CITY OF NORBORNE

BILL NO. 7-25 ORDINANCE NO. 682

AN ORDINANCE REPEALING ORDINANCE NO. 404 AND, IN RELATION THERETO, REVISING RULES AND REGULATIONS FOR NUISANCE VEHICLES WITHIN THE CITY OF NORBORNE, MISSOURI.

WHEREAS, the Board of Aldermen of the City of Norborne, Missouri, has determined that it is in the best interests of said City to adopt an ordinance to revise the rules and regulations for nuisance vehicles within the limits of the City of Norborne, Missouri.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NORBORNE, MISSOURI, A MUNICIPAL CORPORATION, AS FOLLOWS:

SECTION I – Junked/Inoperable Vehicle Declared Public Nuisances

A. A junked vehicle, including a part of a junked vehicle, that is visible at any time of the year from a public place or public right-of-way is detrimental to the safety and welfare of the general public, tends to reduce the value of private property, invites vandalism, creates a fire hazard, is an attractive nuisance, creates a hazard to the health and safety of minors, and is detrimental to the economic welfare of the Town by producing urban blight which is adverse to the maintenance and continuing development of the Town, and such vehicles are therefore declared to be a public nuisance.

B. "Junked vehicle" is defined as a vehicle that:

1. Was designed to be self-propelled; and
2. Is wrecked, dismantled, or partially dismantled, or discarded; or
3. Is substantially disfigured, damaged, or disintegrated; or
4. Is ruined, destroyed or demolished; or
5. Is inoperable or has remained inoperable for more than seventy-two (72) consecutive hours if on public property or thirty (30) days if on private property, or
6. Is not registered or is improperly registered within this State, or is not displaying current proper license plates.

SECTION II – Exceptions

A. This Chapter shall not apply to:

1. A vehicle which is completely enclosed within a building or fenced area in a lawful manner where it is not visible from the street or other public or private property.

2. A vehicle which is stored or parked in a lawful manner upon the private property of a business licensed as salvage, swap, junk dealer, towing or storage facility, provided that:

   a. The business is operated in compliance with its business license; and

   b. The property is in compliance with applicable zoning ordinances.

SECTION III – Procedure for Disposition of Nuisance Vehicles

A. Determination Of Public Nuisance. A vehicle is a public nuisance when:

1. The Mayor, or his/her designee determines that a vehicle is a public nuisance as defined by Section I above; or

2. After an order issued by the Municipal Court.

B. Procedure For Abatement Or Removal. After a determination is made that a particular vehicle is a public nuisance, there shall be notice given, stating the nature of the public nuisance, that it must be removed and abated not later than the tenth day after the date on which the notice was either personally served, or sent via certified mail, return receipt requested, to:

1. The last known registered owner of the vehicle, all lienholders of record, and the owner or occupant of the private premises whereupon such public nuisance exists, if the public nuisance exists upon private property; or

2. The last known registered owner of the vehicle, all lienholders of record, and the owner or occupant of property adjacent to the public property or public right-of-way whereupon such public nuisance exists, if the public nuisance exists upon public property or a public right-of-way.

3. If the address of the last known registered owner of the vehicle is unknown, notice shall be placed on the nuisance vehicle. If the notice is returned undeliverable by the United States Postal Service, official action to abate such nuisance shall be continued to a date not earlier than the 11th day after the date of such return.

C. Public Hearing. There shall be a public hearing prior to the removal of the vehicle as a public nuisance if such hearing is requested by (1) the last known registered owner of the vehicle; (2) any lienholder of record of the vehicle; (3) the owner or occupant of the public or private premises on which the vehicle is located; (4) the owner or occupant of the premises adjacent to the public right-of-way on which said vehicle is located; or (5) the Police Department. The public hearing shall be held before the Mayor or his/her designee, not earlier than the 11th day after the date of the service of notice to abate the nuisance. At the hearing, the vehicle which is the subject

of the public nuisance hearing is presumed to be inoperable unless otherwise demonstrated by the owner.

D. Relocation Within The Town. The relocation of a junked vehicle that is a public nuisance to another location within the Town, after a proceeding for the abatement and removal of such vehicle has commenced, has no effect on the proceeding if the vehicle constitutes a public nuisance at the new location.

E. Failure To Abate Or Remove Public Nuisance. A citation may be issued and a complaint may be filed in the Municipal Division of the Circuit Court of Carroll County, Missouri for the violation of maintaining a public nuisance if the nuisance is not removed and abated and a hearing is not requested within the ten-day period provided in Subsection **(B)** above.

SECTION IV – Removal of nuisance Vehicles

A. Resolution Or Order Of Removal. Any resolution or order requiring the removal of a nuisance vehicle must include the vehicle's description, vehicle identification number, and license plate number if the information is available at the location of the nuisance. A judge of the Municipal Division of the Circuit Court of Carroll County may issue necessary orders to enforce the procedures for the abatement and removal of a public nuisance under this Chapter.

B. Notice To Owner Or Lienholders Of Record. Notice as to the removal of a nuisance vehicle shall be made, in writing, by the Mayor or his/her designee within five (5) business days of a determination that the vehicle is a public nuisance, to the last known registered owner and any lienholder of record of the fact of the removal, the grounds for removal, and place to which the vehicle has been removed.

SECTION V – Disposal of Nuisance Vehicles

If the last known registered owner or any lienholder of record does not abate or remove the public nuisance, and fails to contact the Mayor or his/her designee upon removal of the public nuisance, the vehicle will be considered abandoned.

SECTION VI – Authority to Enforce

Any Peace Officer, Code Enforcement Officer or other regularly salaried, full-time Town employee is authorized to enforce this Chapter.

SECTION VII – Assessment of Expenses

A. The expense incurred in correcting the public nuisance vehicle, including the cost of delivering and posting notice, removal of the vehicle, and disposal of the vehicle, shall be initially paid by the Town and charged to the owner of the vehicle.

B. The cost of removal and disposal of the vehicle and proof of notice to the owner of the vehicle shall be certified to the 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, for the vehicle's owner, and the certified cost shall be collected by the Collector

or other official collecting taxes in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent tax bill shall be governed by the laws governing delinquent and back taxes.

SECTION VIII – Violations and Penalties

A person commits an ordinance violation if the person maintains a public nuisance described in Section I above. Upon conviction thereof, such person shall be fined an amount not to exceed two hundred fifty dollars ($250.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION IX – Repeal of Conflicting Ordinances or Parts Thereof.

All ordinances or parts of ordinances in conflict with this ordinance are hereby amended and/or repealed to correspond herewith.

SECTION X – Effective Date.

This ordinance shall in full force and effect from and after July 8, 2025.

Read three (3) times and duly ADOPTED AND PASSED by the Board of Aldermen of the City of Norborne, Missouri, this 8 day of July, 2025, at a meeting duly called and convened and at which a quorum of said Board was present.

Mayor

[SEAL]

ATTEST:

Carol Stevens
City Clerk

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APPROVED by the Mayor this 8 day of July, 2025.

Mayor

[SEAL]

ATTEST:

Carol Stevens
City Clerk

CERTIFICATE

I, Carol Stevens, 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. 682 as duly adopted at a meeting of the Board of Aldermen of such city, duly called, convened and held on July 8, 2025, 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 8 day of July, 2025.

[SEAL]

Carol Stevens

Carol Stevens, City Clerk