

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 23, Page 10, Section 67.2050, Line 73, by
2 inserting after all of said section and line, the following:

3
4 "71.285. 1. Whenever weeds or trash, in violation of an ordinance, are allowed to grow or
5 accumulate, as the case may be, on any part of any lot or ground within any city, town or village in
6 this state, the owner of the ground, or in case of joint tenancy, tenancy by entireties or tenancy in
7 common, each owner thereof, shall be liable. The marshal or other city official as designated in such
8 ordinance shall give a hearing after ten days' notice thereof, either personally or by United States
9 mail to the owner or owners, or the owner's agents, or by posting such notice on the premises;
10 thereupon, the marshal or other designated city official may declare the weeds or trash to be a
11 nuisance and order the same to be abated within five days; and in case the weeds or trash are not
12 removed within the five days, the marshal or other designated city official shall have the weeds or
13 trash removed, and shall certify the costs of same to the city clerk, who shall cause a special tax bill
14 therefor against the property to be prepared and to be collected by the collector, with other taxes
15 assessed against the property; and the tax bill from the date of its issuance shall be a first lien on the
16 property until paid and shall be prima facie evidence of the recitals therein and of its validity, and no
17 mere clerical error or informality in the same, or in the proceedings leading up to the issuance, shall
18 be a defense thereto. Each special tax bill shall be issued by the city clerk and delivered to the
19 collector on or before the first day of June of each year. Such tax bills if not paid when due shall
20 bear interest at the rate of eight percent per annum. Notwithstanding the time limitations of this
21 section, any city, town or village located in a county of the first classification may hold the hearing
22 provided in this section four days after notice is sent or posted, and may order at the hearing that the
23 weeds or trash shall be abated within five business days after the hearing and if such weeds or trash
24 are not removed within five business days after the hearing, the order shall allow the city to
25 immediately remove the weeds or trash pursuant to this section. Except for lands owned by a public
26 utility, rights-of-way, and easements appurtenant or incidental to lands controlled by any railroad, the
27 department of transportation, the department of natural resources or the department of conservation,
28 the provisions of this subsection shall not apply to any city with a population of at least seventy
29 thousand inhabitants which is located in a county of the first classification with a population of less
30 than one hundred thousand inhabitants which adjoins a county with a population of less than one
31 hundred thousand inhabitants that contains part of a city with a population of three hundred fifty
32 thousand or more inhabitants, any city with a population of one hundred thousand or more

Action Taken _____ Date _____

inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any city, town or village located within a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, or any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, or the City of St. Louis, where such city, town or village establishes its own procedures for abatement of weeds or trash, and such city may charge its costs of collecting the tax bill, including attorney fees, in the event a lawsuit is required to enforce a tax bill.

2. Except as provided in subsection 3 of this section, if weeds are allowed to grow, or if trash is allowed to accumulate, on the same property in violation of an ordinance more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of trash, in any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, in the City of St. Louis, in any city, town or village located in a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, in any fourth class city located in a county of the first classification with a charter form of government and a population of less than three hundred thousand, or in any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants located in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, the marshal or other designated city official may order that the weeds or trash be abated within five business days after notice is sent to or posted on the property. In case the weeds or trash are not removed within the five days, the marshal or other designated city official may have the weeds or trash removed and the cost of the same shall be billed in the manner described in subsection 1 of this section.

3. If weeds are allowed to grow, or if trash is allowed to accumulate, on the same property in violation of an ordinance more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of trash, in any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, in the City of St. Louis, in any city, town or village located in a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, in any fourth class city located in a county of the first classification with a charter form of government and a population of less than three hundred thousand, in any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants located in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, in any third class city with a population of at least ten thousand inhabitants but less than fifteen thousand inhabitants with the greater part of the population located in a county of the first classification, in any city of the third classification with more than sixteen thousand nine hundred but less than seventeen thousand inhabitants, [or] in any city of the third classification with more than eight thousand but fewer than nine thousand inhabitants, in any city of the third classification with more than fifteen thousand but fewer than seventeen thousand inhabitants and located in any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants, or in any city of the fourth classification with more

1 than eight thousand but fewer than nine thousand inhabitants and located in any county of the third
 2 classification without a township form of government and with more than eighteen thousand but
 3 fewer than twenty thousand inhabitants, the marshal or other designated official may, without further
 4 notification, have the weeds or trash removed and the cost of the same shall be billed in the manner
 5 described in subsection 1 of this section. The provisions of subsection 2 and this subsection do not
 6 apply to lands owned by a public utility and lands, rights-of-way, and easements appurtenant or
 7 incidental to lands controlled by any railroad.

8 4. The provisions of this section shall not apply to any city with a population of one hundred
 9 thousand or more inhabitants which is located within a county of the first classification that adjoins
 10 no other county of the first classification where such city establishes its own procedures for
 11 abatement of weeds or trash, and such city may charge its costs of collecting the tax bill, including
 12 attorney fees, in the event a lawsuit is required to enforce a tax bill.

13 77.675. 1. In addition to the process for passing ordinances provided in section 77.080, the
 14 council of any city of the third classification with more than fifteen thousand but fewer than
 15 seventeen thousand inhabitants and located in any county of the first classification with more than
 16 sixty-five thousand but fewer than seventy-five thousand inhabitants may adopt or repeal any
 17 ordinance by passage of a bill that sets forth the ordinance and specifies that the ordinance so
 18 proposed shall be submitted to the registered voters of the city at the next municipal election. The
 19 bill shall be passed under the procedures in section 77.080, except that it shall take effect upon
 20 approval of a majority of the voters rather than upon the approval and signature of the mayor.

21 2. If the mayor approves and signs the bill, the question shall be submitted to the voters in
 22 substantially the following form:

23 Shall the following ordinance be (adopted) (repealed)? (Set out ordinance.)

24 ☐ YES

☐ NO

25 3. If a majority of the voters voting on the proposed ordinance vote in favor, such ordinance
 26 shall become a valid and binding ordinance of the city."; and

27
 28 Further amend said bill by amending the title, enacting clause, and intersectional references
 29 accordingly.