

SECOND REGULAR SESSION

HOUSE BILL NO. 2577

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE EL-AMIN.

Read 1st time April 1, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

5639L.01I

AN ACT

To repeal section 67.399, RSMo, and to enact in lieu thereof one new section relating to fees for violations of housing codes.

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

Section A. Section 67.399, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 67.399, to read as follows:

67.399. 1. The governing body of any municipality or county with a charter form of government and with more than one million inhabitants may, by ordinance, establish a semiannual registration fee not to exceed two hundred dollars which shall be charged to the owner of any parcel of residential property improved by a residential structure, or commercial property improved by a structure containing multiple dwelling units, that is vacant, has been vacant for at least six months, and is characterized by violations of applicable housing codes established by such municipality, **except that the governing body of any city not within a county may, by ordinance, establish a semiannual registration fee of not more than two thousand dollars to be charged to the owner of any such property.**

2. The municipality shall designate a municipal officer to investigate any property that may be subject to the registration fee. The officer shall report his findings and recommendations, and shall determine whether any such property shall be subject to the registration fee. Within five business days, the clerk of the municipality or county with a charter form of government and with more than one million inhabitants shall notify by mail the owners of property on which the registration fee has been levied at their last known address according to the records of the city

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 and the county. The property owner shall have the right to appeal the decision of the office to
17 the municipal court within thirty days of such notification. Absent the existence of any valid
18 appeal or request for reconsideration pursuant to subsection 3 of this section, the registration fee
19 shall begin to accrue on the beginning of the second calendar quarter after the decision of the
20 municipal officer.

21 3. Within thirty days of the municipality or county with a charter form of government
22 and with more than one million inhabitants making such notification, the property owner may
23 complete any improvements to the property that may be necessary to revoke the levy of the
24 registration fee, and then may request a reinspection of the property and a reconsideration of the
25 levy of the registration fee by the municipality or county with a charter form of government and
26 with more than one million inhabitants. If the municipal or county officer revokes the
27 registration fee, no such assessment shall be made and the matter shall be considered closed. If
28 the officer affirms the assessment of the registration fee, the property owner shall have the right
29 to appeal the reconsideration decision of the officer to the municipal court within thirty days of
30 such decision. Absent the existence of any valid appeal to the municipal court or other court of
31 competent jurisdiction, the registration fee shall begin to accrue on the beginning of the second
32 calendar quarter after the reconsideration decision of the municipal governing body.

33 4. The municipal governing body shall establish by ordinance procedures for payment
34 of the registration fee and penalties for delinquent payments of such fees. Any registration fees
35 which are delinquent for a period of one year shall become a lien on the property and shall be
36 subject to foreclosure proceedings in the same manner as delinquent real property taxes. The
37 owner of the property against which the assessment was originally made shall be able to redeem
38 the property only by presenting evidence that the violations of the applicable housing code cited
39 by the municipal officers have been cured and presenting payment of all registration fees and
40 penalties. Upon bona fide sale of the property to an unrelated party said lien shall be considered
41 released and the delinquent registration fee forgiven.

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