

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 13-2 (3) OF THE CODE OF CITY ORDINANCES OF THE CITY OF WARRENSBURG, MISSOURI, REGARDING NUISANCES

WHEREAS, the City wishes to promote the health and safety of its citizens and neighborhoods; and

WHEREAS, the presence of general nuisance can have a blighting effect on properties and neighborhoods;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WARRENSBURG AS FOLLOWS:

Section 1. That Section 13-2, Enumeration is hereby deleted and replaced to read as follows:

The following are hereby declared, defined and deemed to be nuisances for the purposes of this article and this Code; provided however that this list is non-exclusive and does not alter any other nuisances as defined by common law, statute or other provision of this code:

- (1) All substances which emit or cause foul, obnoxious, unhealthful or disagreeable odor or effluvia, in the neighborhood where they exist;
- (2) All carcasses of animals in any state of decomposition;
- (3) Debris, cut and fallen trees and/or shrubs, rubbish and trash, lumber not piled twelve (12) inches off the ground, rocks and/or bricks, tin, steel;
- (4) Manure from cow lots, horse stables, poultry yards, pigeon lofts; waste oils from garages or filling stations;
- (5) Waste oils from garages or filling stations;
- (6) The keeping or allowing to remain on any premises any trees, shrubs or other vegetation infected with fungus or other diseases that will or might spread to other noninfected trees, shrubs or other vegetation;
- (7) All slop, foul or dirty water, silt, filth, refuse or offal, discharged in or upon any street, avenue, sidewalk, alley, park, public square or public enclosure, or allowed to accumulate there, or in a pond or pool whether the pond or pool be public or private;
- (8) Any material which is unhealthy or unsafe;
- (9) Any flammable material which may endanger public safety; or
- (10) Any article or thing whatsoever that may injure, inconvenience, endanger, harm or annoy the health, welfare, morals or safety of the inhabitants of the City of Warrensburg;

- (11) Any house, building, structure or other place or location where any activity is carried on, maintained or permitted which constitutes a violation of local, state or federal law;
- (12) Dense smoke, noxious fumes, gas or soot;
- (13) Any abandoned, discarded or openly accessible icebox, refrigerator or other air-tight or semi-air-tight container of a capacity of one and one-half (1½) cubic feet and an opening of fifty (50) square inches or more which has hinges or a latch or fastening device which may secure the door or lid. Any such object is declared to pose an immediate threat to public health safety and welfare and shall constitute an emergency.
- (14) Any vehicle used for garbage or rubbish disposal which is not equipped with a watertight metal body and provided with a tight metal cover or otherwise constructed to prevent any contents from leaking, spilling, falling or blowing out of such vehicle at any time except while being loaded or unloaded, or not covered so as to prevent offensive odors from escaping therefrom;
- (15) Any and all infestations of flies, fleas, roaches, lice, ticks, rats, mice, insect larvae or maggots, mosquito larvae or hookworm larvae;
- (16) Discarded appliances, plumbing fixtures, mattresses, building or construction materials;
- (17) Broken furniture or any furniture on the exterior of the structure or lot except for that specifically constructed and intended for use outside a structure and more commonly referred to as patio furniture, lawn furniture, picnic tables or chairs;
- (18) Parts of automobiles, derelict automobiles, automobile frames parked or stored on premise, except for inside an enclosed building or garage.

Section 2. If any clause, section, or other part of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby but shall remain in full force and effect.

Section 3. It is intended that Section 1 of this ordinance be incorporated into the Code of Ordinances of the City of Warrensburg.

Section 5. That this ordinance shall become effective immediately upon its passage.

Read two (2) times and passed by title this ____ day of _____, 2021.

ATTEST:

Bryan Jacobs, Mayor

City Clerk