

CHAPTER 200: PUBLIC NUISANCE ORDINANCE

SECTION 200.010: TITLE

The title of this Chapter shall be known as the "Jefferson County, Missouri, Public Nuisance Ordinance". (Order No. 09-03-2002C §A(1), 9-3-02; Ord. No. 10-0116 §A(1), 1-20-10)

SECTION 200.020: AUTHORITY AND JURISDICTION

- A. This Chapter is enacted pursuant to Section 67.398, RSMo. (Cumm. Supp. 2002).
- B. This Chapter shall apply to all of the unincorporated areas of Jefferson County, Missouri. (Order No. 09-03-2002C §A(2), 9-3-02; Ord. No. 10-0116 §A(2), 1-20-10)

SECTION 200.025: DEFINITION

As used in this Chapter, the following term shall have the prescribed meaning:

DERELICT VEHICLE: Any vehicle that is inoperable (unable to start and move under its own power), partially or totally dismantled, or has portions of its body work missing or is substantially damaged. Derelict vehicles may include, but are not limited to cars, trucks, motorcycles, construction equipment, recreational equipment (such as boats, campers, motor homes, ATVs, and go-carts), lawn and garden equipment, and trailers (such as utility, boat, and box). (Ord. No. 10-0116 §A(3), 1-20-10)

SECTION 200.030: ABATEMENT OF PUBLIC NUISANCES

- A. All real property in the unincorporated area of Jefferson County shall be deemed a public nuisance that has the presence of a nuisance including, but not limited to:
 - 1. Rubbish, yard waste and trash.
 - 2. Demolition debris such as lumber, windows, doors, fencing, and shingles.
 - 3. Bricks and scrap concrete, rock, and blocks.
 - 4. Scrap metal such as tin and aluminum.
 - 5. Steel.
 - 6. Derelict vehicles (see definition in [Section 200.025](#)).
 - 7. Derelict construction equipment.
 - 8. Derelict lawn and garden equipment.
 - 9. Tires.
 - 10. Derelict appliances.

11. Broken furniture.
12. Household items (clothing, electronics, lamps, etc.).
13. Dead animals.
14. Any flammable material which may endanger public safety or any material or condition which is unhealthy or unsafe.
15. Parts of any of the above.

B. All real property in the condition of having the presence of debris deemed as a public nuisance in Subsection (A) above is hereby declared to be a public nuisance and shall be abated as provided in this Chapter.

C. The following standard shall be followed by the Code Official and the Jefferson County, Missouri, Code Commission in ordering abatement:

1. If the debris can reasonably be removed so that it will no longer exist in violation of this Chapter, it shall be ordered removed.

D. The Code Official or his or her representative shall:

1. Inspect any property about which complaints are filed by any person to the effect that property is or may exist in violation of this Chapter.
2. Serve notice of the declaration of nuisance as determined by the provisions of this Chapter to the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land record of the Recorder of Deeds for Jefferson County. Such notice shall be served either personally or by certified mail, return receipt requested, and by posting such notice on the property. Such notice shall state that:
 - a. The owner, occupant or lessee must commence work to abate the nuisance in accordance with the terms of the notice; or
 - b. The mortgagee, agent, or other persons having an interest in such property as shown by the land records of the Recorder of Deeds of the Jefferson County, may, at his/her own risk, abate the nuisance by removal of the debris from the property.
 - c. Any person notified under this Subsection (2) to remove debris from property shall be given reasonable time not to exceed ten (10) days to commence the action required by the notice. The notice may include a reasonable time in which the required action shall be completed. If, in the judgment of the Code Official or his or her representative, it is determined to be necessary to extend the time to do or have done the work or act required by the notice provided herein, the Code Official shall specify the extension date in writing, and serve an additional notice of the date to which the extension is made.
 - d. If service cannot be had by the methods set forth above, a notice shall be inserted in a newspaper then doing the County printing, notifying the owner of the public

nuisance. The notice shall state that the owner is responsible for the removal of the debris within ten (10) days after the publication of the notice.

3. Report to the Jefferson County, Missouri, Code Commission any non-compliance with the notice provided for in Subparagraph (2) above.
4. Appear at all hearings conducted by the Jefferson County, Missouri, Code Commission and testify as to the condition of debris on property constituting a public nuisance.
5. Place a notice on property constituting a public nuisance substantially reading as follows:

This property has been found to be a public nuisance by the Code Official. This notice is to remain on this property until the debris is removed and the nuisance abated in accordance with the notice that has been given to the owner, occupant, lessee, mortgagee, or agent of this property, and all other persons having an interest in said property as shown by the land records of the Recorder of Deeds of Jefferson County. It is unlawful to remove this notice until such notice is complied with.

E. The Jefferson County, Missouri, Code Commission shall:

1. Upon receipt of a report from the Code Official of failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the Code Official shall call and have a full and adequate hearing upon the matter before the Jefferson County, Missouri, Code Commission, giving at least fifteen (15) days written notice to the owner, occupant, mortgagee, lessee, agent and all other persons having an interest in the property as shown by the land records of the Recorder of Deeds of Jefferson County to appear before it on the date specified in the notice to show cause why property reported to be a public nuisance should not be ordered to be cleaned up and work commenced to remove debris in accordance with the statement of particulars set forth in notice of the Code Official. Any party may be represented by counsel, and all parties shall have an opportunity to be heard.
2. After the hearing, if the evidence supports a finding that the property is a nuisance or detrimental to the health, safety or welfare of the residents of the County, the Jefferson County, Missouri, Code Commission shall issue an order making specific findings of fact, based upon competent and substantial evidence, that shows the property to be a nuisance and detrimental to the health, safety or welfare of the residents of the County, and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety or welfare of the residents of the County, no order shall be issued.
3. Any ordinance authorized by Section 67.402, RSMo., may provide that if the owner fails to begin abating the nuisance within the time specified, the Code Official shall cause the condition which constitutes the nuisance to be removed. If the Code Official causes such condition to be removed or abated, the cost of such removal shall be certified to the County Clerk who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the County Collector's option, for the property

and the certified cost shall be collected by the County Collector in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent tax bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid.

4. If the owner complies with the order, or extension thereof within the time specified, the Code Official may cause a special tax bill for any costs incurred by the County (e.g., publication, mailing of notices, and recording) against the property to be prepared and collected by the County Collector. The tax bill, from the date of issuance, shall be deemed a personal debt against the owner and a lien on the property until paid. (Order No. 09-03-2002C §A(3), 9-3-02; Ord. No. 09-0225 §§1--2, 5-5-09; Ord. No. 10-0116 §A(4), 1-20-10; Ord. No. 10-0222 §A, 5-4-10)