

SECOND REGULAR SESSION

HOUSE BILL NO. 1769

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOPPE.

Read 1st time January 31, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3982L.011

AN ACT

To repeal section 67.398, RSMo, and to enact in lieu thereof one new section relating to nuisance abatement.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 67.398, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 67.398, to read as follows:

67.398. 1. The governing body of any city[, town] or village, or any county having a charter form of government, or any county of the first classification that contains part of a city with a population of at least three hundred thousand inhabitants, may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of [debris of any kind] **a nuisance** including, but not limited to, **debris of any kind**, weed cuttings, cut [and], fallen, **or hazardous** trees and shrubs, overgrown vegetation and noxious weeds which are seven inches or more in height, rubbish and trash, lumber not piled or stacked twelve inches off the ground, rocks or bricks, tin, steel, parts of derelict cars or trucks, broken furniture, **vacant buildings or structures open to entry**, any flammable material which may endanger public safety or any material **or condition** which is unhealthy or unsafe and declared to be a public nuisance.

2. Any ordinance authorized by this section may provide that if the owner fails to begin removing **or abating** the nuisance within a specific time which shall not be [longer] **less** than seven days of receiving notice that the nuisance has been ordered removed **or abated**, or upon failure to pursue the removal **or abatement** of such nuisance without unnecessary delay, the building commissioner or designated officer [shall] **may** cause the condition which constitutes the nuisance to be removed **or abated**. If the building commissioner or designated officer causes

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 such condition to be removed or abated, the cost of such removal **or abatement** shall be certified
18 to the city clerk or officer in charge of finance who shall cause the certified cost to be included
19 in a special tax bill or added to the annual real estate tax bill, at the collecting official's option,
20 for the property and the certified cost shall be collected by the city collector or other official
21 collecting taxes in the same manner and procedure for collecting real estate taxes. If the certified
22 cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent
23 bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the
24 date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on
25 the property until paid.