

HOUSE**AMENDMENT NO. _____****Offered by _____****of _____**

1 AMEND Senate Bill No. 58, Page 1, Section A, Line 2, by inserting
 2 after all of said line the following:

3 "71.285. 1. Whenever weeds or trash, in violation of an
 4 ordinance, are allowed to grow or accumulate, as the case may be,
 5 on any part of any lot or ground within any city, town or village
 6 in this state, the owner of the ground, or in case of joint
 7 tenancy, tenancy by entireties or tenancy in common, each owner
 8 thereof, shall be liable. The marshal or other city official as
 9 designated in such ordinance shall give a hearing after ten days'
 10 notice thereof, either personally or by United States mail to the
 11 owner or owners, or the owner's agents, or by posting such notice
 12 on the premises; thereupon, the marshal or other designated city
 13 official may declare the weeds or trash to be a nuisance and
 14 order the same to be abated within five days; and in case the
 15 weeds or trash are not removed within the five days, the marshal
 16 or other designated city official shall have the weeds or trash
 17 removed, and shall certify the costs of same to the city clerk,
 18 who shall cause a special tax bill therefor against the property
 19 to be prepared and to be collected by the collector, with other
 20 taxes assessed against the property; and the tax bill from the
 21 date of its issuance shall be a first lien on the property until
 22 paid and shall be prima facie evidence of the recitals therein
 23 and of its validity, and no mere clerical error or informality in
 24 the same, or in the proceedings leading up to the issuance, shall
 25 be a defense thereto. Each special tax bill shall be issued by
 26 the city clerk and delivered to the collector on or before the
 27 first day of June of each year. Such tax bills if not paid when
 28 due shall bear interest at the rate of eight percent per annum.
 29 Notwithstanding the time limitations of this section, any city,

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1 town or village located in a county of the first classification
2 may hold the hearing provided in this section four days after
3 notice is sent or posted, and may order at the hearing that the
4 weeds or trash shall be abated within five business days after
5 the hearing and if such weeds or trash are not removed within
6 five business days after the hearing, the order shall allow the
7 city to immediately remove the weeds or trash pursuant to this
8 section. Except for lands owned by a public utility,
9 rights-of-way, and easements appurtenant or incidental to lands
10 controlled by any railroad, the department of transportation, the
11 department of natural resources or the department of
12 conservation, the provisions of this subsection shall not apply
13 to any city with a population of at least seventy thousand
14 inhabitants which is located in a county of the first
15 classification with a population of less than one hundred
16 thousand inhabitants which adjoins a county with a population of
17 less than one hundred thousand inhabitants that contains part of
18 a city with a population of three hundred fifty thousand or more
19 inhabitants, any city with a population of one hundred thousand
20 or more inhabitants which is located within a county of the first
21 classification that adjoins no other county of the first
22 classification, or any city, town or village located within a
23 county of the first classification with a charter form of
24 government with a population of nine hundred thousand or more
25 inhabitants, or any city with a population of three hundred fifty
26 thousand or more inhabitants which is located in more than one
27 county, or the City of St. Louis, where such city, town or
28 village establishes its own procedures for abatement of weeds or
29 trash, and such city may charge its costs of collecting the tax
30 bill, including attorney fees, in the event a lawsuit is required
31 to enforce a tax bill.

32 2. Except as provided in subsection 3 of this section, if
33 weeds are allowed to grow, or if trash is allowed to accumulate,
34 on the same property in violation of an ordinance more than once
35 during the same growing season in the case of weeds, or more than
36 once during a calendar year in the case of trash, in any city
37 with a population of three hundred fifty thousand or more

1 inhabitants which is located in more than one county, in the City
2 of St. Louis, in any city, town or village located in a county of
3 the first classification with a charter form of government with a
4 population of nine hundred thousand or more inhabitants, in any
5 fourth class city located in a county of the first classification
6 with a charter form of government and a population of less than
7 three hundred thousand, or in any home rule city with more than
8 one hundred thirteen thousand two hundred but less than one
9 hundred thirteen thousand three hundred inhabitants located in a
10 county with a charter form of government and with more than six
11 hundred thousand but less than seven hundred thousand
12 inhabitants, the marshal or other designated city official may
13 order that the weeds or trash be abated within five business days
14 after notice is sent to or posted on the property. In case the
15 weeds or trash are not removed within the five days, the marshal
16 or other designated city official may have the weeds or trash
17 removed and the cost of the same shall be billed in the manner
18 described in subsection 1 of this section.

19 3. If weeds are allowed to grow, or if trash is allowed to
20 accumulate, on the same property in violation of an ordinance
21 more than once during the same growing season in the case of
22 weeds, or more than once during a calendar year in the case of
23 trash, in any city with a population of three hundred fifty
24 thousand or more inhabitants which is located in more than one
25 county, in the City of St. Louis, in any city, town or village
26 located in a county of the first classification with a charter
27 form of government with a population of nine hundred thousand or
28 more inhabitants, in any fourth class city located in a county of
29 the first classification with a charter form of government and a
30 population of less than three hundred thousand, in any home rule
31 city with more than one hundred thirteen thousand two hundred but
32 less than one hundred thirteen thousand three hundred inhabitants
33 located in a county with a charter form of government and with
34 more than six hundred thousand but less than seven hundred
35 thousand inhabitants, in any third class city with a population
36 of at least ten thousand inhabitants but less than fifteen
37 thousand inhabitants with the greater part of the population

1 located in a county of the first classification, in any city of
2 the third classification with more than sixteen thousand nine
3 hundred but less than seventeen thousand inhabitants, [or] in any
4 city of the third classification with more than eight thousand
5 but fewer than nine thousand inhabitants, in any city of the
6 fourth classification with more than eight thousand but fewer
7 than nine thousand inhabitants and located in any county of the
8 third classification without a township form of government and
9 with more than eighteen thousand but fewer than twenty thousand
10 inhabitants, or in any city of the third classification with more
11 than fifteen thousand but fewer than seventeen thousand
12 inhabitants and located in any county of the first classification
13 with more than sixty-five thousand but fewer than seventy-five
14 thousand inhabitants, the marshal or other designated official
15 may, without further notification, have the weeds or trash
16 removed and the cost of the same shall be billed in the manner
17 described in subsection 1 of this section. The provisions of
18 subsection 2 and this subsection do not apply to lands owned by a
19 public utility and lands, rights-of-way, and easements
20 appurtenant or incidental to lands controlled by any railroad.

21 4. The provisions of this section shall not apply to any
22 city with a population of one hundred thousand or more
23 inhabitants which is located within a county of the first
24 classification that adjoins no other county of the first
25 classification where such city establishes its own procedures for
26 abatement of weeds or trash, and such city may charge its costs
27 of collecting the tax bill, including attorney fees, in the event
28 a lawsuit is required to enforce a tax bill."; and
29

30 Further amend said title, enacting clause and intersectional
31 references accordingly.