. Are disabled motor vehicles present?	
	a. If yes, are there 10 or more and located near a public highway? If yes, refer to following link for information and regulations. http://www.ksdot.org/bureaus/burrow/beaut/default.asp	
	b. If no, this may be a solid waste issue and you may need to contact our local KDHE district office.	
	Information: https://www.kdhe.ks.gov/288/District-Offices	
VI. Burning	1. Are materials other than household waste being burned? <i>If yes, contact local KDHE district office.</i>	
	Information: https://www.kdhe.ks.gov/DocumentCenter/View/825/Kansas-Open-Burn-Regulations-PDF?bidId=	
VII. Chemicals/Oil	1. Are chemicals being stored outside?	
	2. Is there evidence of dumping or spilling of used oil, other petroleum products, and/or chemicals? <i>If yes, contact local KDHE district office.</i>	
	Information: https://www.kdhe.ks.gov/420/Spill-Reporting	
VIII. Nuisance	1. Do any of the above conditions pose a threat to public health? <i>If yes, consult with your County Health Officer, County Attorney, or County Commissioners to potentially declare a Public Health Nuisance and order immediate abatement.</i>	
	2. If above conditions do not threaten public health, do they threaten the inhabitant? <i>If yes, a Public Health Nuisance cannot be declared but consult with County Attorney about possibility of endangerment of the inhabitant(s) and potential custody of the inhabitants by local law enforcement.</i>	
	Information: Statutory Authority https://www.ksrevisor.org/statutes/chapters/ch65/065_001_0059.html	
Dilapidated Structures?	Is the structure located in the county or city? If county, generally there are no requirements on the structural integrity. If within a city, the city clerk would be the best contact.	
Excessive Noise	This is generally not regulated, if you are located in a city/county with a noise ordinance the city or county clerk would be your best contact.	