BILL 2016-52

****** Third Reading ******

AGENDA ITEM

TO: Mayor and City Council

FROM: Mark Gaugh, City Manager and (Tim Hamilton, Community Development Director)

DATE: October 14, 2016

RE: Exterior property conditions

Please find the attached Ordinance for your consideration regarding specific items kept outdoors which may be considered a nuisance. The City has adopted the 2009 International Property Maintenance Code which we currently enforce. However, staff feels there are items which are most commonly found when performing code enforcement inspections that need to be specifically called out in the regulations.

Bill 2016-52

AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DEKALB COUNTIES, MISSOURI AMENDING ARTICLE III NUISANCES, CHAPTER 8, OFFENSES-MISCELLANEOUS IN THE CODE OF THE CITY OF CAMERON MISSOURI RELATING TO EXTERIOR DISPLAY AND STORAGE

WHEREAS, Section 67.398, RSMo provides that the governing body of any city may declare the presence of certain debris and conditions upon any property to be a public nuisance; and

WHEREAS, the City Council of the City of Cameron, Clinton and DeKalb Counties, Missouri ("City") finds that the exterior display and storage of certain materials presents a danger to the public safety and health and damages the aesthetics and general welfare of the City's residents; and

WHEREAS, it is the intent and desire of the City Council to amend the Code of the City of Cameron, Missouri ("Code") to protect the public safety and health and to preserve the aesthetics and general welfare of the City's residents and to ensure and preserve the residential nature of the neighborhoods, and to secure a prosperous and progressive community, maintain the values of property in the City and to prevent unsightliness which debases the values of the community by regulating the exterior display and storage of certain materials.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, AS FOLLOWS:

Section 1. Chapter 8, **OFFENSES-MISCELLANEOUS,** Article III. Nuisances, of the Code of the City of Cameron Missouri is hereby amended by adding Division 4 as follows:

DIVISION 4. Exterior display or storage of certain materials prohibited.

Sec. 8-178. Definitions.

The following words or terms are, for purposes of this Division, defined as follows:

Appliances means any mechanism, device, apparatus or equipment, designed primarily for indoor household use, including but not limited to: stoves, refrigerators, ovens, microwave ovens, washing machines, clothes dryers, sewing machines, televisions, and similar items

Third Reading

Furniture means any items of household furniture designed primarily for indoor use, including but not limited to: sofas, couches, divans, rocking chairs, reclining chairs, ottomans, beds, mattresses, box springs, desks, tables, and similar items, but excluding those items of furniture designed primarily for outdoor use.

Indoor merchandise means any item intended for sale, or resale, excluding lawn, garden, and landscape materials, agricultural products, implements and equipment; and construction materials.

Firewood means wood products used to produce heat by burning.

Sec. 8-179. Nuisances declared; exceptions.

It shall be unlawful for any person, firm or corporation, owning, leasing or being in possession of any real estate, to collect, display, place, store, or allow or suffer to be collected, displayed, placed or stored upon the property, any appliances, furniture, indoor merchandise, or firewood, for any period of time in excess of twenty-four (24) hours, except as follows:

(a) Within the walls, including screened-in porches, of a house, garage, outbuilding, building or other similar type of enclosed structured allowed by the Cameron Zoning Ordinance; or

(b) Within a storage bin or other structure, provided that such storage bin or structure consists of a solid fence or wall and such items are not clearly visible through such bin or other structure and provided further that such fence, bin, or wall structure is of a type allowed by the Cameron Zoning Ordinance.

(c) In the case of firewood, firewood that is stacked in rows or columns.

(d) Those items placed by the curbside for disposal and collection as part of a city-approved clean-up event.

Sec. 8-180. Penalty.

Any person found in violation of any of the provisions of this Division may be fined pursuant to Section 1-9(e) (2) of the Cameron City Code. Each day that a violation shall continue shall be deemed a separate offense.

Section 1. The Mayor is authorized to sign this Ordinance, approving it on behalf of the City of Cameron.

Section 2. The City Clerk is directed to attest to the Mayor's signature.

Section 3. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Third Reading

Section 4. This Ordinance shall be in full force and effect from and after its passage.

Passed and approved on first reading this 7th day of November 2016.
Passed and approved on second reading this 21st day of November 2016.
Passed and approved on third and final reading this 5th day of December 2016.

_____
Mayor Jerri Ann Eddins

ATTEST:

_____
City Clerk/Finance Clerk

Third Reading