

FIRST REGULAR SESSION

# HOUSE BILL NO. 804

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES McKENNA, WAGNER, ABEL, SELBY,  
HOLLINGSWORTH AND JOHNSON (90) (Co-sponsors).

Read 1<sup>st</sup> time February 15, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1988L.011

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### AN ACT

To repeal section 67.398, RSMo 2000, relating to abatement and removal of a nuisance, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 67.398, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 67.398, to read as follows: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 with a population of at least one hundred eighty thousand but not more than two hundred twenty thousand inhabitants**, 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 including, but not limited to, weed cuttings, cut and fallen 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, any flammable material which may endanger public safety or any material 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 the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, or upon failure to pursue the removal of such nuisance without unnecessary delay, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the city clerk or officer in charge of finance who shall cause

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