**CITY OF NORBORNE**

**BILL NO. 08-2022** **ORDINANCE NO.** 671

**Debris/Weed Ordinance**

AN ORDINANCE REPEALING ORDINANCE NO. 593 AND, IN RELATION THERETO, REVISING RULES AND REGULATIONS FOR DEBRIS/WEEDS WITHIN THE CITY OF NORBORNE, MISSOURI.

WHEREAS, the Missouri General Assembly in 1997 adopted a statue regulating weeds and vegetation (Section 67.398 Missouri Revised Statutes), and

WHEREAS, the City of Norborne needs to take advantage of the provisions of that law, and to provide for a simplified and easy way to deal with debris, trees and shrubs, grass, and vegetation that grows to create a nuisance.

NOW THEREFORE, be it ordained by the Board of Aldermen of the City of Norborne as follows;

SECTION ONE: That this ordinance hereby repeals all portions of conflicting city ordinances and rules and regulations to the extent of such conflict and no further.

SECTION TWO: Debris Defined: Any condition on any lot or land that has the presence of debris of any kind is hereby declared to be a public nuisance, subject to abatement. Debris includes weed cuttings, cut and fallen trees and shrubs, overgrown vegetation, grass, and noxious weeds which are eight (8) inches or more in height, bricks, tin, steel, parts of derelict cars or trucks, broken furniture, and/or any flammable material. The word "debris" also includes any other material found on any lot or land that is unhealthy or unsafe, provided (1) that it is described in detail in the notice that is required in Section Three below, and (2) that the definition is not challenged by requesting a formal hearing as provided in Section Three below.

SECTION THREE: Notice: Enforcement of this ordinance shall be the responsibility of the Code Enforcement Officer or his duly authorized representative. Enforcement shall commence by providing notice to the owner of the property of the nuisance condition existing on his/her/its property. The notice may be delivered by personal service, by certified mail, or by ordinary mail. (If sent by ordinary mail, there will be a rebuttable presumption that the letter was delivered 5 days after the date it was sent.)

The Notice shall generally describe the nature of the nuisance, the location of the property (using the mailing or popular address rather than a legal description when reasonably possible to do so), and ordering the property owner to, within a period of seven (7) days from the receipt of the notice, abate the nuisance.

SECTION FOUR: Abatement of Nuisance: If the nuisance is present on the property seven (7) days after receipt of the notice by the property owner, the enforcement officer shall cause the same to be abated. (The costs of abatement may include a fee for the city's costs in administering this ordinance, which fee shall not exceed $150.00.) The enforcement official shall certify the cost of such abatement to the city clerk or other officer in charge of finance 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 collecting official's option and shall be collected in the same manner and procedure as for collecting real estate taxes.

SECTION FIVE: Violation is an Offense. An owner who fails to remove a nuisance within seven (7) days of being notified to do so by the notice/abatement order described in Section Two above shall be guilty of an offense and may (at the option of the City), be charged in Associate Division of Circuit Court of Carroll County with the offense of "failure to abate a nuisance"

SECTION SIX: Effective Date

This ordinance shall be in full force and effect from and after August 9, 2022.

Read three (3) times and duly ADOPTED AND PASSED by the Board of Aldermen of the City of Norborne, Missouri, this 9 day of August, 2022, at a meeting duly called and convened and at which a quorum of said Board was Present.

Mayor

**[SEAL]**

ATTEST:

City Clerk

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APPROVED by the Mayor this 9 day of August, 2022.

Mayor

**[SEAL]**

ATTEST:

City Clerk

# CERTIFICATE

I, Carol Coats, being the duly elected, acting and constituted City Clerk of the City of Norborne, Missouri, a municipal corporation of the fourth class of the State of Missouri, do hereby certify that the above and foregoing is a true and complete copy of Ordinance No. 671, as duly adopted at a meeting of the Board of Alder of such city, duly called, convened and held on August 9, 2022, at which time 4 of the 4 members of the Board of Aldermen were present and voting.

I do hereby further certify that said ordinance is still in full force and effect and has not been rescinded, altered or amended as of this date.

Dated at Norborne, Missouri this 9 day of August, 2022.

**[SEAL]**

Carol Coats

Carol Coats, City Clerk