

**Landlord  
Requirements  
For Rental Properties  
In the City of Sikeston 2011**

October 15, 2010

Dear Rental Property Owner and Property Manager:

**HISTORY & GOALS:**

The City Council has been working with rental property owners and tenants to upgrade the rental housing stock in our community. In this effort our concerns have been three-fold:

1. Support the rental housing industry within our community
2. Establish and maintain a minimum quality of rental housing for our residents
3. Maintain and improve the quality of our neighborhoods

All of these efforts work toward improving the quality of life for our citizens, whether they own or rent their homes. Towards these efforts, the City fully implemented the Rental Property Minimum Housing Quality Standards Ordinance, effective December 1, 2000. This ordinance requires all rental property owners to register their property and tenants with the City of Sikeston by December 1 of each year.

The accomplishment of the City's goals requires the cooperation of our landlords. To achieve this cooperation, it is vital the lines of communication between all parties; landlords, tenants, residents and the City remain open.

**RENTAL PROPERTY (WHY AM I RECEIVING THIS INFORMATION?):**

City staff has researched County and City tax records attempting to eliminate mailings to property owners that are not landlords. Rental property is defined by this ordinance as **any property that is not owner occupied**. I understand several of you may have additional properties with relatives living in the units. **These properties must also be registered with the City**. The City will then forgo the \$15.00 inspection fee and any inspections on these properties until such time the occupancy changes to someone other than a relative. **This also applies to structures that are vacant and/or condemned.**

**Anytime you purchase property that will not be owner occupied it must be registered with the city immediately, you must contact us with who you purchased the property from and the date of sale.**

It may be possible that you are receiving this mailing in error. If you had property and have since sold the rental units please contact **Anne Quick, at 573-471-2512** to convey this information. Your name will **only** be removed from the list if you contact us; otherwise we are unaware that you are receiving this mailing in error.

**WHAT YOU NEED TO COMPLY:**

This packet includes numerous pieces of information to assist you in complying with the Minimum Housing Quality Standards Ordinance. There is no intention on the part of the City of Sikeston to dictate individual landlord's business practices. The City does, however, take its responsibility to improve and preserve the quality of life for all our citizens very seriously, and will enforce the Rental Property Minimum Housing Quality Standards Ordinance to its fullest degree.

Enclosed are the following:

1. Rental Housing Registration Form, RHO-01 (10-08) - Due December 1, 2010
2. Trailer Lot Registration form RHO-03 (10/08) (Only if you own Trailer Lots fill this form out) - Due December 1, 2010
3. Application for Tenancy, RHO-02 (10/08) - Due with every tenancy change or addition
4. Chapter 15.30 – Rental Property Minimum Housing Quality Standards
5. Chapter 15.24 – Property Maintenance Ordinance

**Please discard any and all prior forms and use the updated enclosed forms.**

The Rental Housing Registration is the form due **December 1, 2010**. All tenants should be listed by first and last name. Should the tenants be the same as previously listed, do not state "same", you must list each adult tenant on the registration form. In addition, a form was created for trailer lots, RHO-03 (10/08). If you own a trailer lot or a trailer, please complete this form.

The Application for Tenancy Form is to be utilized when you have a Tenancy change. The tenancy form must be completed prior to a new occupant moving into a rental unit, and must be completed for each tenancy change. Failure to submit a tenancy application along with the inspection fee with each change of tenancy carries a minimum fine of \$100.00.

**PROPERTY MAINTENANCE:**

In the event rental property is found in violation of Sikeston Municipal Code 15.24.160, pertaining to junk and trash, tall weeds, or grass or derelict vehicles and/or vehicle accessories, a seven (7) day abatement deadline will be sent to the property owner or property manager listed on the tenancy application form. The tenancy application form must be on file and up to date at City Hall. Failure of the property owner or property manager of rental property to abate said violation in the above mentioned time period will result in court action. **In all of the above situations, the tenant will be cited upon the discovery of the violation.**

**FINES/PENALTIES:**

Your earliest response to this correspondence is critical as there is a \$500.00 fine for failing to register rental property. Failure to submit a tenancy application with each change of tenancy carries a minimum fine of \$100.00. Court complaints will be signed against those who fail to comply.

**INFORMATIONAL:**

I wish to thank you, in advance, for your cooperation in these efforts. If at any time you have changes to the required forms, you must contact City Code Enforcement Office immediately.

Should you have any questions or concern we can be reached by calling 573-471-2512. You may obtain a copy of the "**Rental Property Minimum Housing Quality Standards**" by visiting our web site at [www.sikeston.org](http://www.sikeston.org) or by email request to [publicworks@sikeston.org](mailto:publicworks@sikeston.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Trey Hardy". The signature is written in a cursive style with a large initial "T" and "H".

Trey Hardy  
Code Enforcement Division Supervisor  
City of Sikeston

Enclosures

adq

**Anytime you purchase property that will not be owner occupied you must contact us with the information of who you purchased the property from and the date of sale.**

**CITY OF SIKESTON – RENTAL HOUSING REGISTRATION**

**\*\* DUE DECEMBER 1, 2010 \*\***

**Owner's Information**

Company Name: \_\_\_\_\_  
 President of Company: \_\_\_\_\_  
 Owner's Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_  
 Phone #: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

**Property Manager's Information**

Company Name: \_\_\_\_\_  
 Contact Name: \_\_\_\_\_  
 Property Manager (if any): \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_  
 Phone #: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

<b><u>Date Constructed:</u></b> I - New Const II - 3 or more yrs old Circle Type, add year	<b><u>Construction Type:</u></b> D- Duplex S- Single Family Unit M- Multi-Family Unit	<b><u>Street Address:</u></b> Address of Rental Unit	<b><u>Tenants:</u></b> List names of adults residing at this address	<b><u>Years Occupied:</u></b> How long tenants lived at address (i.e. years, months)
I - II -				
I - II -				
I - II -				
I - II -				
I - II -				
I - II -				
I - II -				
I - II -				

I, hereby attest the above to be a true and accurate record: \_\_\_\_\_  
Owner's Signature Date

**INSTRUCTIONS:**

**Return signed registration to the Public Works Department, Sikeston City Hall, 105 E. Center St., Sikeston, MO 63801 on or before December 1, 2010**

**\*\* Failure to submit form by December 1, 2010 can result in a \$500.00 fine\*\***

**Anytime you purchase property that will not be owner occupied you must contact us with the information of who you purchased the property from and the date of sale.**

**CITY OF SIKESTON – RENTAL HOUSING REGISTRATION FORM – TRAILER LOTS**

**\*\* DUE DECEMBER 1, 2010\*\***

**Owner's Information**

**Company Name:** \_\_\_\_\_  
**President of Company:** \_\_\_\_\_  
**Owner's Name:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City, State, Zip** \_\_\_\_\_  
**Phone #:** \_\_\_\_\_  
**Email Address:** \_\_\_\_\_

**Property Manager's Information**

**Company Name:** \_\_\_\_\_  
**Contact Name:** \_\_\_\_\_  
**Property Manager (if any):** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City, State, Zip** \_\_\_\_\_  
**Phone #:** \_\_\_\_\_  
**Email Address:** \_\_\_\_\_

<b><u>Site Address:</u></b> Address of lot being rented.	<b><u>Site Tenant:</u></b> Name of person who rents the lot. (land trailer sits on)	<b><u>Trailer Owner:</u></b> Name of person who owns the trailer on the lot.	<b><u>Trailer Owner Address:</u></b> Address of the owner of the trailer. (Street Address, City, State, Zip Code)	<b><u>Tenant of Trailer:</u></b> Name of person living in the trailer.	<b><u>Years Occupied:</u></b> How long tenants lived at address (i.e. years and/or months)

I, hereby attest the above to be a true and accurate record: \_\_\_\_\_  
Owner's / Property Manager's Signature Date

**INSTRUCTIONS:**

**Return signed registration to the Public Works Department, Sikeston City Hall, 105 E. Center St., Sikeston, MO 63801 on or before December 1, 2010**

**\*\* Failure to submit form by December 1, 2010 can result in a \$500.00 fine\*\***

**This form must be filled out legibility AND with all information completed.**

CITY OF SIKESTON

# APPLICATION FOR TENANCY

Instructions: Forward this completed form with an application fee of \$15.00 to the Sikeston Department of Public Works, Code Enforcement Office, 105 East Center Street, Sikeston, MO 63801.

<b>STREET ADDRESS OF RENTAL PROPERTY TO BE INSPECTED</b> _____ <b>APT. #.</b> _____
<b>NAME &amp; ADDRESS OF PROPERTY OWNER</b> _____
<b>NAME OF PROPERTY MANAGER</b> _____ <b>PHONE NO. ( )</b> _____
<b>PROPERTY MANAGER'S ADDRESS</b> _____
<b>DATE OF DESIRED OCCUPANCY</b> _____ (DO NOT STATE AS SOON A POSSIBLE, PROVIDE MONTH AND DAY)

**HEAD-OF-HOUSEHOLD** \_\_\_\_\_ **PHONE NO. ( )** \_\_\_\_\_

**DATE OF BIRTH** \_\_\_\_ / \_\_\_\_ / \_\_\_\_ **DRIVERS LICENSE #** \_\_\_\_\_

**PREVIOUS ADDRESS** \_\_\_\_\_  
Street Address Apt. No. City State Zip Code

**HOW LONG AT PREVIOUS ADDRESS?** From \_\_\_\_\_ To \_\_\_\_\_

**NAME OF LANDLORD OR MORTGAGE HOLDER** \_\_\_\_\_ **PHONE NO. ( )** \_\_\_\_\_

**THE FOLLOWING OCCUPANTS (AND NO OTHERS) WILL BE RESIDING AT SAID RENTAL PROPERTY:**

<u>NAME</u>	<u>SEX</u>	<u>DATE-OF-BIRTH</u>	<u>RELATIONSHIP TO HEAD-OF-HOUSEHOLD</u>
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<u>NAME</u>	<u>SEX</u>	<u>DATE-OF-BIRTH</u>	<u>RELATIONSHIP TO HEAD-OF-HOUSEHOLD</u>

I CERTIFY THE ABOVE INFORMATION TO BE TRUE AND ACCURATE STATEMENTS MADE IN CONJUNCTION WITH MY REQUEST FOR A RENTAL PROPERTY MAINTENANCE INSPECTION.

TENANT(S): ALL ADULT TENANTS MUST SIGN APPLICATION. IF NECESSARY USE THE BACK OF THE FORM PLEASE PRINT YOUR NAME AND SIGN.

Signed: \_\_\_\_\_ Signed: \_\_\_\_\_ Date: \_\_\_\_\_

PROPOSED LANDLORD/PROPERTY MANAGER:

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

## TITLE 15

### BUILDINGS AND CONSTRUCTION

#### Chapters:

15.04 BOCA Basic Building Code '87	Ord. #4659
15.08 BOCA Basic Fire Prevention Code '84	Ord. #4555
15.12 National Electrical Code '87	Ord. #4661
15.16 BOCA Basic Plumbing Code '87	Ord. #4658
15.20 BOCA Basic Mechanical Code '87	Ord. #4657
15.24 BOCA Basic Property Maintenance Code '90	Ord. #4853
15.30 Rental Property Minimum Housing Quality Standards	Ord. #5093
Amended	Ord. #5517

## Chapter 15.30

### Rental Property Minimum Housing Quality Standards

#### Sections:

15.30.05	Generally
15.30.07	Definitions
15.30.10	Compliance Standards
15.30.20	Units Subject to Compliance
15.30.30	Inspection Personnel/Administration
15.30.40	Inspection Fees and Procedures
15.30.50	Drive-by Inspections, When Applicable
15.30.60	Routine Inspections and Enforcement
15.30.70	Connection of Public Utilities Dependent upon Successful Inspection
15.30.80	Appeals Board, Created

**15.30.05 Generally:** The City Council of the City of Sikeston, Missouri has found it to be in the best interest of its citizens to preserve the quality of its housing inventory and to protect its neighborhoods from neglect and deterioration which act as a threat to health, safety and the welfare of its people and places. (Ord. 5093, 1/97)

**15.30.06 Definitions:** (Ord. 5517, §II, 11/02)

Occupant: Any person living or sleeping in a building or having possession of a space within a building.

Operator: Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

Owner: See Property Owner Definition

Person: An individual, corporation, partnership or any other group acting as a unit.

Premises: A lot, plot or parcel of land including any structures thereon.

Property Owner: Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Rental Property: Any premises that is not occupied by the owner. Including those premises that are subject to agreements providing for contracts-for-deeds.

Tenant: A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit. (Ord. 5517, §II, 11/02)

**15.30.10 Compliance Standards:** All rental units identified for compliance herewith, must conform to Housing Quality Standards (HQS) established by the U.S. Department of Housing and Urban Development as from time to time amended, in effect upon adoption of this Ordinance. (Ord. 5093, §II, 1/97)

**15.30.20 Units Subject to Compliance:**

- A. Type I - newly constructed units shall be those rental units constructed less than three (3) years. (Ord. 5517, §II, 11/02)
- B. Type II - rental units shall be those rental units constructed and in rental service more than three (3) years.
- C. Units which are subject to contracts for deeds shall be treated as Type II rental units. (Ord. 5093, §VI, 1/97)

**15.30.30 Inspection Personnel/Administration:**

- A. Inspections of rental property shall be conducted by staff of the Department of Public Works to insure compliance with Section 8 Guidelines of the Housing Quality Standards (HQS). (Ord. 5093, §IV, 1/97)
- B. The City Manager is directed to develop appropriate forms, applications and listings in order to accommodate this Ordinance and the Housing Quality Standards (HQS) herein referenced. (Ord. 5093, §V, 1/97)

**15.30.40 Inspection Fees and Procedures:** For purposes of this Ordinance, the following designators shall mean:

- A. To accommodate the purposes of this Ordinance, all property owners of rental property shall require new tenants of the property to fill out an application for occupation of the property. The property owner shall submit said application to the Planning Division/Code Enforcement Office together with an occupancy permit inspection fee of fifteen dollars (\$15.00). Collection of said fee is suspended for a period of two years from the date of program implementation; fee shall be effective December 1, 2002. It shall be the responsibility of the owner to make the unit available for inspection. Upon successful completion of inspection, in keeping with the guidelines of the Housing Quality Standards, the Board of Municipal Utilities shall be advised of the issuance of an Occupancy Permit. Failure to report a change of tenant or occupancy will result in the property owner being found in violation of this ordinance, and subject to a fine of not less than \$100 for the first offense and an additional \$100 fine for each subsequent offense up to a maximum fine of \$500. (Ord. 5517, §II, 11/02)
- B. In the event a unit fails to pass the drive-by or biennial inspection, in keeping with the Guidelines of the Housing Quality Standards or in keeping with the Property Maintenance Standards of the City of Sikeston, the unit shall be subject to a full interior inspection.
- 3. The owner thereof shall have thirty (30) days within which to make minor corrections necessary to qualify the unit. Major corrections shall be deemed

those violations that represent health and safety issues, and which require immediate correction. Failure to remedy violation notices shall result in the filing of a complaint. Convictions on said charges will result in a minimum fine of \$100 for every thirty days, or portion thereof, the violation goes unremedied, up to a maximum fine of \$500. An Occupancy Permit shall only be issued by a Code Enforcement Officer upon the property's compliance with the Guidelines for Housing Quality Standards.

4. Owners of all rental units, including those which are subject to agreements providing for contracts-for-deeds shall, by December 1 of each year, submit a listing of all property, whether occupied or vacant, which discloses the address and location of each rental unit and whether it is a free-standing unit or one which is connected to other structures, and the name(s) of each tenant(s) thereof. In the event the owner of the rental property fails to submit said listing to the Director of Public Works or his designee on or before December 1 of each year, said owner shall be subject to a fine of not less than five hundred dollars (\$500.00). Owners shall register all individual tenants with the Director of Public works, or his designee, prior to said tenant's occupancy. In the event the owner fails to register tenants prior to occupancy, said owner shall be subject to a fine of not less than one hundred dollars (\$100) for the first offense, and an additional \$100 fine for each subsequent offense up to a maximum fine of \$500. (Ord. 5349, §II, 11/00)

**15.30.50 Drive by Inspections, When Applicable:**

- A. Type I - rental units shall be exempt from inspections during the three (3) year exemption period set forth in 15.30.20 A, unless formal complaints are received by the Planning Division/Code Enforcement Office of the Department of Public Works which disclose conditions which place the realty in the jurisdiction of the Planning Division/Code Enforcement Office in which event said realty shall be reclassified as Type II. (Ord. 5517, §II, 11/02)

**15.30.60 Biennial Inspections and Enforcement:** Biennial inspections shall be conducted as follows:

- A. Type I - a unit having exhausted the three (3) year exemption term shall be subject to a biennial inspection the first year it is in service.
- B. Type II - all non-exempted rental housing units shall be inspected no less than once every twenty-four (24) months.
- C. Owners of units which fail to successfully pass the biennial inspection shall be notified of such failure, and shall have thirty (30) days within which to bring said unit to the standards required by the Guidelines of the Housing Quality Standards.
- D. The time for performing work necessary to successfully pass a biennial inspection may be extended by personnel of the Planning Division/Code Enforcement Office upon cause therefore being demonstrated.
- E. Failure of an owner of a unit to correct any deficiencies found therein or thereon in either a biennial examination or a drive-by inspection within thirty

(30) days of notification shall result in the landlord being found in violation of this ordinance, and subject to a fine of \$100 for every thirty days, or portion thereof, the violation goes unremedied, up to a maximum fine of \$500.

- F. An Occupancy Permit shall only be issued by a Code Enforcement Officer upon the property's compliance with the Guidelines for Housing Quality Standards. (Ord. 5093, §X, 1/97; Ord. 5349, §IV, 11/00)

**15.30.70 Inspections and Enforcement:** Type I and II rental housing units may not have public utility connections until they have successfully passed inspection by the Planning Division/Code Enforcement Office. (Ord. 5349, §V, 11/00)

**15.30.80 Appeals Board:**

- A. Meetings of the Rental Ordinance Review Board will be called upon receipt of an appeal or at the direction of the Chairperson.
- B. Notice of meetings of the Appeals Board will be posted at City Hall with the members receiving First Class Mail notice of same.
- C. Meetings will be conducted as soon after filing an appeal as may be in order give effect to the law. (Ord. 5159, §III, 9/97)

**15.24.030 Definitions** – For purposes of Sections 15.24.030 through 15.24.120, the following definitions shall be applicable:

1. Custodian – Any person who exercises care, custody or control over real or personal property.
2. Currently Unregistered Motor Vehicle – A motor vehicle which is not currently registered with the Missouri Department of Revenue by the owner thereof.
3. Junked Motor Vehicle – Any motor vehicle which is partially dismantled, wrecked or disabled, and which cannot safely or legally be operated on the thoroughfares, highways, roads, streets, avenues, boulevards, parkways or alleys in the State of Missouri.
4. Motor Vehicle – Any self-propelled land vehicle used for towing or transporting people or materials, excluding farm machinery.
5. Motor Vehicle Accessories – Any part or parts of any motor vehicle.
6. Person – Any individual, firm, partnership, business or corporation.
7. Private Property – Any real property within the City of Sikeston which is not owned by the federal, state, county or municipal government, or any subdivision thereof.

**15.24.040 Prohibited Maintenance.**

1. It shall be unlawful for the owner of any junked motor vehicle or motor vehicle accessories or any owner, occupant or custodian of any private property to maintain or allow to remain on said private property any junked motor vehicle or motor vehicle accessories, or to allow same to remain upon any public thoroughfare, highway, road, street, alley, avenue, boulevard or parkway. (Ord. 5591, §II, 4/04)
2. It shall be unlawful for the owner, occupant or custodian of any private property to maintain or allow to remain on said private property, any currently unregistered and/or unlicensed motor vehicle, or any motor vehicle which is in a state of disrepair; provided however, that the owner of such private property may maintain on said private property one (1) motor vehicle which is not in a state of disrepair and which is not currently registered and or licensed, for a period of up to six (6) months. (Ord. 5603, §II, Effective 6/15/04)

**15.24.050 Permitted Maintenance.** Section 15.24.040 above shall not apply to any motor vehicle or motor vehicle accessories maintained or stored within an enclosed building or on the premises of a licensed business enterprise operated

in a lawful place and manner when such storage or maintenance is necessary to the operation of such business enterprise.

**15.24.060 Notice of Violation.** Whenever the City Manager or his duly authorized representative determines that a motor vehicle determines that a motor vehicle or motor vehicle accessories are being maintained in violation of Section 15.24.040 above, notice of said violation shall be directed to the owner of said motor vehicle or motor vehicle accessories, and, if the violation has occurred on private property where the same is being unlawfully maintained, notification will be made in person or, representative shall affix a copy of said notice to said motor vehicle or motor vehicle accessories. Said notice shall advise the owner of said motor vehicle or motor vehicle accessories and, if required, the owner, custodian or occupant of the private property to abate said violation within seven (7) days from the date on said notice. (Ord. 5591, §III, 4/04)

**15.24.070 Notice When Owner or Custodian Cannot Be Found.** When any of the persons entitled to receive the notice provided for in Section 15.24.060 cannot be located, mailing of said notice and affixing a copy of same to said vehicle or motor vehicle accessories shall be sufficient notice.

**15.24.080 Procedure If Not Abated.** If not removed within the time specified in the notice, the motor vehicle or motor vehicles accessories maintained in violation of Section 15.24.040 above may be transported to a storage area by or at the direction of the City Manager or his duly authorized representative at the expense of the owner of the said motor vehicle or motor vehicle accessories. The wrecker service will become the responsible party for the motor vehicle or motor vehicle accessories according to state statutes. (Ord. 5591, §IV, 4/04)

**15.24.090 Notice of Sale.** Section deleted in entirety. (Ord. 5591 §V, 4/04)

**15.24.110 Removal of Motor Vehicles by Department of Public Safety.**

- A. Section deleted in entirety. (Ord. 5603, §III, 6/04)
- B. When any currently unlicensed and/or unregistered motor vehicle, and or junked motor vehicle or any motor vehicle in a state of disrepair is left unattended upon any thoroughfare, highway, road, street, avenue, boulevard, parkway or alley in a manner constituting an obstruction to traffic, the officers of the Department of Public Safety are authorized to remove such vehicle or cause such motor vehicle to be removed to a garage or other place of safety and shall notify the City Manager or his duly authorized representative of said removal. Thereafter the City Manager or his duly authorized representative shall give notice as provided in Sections 15.24.060 and 15.24.070 above and may dispose of the property as provided in Section 15.24.080 above. (Ord. 5603, §IV, Effective 6/15/04)

**15.24.120 Penalty of Violation.** Section deleted in its entirety. (Ord. 5603, §V, 6/04)

**15.24.125 Junk and Trash.** All exterior property and premises shall be maintained clean, safe, sanitary, and free from any accumulated rubbish, rubble, garbage or weeds. (Ord. 5360, §II, 11/00)

**15.24.130 Weeds – Definitions.** “Vegetative growth” – any undesired, uncultivated plant, or desirable lawn plant that is allowed to grow at will, commonly know as grasses or weeds. (Ord. 4627 §II, 1987)

**15.24.140 Weeds – Declaration of Public Nuisance.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches (25 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees and shrubs provided, however this term shall not include cultivated flowers and gardens. (Ord. 5360, §III, 11/00)

**15.24.150 Weeds – Vegetation, City May Cause Removal.**

- A. From time to time, debris, including weed cuttings, cut and fallen trees and shrubs, overgrown vegetation and noxious weeds which are more than seven inches in height, rubbish and trash, lumber not piled or stacked twelve inches off the ground, rocks or bricks, tin, steel, parts of derelict cars or trucks, broken furniture, flammable material and material which is unhealthy or unsafe, are left or permitted to remain on lots and land within the City.
- B. The conditions aforesaid are considered and declared to be public nuisances and the maintenance of same is hereby determined to be unlawful and abatable by the owner and unlawful.
- C. Should a property owner fail to begin removing such nuisance within seven days of receiving notice that the nuisance has been ordered removed or to pursue the removal of such nuisance without unnecessary delay, the City Manager, or his designated officer, shall cause the condition which constitutes the nuisance to be removed. If the designated officer causes the condition to be removed or abated, the cost of such removal shall be certified to the City Clerk who shall cause the certified cost thereof to be included in a special tax bill or added to the annual real estate tax bill for the property and such certified cost shall be collected by the City Collector in the same manner and procedure for collecting real estate taxes.
- D. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill, from its date of issuance, shall be deemed a personal debt of the owner and a

lien on the property which was declared a nuisance until paid. (Ord. 5166, §II, 9/97)

**15.24.160 Violations for Failure to Maintain Property.** With the exception of structural defects, plumbing, electrical, gas or mechanical violations, a Code Enforcement Officer of the City shall file a complaint against any property owner and occupant of a structure within the city, which fails to comply with the City Code in respect to vehicles (15.24.040, 1 &2), Junk and trash (15.24.125) and weeds (15.24.130,.140,.150) as herein referenced. All above referenced exceptions shall have a complaint filed against the property owner.

- A. In the event an owner of real estate within the City shall have been found guilty on six (6) separate occasions of violations of the Property Maintenance Code within a thirty-six (36) month period, the Code Enforcement Office shall report the convictions to the Sikeston Housing Authority together with a request that the Housing Authority terminate any contractual agreements between it and the owner of relating to Section 8 Housing under Subtitle C. Section 545(6)(c) of the United States Housing Act of 1937.
- B. Violations, such as Garbage (8.04.660A), Accessory structures (PM 303.7) including detached garages, fences, walls, sheds and overall property sanitation (PM 303.1), shall have fourteen (14) days from the date on the notice of violation in which to notify the Code Enforcement Division of an acceptable plan of action to abate the violation. Failure to do so will subject the tenant and the property owner to the fines and penalties. (Ord. 5591, §VII, 4/04)

**15-24-170 Repealed in its Entirety – Ordinance #5595, Effective 6/10/04**

**15.24.180-Special Tax Bill for Cost of Work by the City.** The City Manager or his designee shall certify the cost of any work done by the City to abate a nuisance, and the cost of recording the hearing, to the City Clerk who shall cause a special tax bill or assessment for such costs to be issued against the lot, tract or parcel of land upon which the building or structure constituting the public nuisance is or was located.

- A. Lien. The special tax bill shall be a lien on such real estate from the date of issuance until the same is paid and shall be registered in the office of the city collector in a book kept for such purposes.
- B. Payment Due with Interest. The tax bill shall be due and payable sixty (60) days after its date of issuance and shall bear interest at the rate of eight percent (8%) per annum from date of issuance until paid.
- C. Annual Payments Upon Request. At the written request of the taxpayer, which request shall be made prior to the date the city

(Sikeston 6/04)

manager or his designee certifies the cost to the city clerk, the tax bill may be paid in equal annual installments over a period of not more than ten (10) years, with the unpaid balance of the tax bill to bear interest at the rate of eight percent (8%) per annum from the date of issuance until paid. If any installment shall not be paid within thirty (30) days after the same becomes due, then the entire balance of the tax bill and all accrued interest thereof shall become due and payable immediately.

- D. Collection. If any tax bill is not paid when the same becomes due, or if default is made in payment of any installment as provide in subsection (b) hereinabove, then the city attorney hereby is authorized to bring suit on behalf of the city in a court of competent jurisdiction to collect such tax bill. Tax bills issued under this ordinance shall be prima facie evidence of the validity of the bill, of the work being done and of the liability of the property for the charges stated in the bill. Any judgment entered in such suit in favor of the city may be satisfied by sale of the property or so much thereof as is necessary to satisfy the judgment and costs of sale. (Ord. 5591, §VIII, 4/04)

**15.24.190-Insurance Proceeds Withheld.** If there are proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or other structure caused by or arising out of any fire, explosion, or other casualty loss, and if the covered claim payment is in excess of fifty percent (50%) of the face value of the policy covering a building or other structure, then the following procedure shall apply:

- A. 15% Withheld to Secure Abatement Costs. The insurer shall withhold from the covered claim payment fifteen percent (15%) of the covered claim payment, and shall pay that amount to the city to deposit into an interest-bearing account. Any named mortgagee on the insurance policy shall maintain priority over any obligation under this section. If a special tax bill or assessment is issued by the city for the expenses of demolition of such building as a dangerous building, the monies held by the city shall be applied towards payment of special tax bill or assessment. If there is any excess, it shall be paid by the city to the insured or as the terms of the policy, including any endorsements thereto, provide.
- B. Proceeds Released. The city shall release the proceeds and any interest which has accrued on such proceeds received under subsection (a) of this section to the insured or as the terms of the policy and endorsements thereto provide within thirty(30) days after receipt of such insurance monies unless the city has instituted legal proceedings under the provisions of Section 15.24.180. If the city has proceeded under the provisions of Section 15.24.180, all monies in excess of that necessary to comply with the provisions of this ordinance for the removal of the building or structure, less salvage

value, shall be paid to the insured.

- C. Certificate in Lieu of Payment. The city may certify that, in lieu of payment of all or part of the covered claim payment under this section, it has obtained satisfactory proof that the insured has or will remove debris and repair, rebuild or otherwise make the premises safe and secure. In this event, the city shall issue a certificate within thirty (30) days after receipt of proof to permit covered claim payment to the insured without deduction. It shall be the obligation of the insured or other person making claim to provide the insurance company with the written certificate provided for in this subsection.
- D. City Not Party to Insurance Contract. No provision of this section shall be construed to make city a party to any insurance contract.
- E. City Clerk to Deliver Notice to Director of Insurance. The City Clerk hereby is authorized and directed to deliver notice, consisting of certified copy of this section, to the Missouri Director of Insurance within fourteen (14) days after the adoption of this ordinance in compliance with Statute 67.412 RSMo 1984. (Ord. 5591, §IX, 4/04)