

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 1114

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR LOUDON.

Read 1st time January 21, 2004, and ordered printed.

Read 2nd time February 9, 2004, and referred to the Committee on Economic Development, Tourism and Local Government.

Reported from the Committee February 23, 2004, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 17, 2004. Read 3rd time and placed upon its final passage; bill passed.

3903S.02P

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 82.291, RSMo, and to enact in lieu thereof one new section relating to removal of nuisances, with a termination date.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 82.291, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 82.291, to read as follows:

82.291. 1. For purposes of this section, "derelict vehicle" means any motor vehicle or trailer that was originally designed or manufactured to transport persons or property on a public highway, road, or street and that is junked, scrapped, dismantled, disassembled, or in a condition otherwise harmful to the public health, welfare, peace, and safety.

2. The owner of any property located in any home rule city with more than twenty-six thousand two hundred but less than twenty-six thousand three hundred inhabitants, except any property subclassed as agricultural and horticultural property pursuant to section 4(b), article X, of the Constitution of Missouri or any property containing any licensed vehicle service or repair facility, who permits derelict vehicles or substantial parts of derelict vehicles to remain on the property other than inside a fully enclosed permanent structure designed and constructed for vehicle storage shall be liable for the removal of the vehicles or the parts if they are declared to be a public nuisance.

3. To declare derelict vehicles or parts of derelict vehicles to be a public nuisance, the governing body of the city shall give a hearing upon ten days' notice, either personally or

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

by United States mail to the owner or agent, or by posting a notice of the hearing on the property. At the hearing, the governing body may declare the vehicles or the parts to be public nuisances, and may order the nuisance to be removed within five business days. If the nuisance is not removed within the five days, the governing body or the designated city official shall have the nuisance removed and shall certify the costs of the removal to the city clerk or the equivalent official, who shall cause a special tax bill for the removal to be prepared against the property and collected by the collector with other taxes assessed on the property, and to be assessed any interest and penalties for delinquency as other delinquent tax bills are assessed as permitted by law.

4. The provisions of this section shall terminate on August 28, [2004] **2008**.

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