CHAPTER 545: PROPERTY MAINTENANCE CODE

ARTICLE I. ADMINISTRATION

DIVISION 1. GENERALLY

SECTION 545.010: TITLE

Chapter 545 shall be known as the "City of Raymore Property Maintenance Code," referred to as "this Code."

SECTION 545.015: SCOPE

The provisions of this Code shall apply to all existing residential and non-residential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment, and facilities for lights, ventilation, space, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises; and for administration, enforcement and penalties.

SECTION 545.020: INTENT

This Code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

SECTION 545.025: SEVERABILITY

If a section, subsection, sentence, clause or phrase of this Code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Code.

DIVISION 2. APPLICABILITY

SECTION 545.030: GENERAL

The provisions of this Code shall apply to all matters affecting or relating to structures and premises, as set forth in Article 1, Division 1. Where, in a specific case, different sections of this Code specify different requirements, the most restrictive shall govern.

SECTION 545.035: MAINTENANCE

Equipment, systems, devices and safeguards required by this Code or a previous regulation or Code under which the structure or premises was constructed, altered or repaired shall be

maintained in good working order. The requirements of this Code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.

SECTION 545.040: APPLICATION OF OTHER CODES

Repairs, additions or alterations to a structure or changes in occupancy shall be done in accordance with the procedures and provisions of the *International Building Code, International One- and Two-Family Dwelling Code, Uniform Plumbing Code, Uniform Mechanical Code, National Electric Code, International Fire Code* and the *Uniform Swimming Pool, Spa and Hot Tub Code* as adopted by the City. Nothing in this Code shall be construed to cancel, modify or set aside any provision of the Unified Development Code.

SECTION 545.045: EXISTING REMEDIES

The provisions in this Code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

SECTION 545.050: WORKMANSHIP

Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this Code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions and adopted standards and Codes.

SECTION 545.055: HISTORIC BUILDINGS

The provisions of this Code shall not be mandatory for existing buildings or structures designated by the state or local jurisdiction as historic buildings when such buildings or structures are judged by the Code Official to be safe and in the public interest of health, safety and welfare.

SECTION 545.060: REFERENCED CODES AND STANDARDS

The Codes and standards referenced in this Article shall be those that are listed in Chapter 500: Building Code of the City Code unless otherwise noted.

SECTION 545.065: REQUIREMENTS NOT COVERED BY CODE

Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this Code, shall be determined by the Code official.

DIVISION 3. CODE ENFORCEMENT PERSONNEL

SECTION 545.070: CODE OFFICIAL

The Code Official shall be the Director of Development Services.

SECTION 545.075: RESERVED

SECTION 545.080: RESTRICTION OF EMPLOYEES

An official or employee connected with the enforcement of this Code, except one whose only connection is that of a member of the board of appeals established under Chapter 540 of this Code, shall not be engaged in, or directly or indirectly connected with the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building, or the preparation of construction documents, unless that person is the owner of the building; nor shall such officer or employee engage in any work that conflicts with official duties or with the interests of the department.

SECTION 545.085: LIABILITY

The Code Official, officer or employee charged with the enforcement of this Code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties.

Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this Code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The Code Official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this Code; and any officer acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

SECTION 545.090: FEES

The fees for activities and services performed by the department in carrying out its responsibilities shall include both actual and administrative costs.

DIVISION 4. DUTIES AND POWERS OF THE CODE OFFICIAL

SECTION 545.100: GENERAL

The Code Official or appointed deputy(s) shall enforce the provisions of this Code.

SECTION 545.105: RULE-MAKING AUTHORITY

The Code Official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and procedures; to interpret and implement the provisions of this Code; to secure the intent of; and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this Code, or of violating accepted engineering methods involving public safety.

SECTION 545.110: INSPECTIONS

The Code Official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Code Official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.

SECTION 545.115: RIGHT OF ENTRY

Whenever necessary to make an inspection or to enforce any of the provisions of this Code or whenever the Code Official has reasonable cause to believe that there exists in any building or structure, or upon any premises, any condition which makes such building, structure, or premises unsafe, the Code Official may enter the building, structure, or premises at any reasonable time to inspect the same or to perform any duty imposed upon the Code Official by this Code; provided, if such property be occupied, the Code Official shall first present proper credentials and request and obtain permission to enter before entering the building, structure or premises. Reasonable effort must be made to locate the owner or other persons having charge or control of the property when seeking permission for entry.

If no consent has been given to enter or inspect any building, structure or premises, no entry or inspection shall be made without the procurement of a warrant from the Judge presiding in the Raymore Municipal Court. The Court may consider any of the following factors along with such other matters as it deems pertinent in its decision as to whether a warrant shall be issued:

(1) Eye witness account of violation.

(2) Citizen complaint(s).

(3) Tenant complaint(s).

(4) Plain view violations.

(5) Violations apparent from City records.

(6) Nature of the alleged violation, the threat to life or safety, and imminent risk of significant property damage.

(7) Previous unabated violations in the building or structure or on the premises.

Cause supporting issuance of a warrant shall be deemed to exist in light of reasonable legislative and administrative standards which show that there is reason to believe that a condition of non-conformity exists with respect to a building, structure or premises in violation of the provisions of the Property Maintenance Code.

The Code Official may enter the building, structure or premises without consent or a search warrant to make an inspection or enforce any of the provisions of this Code only when an emergency exists as prescribed in Article 1, Division 9.

SECTION 545.120: SEARCH WARRANT

If a complaint in writing is filed by the Code Official, any Law Enforcement Officer, City Attorney or Prosecuting Attorney of the City, with the Municipal Court of the City, stating that they have probable cause to believe there exists in a building, structure or premises, more particularly described, a violation or violations of provisions of the Code and is within the territorial jurisdiction of the City, and if such complaint is verified by the oath or affirmation stating evidential facts from which such judge determines the existence of probable cause, then such judge may issue a search warrant directed to the authorized person to search the building, structure or premises described for the purposes requested. Such search warrant may be executed and returned only within ten (10) days after the date of its issuance. The person authorized to search shall make a return promptly after concluding the search, and such return shall contain an itemization of all violations of this Code discovered pursuant to such search. Refusal to allow entry upon presentation of a search warrant shall be an ordinance violation. Execution of a search warrant issued under this section shall not be by forcible entry.

SECTION 545.125: IDENTIFICATION

The Code Official shall carry proper identification when inspecting structures or premises in the performance of duties under this Code.

SECTION 545.130: NOTICES AND ORDERS

The Code Official shall issue all necessary notices or orders to ensure compliance with this Code. The Code Official may authorize the City Code Enforcement Officer or other City employee to issue notices and orders to ensure compliance with this Code.

SECTION 545.135: DEPARTMENT RECORDS

The Code Official shall keep official records of all business and activities of the department specified in the provisions of this Code. Such records shall be retained in the official records as long as the building or structure to which such records relate remains in existence, unless otherwise provided for by other regulation.

SECTION 545.140: COORDINATION OF INSPECTIONS

Whenever in the enforcement of this Code or another Code or ordinance, the responsibility of more than one Code Official of the jurisdiction is involved, it shall be the duty of the Code Officials involved to coordinate their inspections and administrative orders as fully as practical so that the owners and occupants of the structure shall not be subjected to visits by numerous inspectors or multiple or conflicting orders.

DIVISION 5. APPROVAL OF ALTERNATIVE MATERIALS AND/OR METHODS

SECTION 545.145: MODIFICATIONS

Whenever there are practical difficulties involved in carrying out the provisions of this Code, the Code Official shall have the authority to grant modifications for individual cases, provided the Code Official shall first find that special individual reason makes the strict letter of this Code impractical and the modification is in compliance with the intent and purpose of this Code and that such modification does not lessen health, life and fire safety requirements. Request for modifications shall be in writing and the details of action granting modifications shall be recorded and entered in the department files.

SECTION 545.150: ALTERNATIVE MATERIALS, METHODS AND EQUIPMENT

The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the Code Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this Code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability and safety.

SECTION 545.155: REQUIRED TESTING

Whenever there is insufficient evidence of compliance with the provisions of this Code, or evidence that a material or method does not conform to the requirements of this Code, or in order to substantiate claims for alternative materials or methods, the Code Official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction.

SECTION 545.160: TEST METHODS

Test methods shall be as specified in this Code or by other recognized test standards. In the absence of recognized and accepted test methods, the Code Official shall be permitted to approve appropriate testing procedures performed by an approved agency.

SECTION 545.165: TESTING AGENCY

All tests shall be performed by an approved agency.

SECTION 545.170: TEST REPORTS

Reports of tests shall be retained by the Code Official for the period required for retention of public records.

SECTION 545.175: MATERIALS AND EQUIPMENT REUSE

Materials, equipment and devices shall not be reused unless such elements have been reconditioned and tested when necessary, placed in good and proper working condition and approved.

DIVISION 6. VIOLATIONS

SECTION 545.180: UNLAWFUL ACTS

It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this Code.

SECTION 545.185: NOTICE OF VIOLATION

The Code Official shall serve a notice of violation or order in accordance with Article 1, Division 7 of this Code.

SECTION 545.190: PROSECUTION OF VIOLATION

If the notice of violation is not complied with, the Code Official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto.

SECTION 545.195: VIOLATION PENALTIES

Upon conviction or a plea of guilty, any person, firm or corporation violating or failing to comply with any of the provisions of this Chapter shall be subject to the penalty provisions provided for in Section 100.220 of the City Code.

SECTION 545.200: ABATEMENT OF VIOLATION

The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

SECTION 545.205: EXTENSION OF TIME TO PERFORM WORK

Upon receipt of a request from the person required to conform to the order and by agreement of such person to comply with the order if allowed additional time, the Code Official may grant an extension of time, not to exceed an additional one hundred twenty (120) days, within which to

complete said order, if the Code Official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The Code Official's authority to extend time is limited to the actual compliance with said order and will not in any way affect the time to appeal the notice and order pursuant to Division 12 of this Article.

DIVISION 7. NOTICES AND ORDERS

SECTION 545.210: NOTICE TO OWNER OR TO PERSON OR PERSONS RESPONSIBLE

A. Whenever the Code Official determines that there has been a violation of this Code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible in the manner prescribed in Section 545.215 and 545.220 of this Code. Notices for condemnation procedures shall also comply with Section 545.260 of this Code.

B. The Code Official shall utilize the following timeframes when issuing a notice of violation:

1. If the violation is of a provision contained in Article III. Division 2: Exterior Property Areas of the Property Maintenance Code then the notice shall include a correction order allowing seven (7) days after receipt of notice, or within ten (10) days after the date of such notice in the event the notice is returned because of its inability to make delivery, to bring the property into compliance.

2. If the violation is of any other provision of Chapter 545: Property Maintenance of this Code then the notice shall include a correction order allowing at least thirty (30) days after the date of the notice to bring the property into compliance.

3. If repeat violations of the same Code provision by the same person at the same property occur in the same calendar year, the notice of the 2 nd and any additional repeat violations shall include a correction order allowing five (5) days after receipt of notice to bring the property into compliance.

SECTION 545.215: FORM

Such notice prescribed in Section 545.210 of this Chapter shall:

1. Be in writing;

2. Include a description of the real estate sufficient for identification;

3. Include a statement of the violation or violations and why the notice is being issued;

4. Include a correction order with the timeframe for correction identified as prescribed in Section 545.210(B) of this Code to make the repairs and improvements required to bring the property, dwelling unit or structure into compliance with the provisions of this Code;

5. Inform the property owner of the right to appeal; and

6. Include a statement of the right of the City to issue a citation for noncompliance with the order and/or abate the violation and file a special tax assessment to recover the costs of said abatement.

SECTION 545.220: METHOD OF SERVICE

Such notice shall be deemed to be properly served if a copy is:

1. Delivered personally; or
2. Sent by certified or first-class mail addressed to the last known address; or,
3. If the notice is returned showing that the letter was not delivered, a copy shall be posted in a conspicuous place in or about the structure affected by such notice.

SECTION 545.225: RESERVED

SECTION 545.230: TRANSFER OF OWNERSHIP

It shall be unlawful for the owner of any property, dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the Code Official and shall furnish to the Code Official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

DIVISION 8. DANGEROUS BUILDINGS, UNSAFE STRUCTURES AND EQUIPMENT

SECTION 545.235: GENERAL

Chapter 510 of the City Code shall apply to all buildings or structures determined by the Code Official to be a dangerous building. All procedures of Chapter 510 shall be followed.

SECTION 545.240: UNSAFE EQUIPMENT

Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

SECTION 545.245: STRUCTURE UNFIT FOR HUMAN OCCUPANCY

A structure is unfit for human occupancy whenever the Code Official finds that such structure is dangerous, unsafe, unlawful or, because the degree to which the structure is in disrepair or lacks

maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, contains mold, or lacks ventilation, illumination, sanitary or other essential equipment required by this Code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public. Disconnection of electrical service, gas service, and/or water service, or failure to have connection to a properly functioning City sanitary sewer main or private sewage disposal system, for a period of time exceeding seven (7) calendar days, is reason for the Code Official to declare a structure unfit for human occupancy.

When the Code Official declares a structure as unfit for human occupancy, the Code Official shall post said structure with a notification declaring that the structure is unfit for human occupancy and occupying the same except to effect the necessary repairs or work is a violation of the City Code. The structure may only be occupied during daylight hours for the purpose of effecting the necessary repairs or work to allow the structure to be in compliance with the City Code and be occupied.

SECTION 545.250: UNLAWFUL STRUCTURE

An unlawful structure is a structure erected, altered or occupied contrary to law.

SECTION 545.255: CLOSING OF VACANT STRUCTURES

If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the Code Official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the Code Official shall cause the premises to be closed through any available public agency or by contract or arrangement by private persons and the cost shall be charged against the real estate upon which the structure is located and shall be a special tax assessment upon such real estate and may be collected by any other legal resource.

The use of wood, plywood or similar materials to close and secure windows and doors of a vacant structure is permitted provided the material used is of a similar color, or painted a similar color, as the base color of the structure.

SECTIONS 545.260—545.275: RESERVED

DIVISION 9. EMERGENCY MEASURES

SECTION 545.280: IMMINENT DANGER

When, in the opinion of the Code Official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or

operation of defective or dangerous equipment, the Code Official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The Code Official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

SECTION 545.285: TEMPORARY SAFEGUARDS

Notwithstanding other provisions of this Code, whenever, in the opinion of the Code Official, there is imminent danger due to an unsafe condition, the Code Official shall order the necessary work to be done, including the boarding-up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the Code Official deems necessary to meet such emergency.

SECTION 545.290: CLOSING STREETS

When necessary for the public safety, the Code Official shall temporarily close structures and close, or request the authority having jurisdiction to close sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

SECTION 545.295: EMERGENCY REPAIRS

For the purposes of this section, the Code Official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

SECTION 545.300: COSTS OF EMERGENCY REPAIRS

Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

SECTION 545.305: HEARING

Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this Code.

DIVISION 10. DEMOLITION

SECTION 545.310: GENERAL

Chapter 510 of the City Code shall apply to all buildings or structures determined by the Code Official to be a dangerous building and ordered to be demolished.

SECTIONS 545.315—545.325: RESERVED

DIVISION 11. ABATEMENT OF VIOLATIONS

SECTION 545.330: ABATEMENT OF VIOLATION AFTER NOTICE

A. In the event that the abatement of any violation is not immediately necessary for the protection of the health and welfare of the inhabitants of the City, the Code Official shall give written notice in accordance with Section 545.210, of this Code, to the owner or occupant of the premises where such violation exists or their agent stating the nature of such violation and ordering its immediate abatement. If the whereabouts of the owner or occupant of the premises where such alleged violation exists or their agent are unknown and notice cannot be served upon them, then such notice shall be posted on the premises where such violation exists for a ten-day period. In the event such violation is not abated within such ten-day period the Code Official may file a complaint with respect in Raymore Municipal Court.

B. In the event such violation is not abated within the time prescribed in the written notice as set forth in Subsection (A), of this Section, the Code Official may:

1. Issue a citation to the property owner and/or property owner's agent; and/or;

2. Have the violation abated, in which case the Code Official shall bill the property owner for the actual costs plus an administrative charge approved by the Governing Body and listed in the Schedule of Fees and Charges adopted by the Governing Body. The bill shall be sent by first class U.S. mail to the property owner and/or property owner's agent. The City shall receive full payment within ten (10) days of the date the bill was sent or the full amount will be added to the next regular tax bill forwarded to such owner by Cass County and said charge shall be due and payable by said owner at the time of payment of such tax bill.

SECTION 545.335: ABATEMENT WITHOUT NOTICE

A. Whenever it becomes necessary to abate a violation immediately in order to secure the general health of the City, or any of its inhabitants, the Code Official is authorized to abate such violation without notice, and use any suitable means or assistance for that purpose, whether employees of the City or private contractor employed for the purpose of abating the violation, or any other help or assistance necessary therefor. The Code Official shall certify the cost as a special tax bill against the property on which such violation was located, if within the City limits. The tax shall be collected like other special tax bills and shall be a first lien on the property until paid.

B. It shall be the duty of the owner or occupant of private property, their agent, or the person causing or maintaining any violation to abate the same after an order by the Code Official, Chief of Police or Law Enforcement Officer in accordance with the terms prescribed in such order.

C. Whenever any household goods, bedding, clothing, putrid or unsound meat, pork, fish, vegetables, fruit, hides or skins of any kind, or any other article, are found within the City which, in the opinion of the Code Official is dangerous to the health of the inhabitants, the Code Official shall have the power and authority to cause the same to be destroyed in such manner as they may direct, and they may employ such persons as they see fit for that purpose.

SECTION 545.340: COST OF ABATEMENT ON PROPERTY OF MORE THAN ONE OWNER

If any violation abated by the Code Official as provided in Section 545.330 and 545.335 of this Property Maintenance Code extended before the abatement over the property of more than one (1) owner, the cost of abating the same shall be assessed in proportion to the amount of work and expense for each proportionate part of the entire work and the area, and the special tax bills provided for in this division shall be levied and collected accordingly.

SECTION 545.345: RESERVED

DIVISION 12. MEANS OF APPEAL

SECTION 545.350: APPLICATION FOR APPEAL

Any person directly affected by a decision of the Code Official or a notice or order issued under this Code shall have the right to appeal to the Board of Appeals in accordance with Chapter 540 of the City Code.

ARTICLE II. DEFINITIONS

DIVISION 1. INTERPRETATION AND MEANING

SECTION 545.355: SCOPE

Unless otherwise expressly stated, the following terms shall, for the purposes of this Code, have the meanings shown in this chapter.

SECTION 545.360: INTERCHANGEABILITY

Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

SECTION 545.365: TERMS DEFINED IN OTHER ARTICLES OR CODES

If a word or term is not defined in this Article but is defined elsewhere in this Chapter or in the City Code, that definition shall be applicable unless the context indicates that a standard dictionary definition is more appropriate.

SECTION 545.370: TERMS NOT DEFINED

Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

SECTION 545.375: PARTS

Whenever the words "dwelling unit," "dwelling," "premises," "building," "rooming house" or "story" are stated in this Code, they shall be construed as though they were followed by the words "or any part of."

DIVISION 2. GENERAL DEFINITIONS

Alley. A public or private right-of-way, other than a street, that provides a secondary means of access to abutting property.

Approved. Approved by the Code Official.

Basement. That portion of a building which is partly or completely below grade.

Bathroom. A room containing plumbing fixtures including a bathtub or shower.

Bedroom. Any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.

Building. Any structure designed or intended for the enclosure, support, shelter or protection of persons, animals or property.

Building Line or Setback Line. A line parallel to a street or right-of-way line, shore of a lake, edge of a stream or other property line established on a parcel of land or lot for the purpose of prohibiting construction of a building or structure in the area between such building line and right-of-way line, lakeshore, stream bank or other property line.

City. The City of Raymore, Missouri.

Code official. The official who is charged with the administration and enforcement of this Code, or any duly authorized representative.

Condemn. to adjudge unfit for occupancy.

Cultivation. Any plant species or group of plant species introduced or grown for consumption, pleasure, or business reasons.

Curb. A vertical or sloping edge of a roadway.

Department. The Development Services Department of the City.

Deterioration. to weaken, disintegrate, corrode, rust or decay and lose effectiveness.

Developed Property. Any lot, tract, or other parcel of land that includes a principal building upon the property.

Drainage. The removal of surface water or groundwater from land by drains, grading or other means.

Drainage Facility. Any component of a drainage system.

Drainage System. The system through which water flows from the land, including all water-courses, water bodies and wetlands

Driveway. A private way of vehicular ingress and egress to a property, extending into the property from a street or private drive.

Driveway Approach. The portion of the driveway located in public right-of-way that provides transition from the street to the driveway located on private property.

Dwelling Unit. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Easement. A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose and within which the owner of the property may not erect any permanent structures.

Erosion Control Areas. Plantings designed to reduce soil loss.

Exterior Property. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

Extermination. The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

Fence. A free standing structure of metal, masonry, composition or wood or any combination resting on or partially buried in the ground and rising above the ground level, and used for confinement, ornamental, screening or partition purposes.

Garbage. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Governmental or Educational Programs. Plantings designated for governmental or educational purposes.

Guard. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

Habitable Space. Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

Imminent Hazard. A condition which could cause serious or life-threatening injury or death at any time.

Infestation. The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

Inoperable Motor Vehicle. A vehicle is deemed to be inoperable if it meets one (1) or more of the following criteria regardless of the circumstances of how the vehicle came to be in its current location or ownership:

1. Does not display current valid license plates registered to the vehicle;
2. Does not display a valid inspection decal that is valid;
3. It has flat or missing tires or wheels;
4. It is wrecked or junked;
5. It is wholly or partially dismantled;
6. It is missing parts or equipment necessary to safely and legally operate on a public street;
7. It has mechanical or other problems that prevent the vehicle from being driven under its own power;
8. It has vegetation or debris collected in, on, around or under the vehicle; and/or
9. It is used to store auto parts, household items, lawn equipment or other types of storage.

Junk. Any metal, glass, paper, rags, wood, discarded automobile parts, machinery parts, cloth or other waste or discarded material of any nature or substance whatsoever, or scrap or salvage materials.

Labeled. Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

Landowner. One who owns or controls land within the City limits, including the City itself.

Let for Occupancy or Let. to permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premises or structure by a person who is or is not the legal owner of record, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

Native Plantings/Landscapes. Areas landscaped with plant species indigenous to west central Missouri.

Neglect. The lack of proper maintenance for a building, structure or property.

Noxious Plants. Poison ivy, poison oak, poison sumac and thistle, at any height or state of maturity.

Nuisance. As defined in Section 545.445 of this Chapter.

Occupancy. The purpose for which a building or portion of is utilized or occupied.

Occupant. Any individual living or sleeping in a building; or having possession of a space within a building.

Openable Area. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

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

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.

Parks and open space. Any and all public parks and open space lands maintained by Federal, State or local agencies including private conservation organizations.

Parcel. Any plot, lot or acreage shown as a unit on the latest county tax assessment records.

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

Premises. A lot, plot or parcel of land, easement or public way, including any structures thereon.

Property. Any land owned by the City or any other person and located within the City limits, including parks, but not including streets and highways.

Public Way. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

Recreational Vehicle. A vehicular-type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. Examples are travel trailers, camping trailers, truck campers, and motor homes. Manufactured homes are not considered trailers or recreational vehicles.

Right-of-Way. A strip of land occupied or intended to be occupied by a street, alley, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer, or for another special use.

Roof. A structural covering over any portion of a building or structure including projections beyond the walls or supports of the building or structure.

Rooming House. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one-or two-family dwelling.

Rooming Unit. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

Rubbish. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

Setback. The required minimum horizontal distance between the structure line and the related front, side or rear property line.

Sidewalk. A paved path provided for pedestrian use and usually located at the side of a road within the right-of-way.

Sleeping Unit. A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

Solid Waste. As defined in Chapter 235: Solid Waste of the City Code.

Street. The paved or hard-surfaced portion of the right-of-way dedicated to the public use which provides vehicular and pedestrian access to adjacent properties. Street shall include the associated curb.

Strict Liability Offense. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

Structure. That which is built or constructed or a portion of. (Examples: houses, buildings, detached buildings, wells, fences, etc.)

Tenant. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion of as a unit.

Toilet Room. A room containing a water closet or urinal but not a bathtub or shower.

Trash Receptacle. A container used for the temporary storage of rubbish or materials pending collection.

Turf Grass. Grass commonly used in regularly cut lawns or play areas, such as, but not limited to bluegrass, fescue, and ryegrass blends.

Undeveloped Property. Any lot, tract, or other parcel of land without a principal building upon the property.

Vehicle. Any car, truck, trailer, camper, recreational vehicle, boat or other device utilized for transporting goods, passengers or equipment.

Ventilation. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

Weed. Any troublesome and worthless plant in the place where it is growing. This definition includes, but is not limited to the following: amaranth, beggarweed, bindweed, brome grass, burdock, Canada thistle, cinquefoil, cocklebur, compass plant, dandelion, dock, dodder, glasswort, gromwell, hemlock, horsetail, Indian mallow, jimson weed, knox grass, lamb's quarters, loco-weed, lupine, mullein, nettle, parsnip, pigweed, plantain, poison ivy, poison oak, pokeweed, purslane, ragweed, smartweed, solanum, sorrel, sow thistle, stickseed, teasel, thistle, toadflax, tumbleweed, witchweed, and any other plant designated as noxious by the rules and regulations promulgated by the Director of the Missouri Department of Agriculture and/or Director of the Missouri Department of Natural Resources. However, this term shall not include cultivated flowers and gardens, including but not limited to native plantings used for aesthetics and/or wildlife habitat, and plants used for soil erosion control and water quality.

Wetlands. Land areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

Wooded Areas. All areas that are predominantly covered by woody vegetation and trees.

Workmanlike. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged, and without marring adjacent work.

Yard. A space on the same lot with a main structure, open, unoccupied and unobstructed by structures from the ground upward.

Yard, Front. The front yard extends across the full width of the lot, adjacent to the street right-of-way. The front yard is to be measured from the front property line to the closest point of the structure on the subject lot, not including those projections and features allowed by the Unified Development Code. Corner lots have two (2) front yards.

Yard, Rear. The rear yard extends across the full width of the lot. The rear yard is to be measured from the rear property line to the closest point of the structure on the subject lot, not including those projections and features allowed by the Unified Development Code to project into the rear setback. on pie-shaped or triangular lots with side property lines that come to a point at the rear, the rear yard is measured from a line segment that connects the side property lines and is a minimum of ten (10) feet in length.

Yard Waste. Grass clippings and trimmings, tree and shrub branches and trimmings, leaves, and similar materials from outdoor plantings and growth.

ARTICLE III. GENERAL REQUIREMENTS

DIVISION 1. GENERAL

SECTION 545.380: SCOPE

The provisions of this Chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

SECTION 545.385: RESPONSIBILITY

The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this Code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this Chapter. Occupants of a dwelling unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit or premises which they occupy and control.

SECTION 545.390: VACANT STRUCTURES AND LAND

All vacant structures and premises or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

DIVISION 2. EXTERIOR PROPERTY AREAS

SECTION 545.395: SANITATION

All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

SECTION 545.400: GRADING AND DRAINAGE

A. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exceptions:

1. Approved detention areas.
2. Rain gardens.
3. Bioretention areas.

B. 1. All premises wherein soil disturbance has occurred shall have grass established in the areas where the soil disturbance occurred within thirty (30) days of the date land disturbance activity ceases. The Code Official may allow additional time for the grass to be established if the time of year is not conducive to the growth of grass.

2. If construction activity on a building is occurring on the property, grass shall be established in accordance with Section 430.130(B)(5) of the Unified Development Code.

SECTION 545.405: SIDEWALKS, PARKING LOTS AND DRIVEWAYS

A. All sidewalks, walkways, stairs and similar walking surfaces shall be kept in a proper state of repair and maintained free from hazardous conditions.

1. Cracks in concrete or asphalt surfaces causing a vertical off-set in excess of one-half (1/2) inch shall be repaired.
2. Trees, shrubs, grass or similar growth that encroaches upon sidewalks, walkways, stairs or similar walking surfaces so as to impede the use of the full width of the walking surface shall be trimmed or removed so as to not impede the use of the walking surface.

B. Parking spaces, access aisles in parking lots, driveways and driveway approaches shall be kept in a proper state of repair and maintained free from hazardous conditions.

1. Vegetation shall not be allowed to grow through the concrete or asphalt surface.
2. Concrete, asphalt or similar surfaces that are broken, heaved, collapsed, or missing shall be repaired.
3. Spalling and cracking of concrete surfaces that have eroded away the top surface of the concrete leaving a rough, crumbling surface area shall be repaired.
4. All pavement areas shall be maintained to prevent the accumulation of water thereon.
5. Pavement areas shall not be allowed to degenerate to a point where there is loose gravel, broken up pavement, dirt, or potholes.

6. Potholes and surface cracks shall be filled and sealed in a timely fashion using appropriate fill material.

7. Parking spaces on commercial and industrial properties shall be clearly marked on the pavement surface, using paint or other marking devices approved by the City. Such pavement markings shall conform to the parking plan that was approved by the City and shall be maintained in a clearly legible condition.

C. If any sidewalk, driveway, parking lot or similar surface area by virtue of its state of repair constitutes a danger to the public health and safety, the surface area shall be repaired.

D. Hazardous conditions created by inclement weather are not applicable to this section.

SECTION 545.410: WEEDS

No person shall permit or maintain any growth of weeds, grasses or lawns over eight (8) inches in height for any developed property or twelve (12) inches for undeveloped property, measured from the ground surface.

The following defined areas are exempt from the maximum height requirements:

1. Undeveloped property that is at least one hundred fifty (150) feet from any adjacent street or adjacent platted subdivision.

2. Property mowed for hay.

3. Property cultivated with a farm crop.

4. Property zoned "Agricultural."

5. Areas designated by the City as greenways.

6. Cultivated flowers, gardens or native landscapes in accordance with Section 545.411.

7. Erosion control areas—with the written approval of the City FloodPlain Administrator.

8. Governmental or educational programs—with the written approval of the City.

9. Parks and open space.

10. Wooded areas.

11. Wetlands.

12. Streams or natural drainageways.

Whenever private property abuts a public right-of-way or easement and there exists in such right-of-way or easement a tree, lawn or grassy area between the private property line and the

edge of the street pavement, then such tree, lawn or grassy area shall be considered, for purposes of this Section, to be a part of the private lot which abuts the right-of-way or easement and it shall be the duty of those responsible under this Section for the maintenance of the private lot to equally maintain the tree, lawn or grassy area within the abutting right-of-way or easement.

Exceptions:

Owners of properties abutting public right-of-way or easement along rural sections of arterial or collector roadways shall not be responsible under this Section for the maintenance of the public right-of-way or easement areas.

SECTION 545.411: NATIVE LANDSCAPES

In residential, industrial and commercial zoning categories native landscaping may be utilized in landscaped beds provided that:

1. The native planting area does not exceed twenty-five percent (25%) of the total lot area, including structure footprint, for lots one (1) acre or less.

2. The native planting area does not exceed forty percent (40%) of the total lot area, including structure footprint, for lots that exceed one (1) acre in size.

3. Native planting areas are evenly distributed on the entire lot so that not all the native planting blocks the home from the street frontage. No front yard native planting area may exceed twelve percent (12%) of the total lot area.

4. Native planting areas must be a minimum of ten (10) feet from the curb of any public street and may not hinder the sight triangle of any intersection.

5. All such native planting areas are defined by a landscaping border material such as a rock/stone border, fence, landscape timbers, mowed grass border or trail/pathway.

6. The native planting areas are maintained regularly.

SECTION 545.415: RODENT HARBORAGE

All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

SECTION 545.420: EXHAUST VENTS

Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

SECTION 545.425: ACCESSORY STRUCTURES

All accessory structures, including detached garages, sheds, fences and walls, shall be maintained structurally sound and in good repair.

SECTION 545.426: OUTDOOR STORAGE

Storage of all materials including junk material, used appliances or furniture must be stored within a fully enclosed building. This requirement does not apply to porch/patio furniture, garden/horticulture equipment and associated supplies, recreational vehicles or accessory structures.

SECTION 545.427: SIGNS

A. All signs, together with all their supports, braces, guys and anchors, must be kept in good repair and shall maintain a clean appearance and be in a safe condition.

B. Any sign that is internally illuminated shall have all letters, graphics or symbols of the sign properly illuminated as originally designed.

SECTION 545.430: MOTOR VEHICLES

Except as provided for in other regulations, no inoperable vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled, unless within a fully enclosed building. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area.

SECTION 545.431: VEHICLE PARKING

A. In the A or RE zoning districts, parking or storage of vehicles, including cars, light-duty trucks, recreational vehicles, boats and trailers is allowed anywhere on the property. In all other residential zoning districts, parking or storage of vehicles, including cars, light-duty trucks, recreational vehicles, boats and trailers is permitted only:

1. On a driveway; or

2. Inside a completely enclosed structure; or

3. Behind the front of the residence in the side yard provided the vehicle is parked on a paved or impervious surface; or

4. Behind the rear of the residence in the rear yard. The vehicle does not have to be upon a paved or impervious surface.

B. Parking of the following vehicles is prohibited in residential zoning districts:

1. Semi-trailer truck, also known as a semi-tractor truck or road tractor.

2. Cargo trailer, semi-trailer, or similar vehicle that can be connected to or pulled by a semi-trailer truck.

3. Any vehicle rated as a Class 5 or higher under the US Department of Transportation Federal Highway Administration Vehicle Inventory and Use Survey standards.

4. Overnight parking of a school bus, charter bus or similar vehicle.

5. Any vehicle with a bucket lift, dumping capability, tow truck, low or high-profile cab over engine, or similar vehicle.

C. No vehicle may be parked or stored on the grass in the front yard area of a residential lot for more than twenty-four (24) hours unless approval is granted by the City Council, except that this requirement shall not apply to any lot or parcel of private property that is one (1) acre or more in size.

D. No vehicle may be parked or stored in the right-of-way located between the curb of a street and the property line.

E. No vehicle may be parked or stored on the grass area of a commercial or industrial zoned lot.

F. Recreational vehicles may not be occupied within the City limits for living, sleeping, or cooking purposes for more than thirty days per year, except for the following circumstances:

1. To monitor and secure a property that has a valid building permit issued; or

2. To provide accommodations on a property that has experienced damage due to a storm, fire or similar occurrence.

G. Off-street parking areas must be used solely for the parking of operable motor vehicles for patrons, occupants or employees of the use to which the parking area serves.

H. No motor vehicle repair work, storage, sales or service of any kind may take place in any off-street parking area.

I. No person shall park a vehicle to include, but not be limited to, motor vehicles, motor homes, trucks, trailers, boats and recreational vehicles upon any roadway or private or public parking lot with the exception of private residential driveways, commercial vehicle dealerships or by the owner of the property, if not in conflict with any other provision of the Unified Development Code, for the principal purpose of:

1. Displaying such vehicle for sale.

2. Greasing or repairing such vehicle except repairs necessitated by an emergency.

J. No vehicle, including a car, truck, boat, recreational vehicle, or trailer shall be parked or stored on an undeveloped lot, defined as a lot without a principal building or structure, within a residential zoning district, with the following exception:

1. If the undeveloped lot is under common ownership with an adjacent lot that contains a residential principal structure that is occupied by the owner of both properties, then a vehicle may be parked or stored upon the undeveloped lot.

SECTION 545.435: DEFACEMENT OF PROPERTY

No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

SECTION 545.440: TREE MAINTENANCE

Tree maintenance shall be completed in accordance with Chapter 260: Tree Maintenance and Care of the City Code.

SECTION 545.445: NUISANCES

A. The following are declared to be nuisances:

1. All decayed or unwholesome food offered for sale to the public or offered to the public at no charge.

2. Any pond or pool of unwholesome, impure, stagnant or offensive water found upon any lot or piece of ground.

3. Carcasses of dead animals not buried or destroyed within twenty-four (24) hours after death.

4. Accumulations, wheresoever they may occur, of manure, rubbish, garbage, refuse, noxious or offensive waste, except the normal storage on a farm of manure for agricultural purposes.

5. Privy vaults or garbage cans which are not fly-tight, that is, privy vaults or garbage cans which do not prevent the entry of flies, insects and rodents.

6. The pollution of any well, cistern, spring, underground water stream, lake, canal or body of water by sewage or industrial wastes or other substances harmful to human beings.

7. Dense smoke, noxious fumes, gas and soot or cinders in unreasonable quantities or the presence of any gas, vapor, fume, smoke, dust or any other toxic substances on, in or emitted from the equipment of any premises in quantities sufficient to be toxic, harmful or injurious to the health of any employee or to any premises, occupant or to any other person.

8. Any vehicle used for septic tank cleaning which does not meet the requirements of the City Code.

9. 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 covers and so constructed as to prevent any of the contents from leaking, spilling, falling or blowing out of such vehicle at any time, except while being loaded, or not completely secured and covered so as to prevent offensive odors from escaping therefrom or exposing any part of the contents at any time.

10. Any and all infestations of flies, fleas, roaches, lice, ticks, rats, mice, fly maggots, mosquito larvae and hookworm larvae.

11. Unlicensed dumps and licensed dumps not operated or maintained in compliance with the ordinances of the City and RSMo.

12. No person shall discharge or cause to be discharged into a natural or manmade stormwater system any waste materials, liquids, vapor, fat, gasoline, benzene, naphtha, oil or petroleum product, mud, straw, lawn clippings, tree limbs or branches, metal or plastic objects, rags, garbage or any other substance which is capable of causing an obstruction to the flow of the storm system or interfere with the proper operation of the system or which will pollute the natural creeks or waterways.

13. The dumping or depositing on or the scattering over the premises of any of the following:

    a. Garbage or rubbish.

    b. Abandoned, discarded or unused objects or equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans, containers or similar objects.

    c. Building material and/or construction equipment abandoned or stored on property where construction is not in progress, where a valid building permit does not exist or on property not properly zoned for such storage.

    d. Brush or tree limbs.

14. The standing of vehicles which are laden with any foul or nauseous thing, liquid or substance or any refuse, filth, offal or other trash or rubbish anywhere in the City for a period of time longer than reasonably necessary for loading and unloading.

15. Any open, uncovered or unprotected well or cistern on any premises.

16. Any water accumulating and remaining, continuing or stagnating upon, in or about any lot, tract or piece of ground, with the exception of natural streams and waterways, or any barrels, buckets, kegs, tubs, cans or vessels of any kind whatsoever caused or permitted to be thrown, to be placed or to remain upon any lot, property or grounds in the City that might, could or would catch, hold, contain or retain water in which mosquitoes or insects, bugs, worms or living creatures might be bred, hatched, raised or allowed to remain or accumulate.

17. The dumping, disposal or placement of dirt, stone, rock, concrete, asphalt grindings or similar material unless a valid grading permit exists for the property.

18. Any inoperable vehicle as defined in this chapter.

19. Worn, dilapidated or disintegrating silt fencing that is no longer properly functioning as a means of erosion control or is no longer necessary.

20. Placement or maintenance of any object, platform, structure or obstruction, either temporarily or permanently, such as, but not limited to, a basketball goal, skateboard ramp, trampoline, fence, flagpole, yard ornament or similar item, over any street or sidewalk or in any part of the City's right-of-way except by written approval of the Public Works Director.

21. The placement of any silt fencing for any purpose other than the intended purpose of capture and control of soil and sediment erosion.

22. Any tree or limb that is diseased, insect infested, leaning, in danger of falling, fallen, dying or dead that could cause harm or endanger public safety or poses a hazard to overhead power lines.

23. All other acts, practices, conduct, business, occupation callings, trades, uses of property and all other things detrimental or certain to be detrimental to the health of the inhabitants of the City.

B. The Governing Body of the City, hereby finds that the allowance of nuisances as defined herein on private property or adjacent rights-of-way or easements are public nuisances which are unsightly, a menace dangerous to the health of the inhabitants of the City or of the residential or commercial area and the residents of and are offensive to the general public health, safety and welfare of the community. Such nuisances promote conditions which cause disease; pollution; proliferation of rats, vermin, mosquitoes and snakes; the spread of fire; a harmful environment for transients and to the community as a result of transient use; harmful attractions for children; creates short- and long-term impacts on the area including the diminution of property values and the integrity of the neighborhood; and interferes with the orderly development of property in the City.

C. *Unlawful to Cause, Maintain Within City.* It is unlawful for any owner, lessee or occupant or any agent, servant, representative or employee of any such owner, lessee or occupant having control of any occupied lot or land or any part in the City, including any areas between the property lines

of said lot or parcel and the centerline of any adjacent street or alley including sidewalks, streets, alleys, easements and rights-of-way, to cause, permit or maintain a nuisance on any such lot or land. Additionally, it is unlawful for any person or their agent, servant, representative or employee to cause or maintain a nuisance on the land or property of another, with or without permission.

DIVISION 3. SWIMMING POOLS, SPAS AND HOT TUBS

SECTION 545.450: SWIMMING POOLS

Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

SECTION 545.455: BARRIERS

Swimming pools, spas and hot tubs shall be enclosed by a barrier in accordance with Section 420.050(B) of the Raymore Unified Development Code and the Uniform Swimming Pool, Spa and Hot Tub Code.

DIVISION 4. EXTERIOR STRUCTURE

SECTION 545.460: GENERAL

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

SECTION 545.465: PROTECTIVE TREATMENT

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches and trim, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement. All structures shall contain finished siding material.

SECTION 545.470: STREET NUMBERS

Each structure to which a street number has been assigned shall have such number displayed in a position on the structure that is easily observed and readable from the public way. All numbers shall contrast with the background and be Arabic numerals at least four (4) inches high and one-half (1/2) stroke.

SECTION 545.475: STRUCTURAL MEMBERS

All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

SECTION 545.480: FOUNDATION WALLS

All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

SECTION 545.485: EXTERIOR WALLS

A. All exterior walls shall be free from holes, breaks, loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

B. The exposed walls and roofs of buildings shall be maintained in a clean, orderly and attractive condition, free of cracks, dents, punctures and breakage, and other forms of visible marring. Materials that become excessively faded, chalked or otherwise deteriorated shall be refinished or repainted.

SECTION 545.490: ROOFS AND DRAINAGE

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

SECTION 545.495: DECORATIVE FEATURES

All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

SECTION 545.500: OVERHANG EXTENSIONS

All canopies, marquees, signs, metal awnings, fire escapes, standpipes, exhaust ducts and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

SECTION 545.505: STAIRWAYS, DECKS, PORCHES AND BALCONIES

Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

SECTION 545.510: CHIMNEYS AND TOWERS

All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

SECTION 545.515: HANDRAILS AND GUARDS

Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

SECTION 545.520: WINDOW, SKYLIGHT AND DOOR FRAMES

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

SECTION 545.525: GLAZING

All glazing materials shall be maintained free from cracks and holes.

SECTION 545.530: OPENABLE WINDOWS

Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

SECTION 545.535: DOORS

All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guest rooms shall tightly secure the door.

SECTION 545.540: BASEMENT HATCHWAYS

Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

SECTION 545.545: GUARDS FOR BASEMENT WINDOWS

Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

SECTION 545.550: BUILDING SECURITY

Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

SECTION 545.555: DOORS

Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a lock throw of not less than one (1) inch. Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. for the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

SECTION 545.560: WINDOWS

Operable windows located in whole or in part within six (6) feet above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device.

DIVISION 5. INTERIOR STRUCTURE

SECTION 545.565: GENERAL

The interior of a structure and equipment shall be maintained in good repair, structurally sound and in a sanitary condition. Every occupant shall keep that part of the structure which such occupant occupies or controls in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two (2) or more dwelling units or two (2) or more non-residential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

SECTION 545.570: STRUCTURAL MEMBERS

All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

SECTION 545.575: STAIRS AND RAILINGS

All interior stairs and railings shall be maintained in sound condition and good repair.

SECTION 545.580: STAIRS AND WALKING SURFACES

Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

SECTION 545.585: HANDRAILS AND GUARDS

Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

SECTION 545.590: INTERIOR DOORS

Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

DIVISION 6. HANDRAILS AND GUARDRAILS

SECTION 545.595: GENERAL

Every exterior and interior flight of stairs having four (4) risers or more shall have a handrail on one (1) side of the stairway and every open portion of a stairway, landing, balcony, porch, deck, ramp or other walking surface which is more than thirty (30) inches above a floor or grade shall have guards. Handrails shall not be less than thirty-four (34) inches high or more than thirty-eight (38) inches high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than thirty-six (36) inches high above the floor of the landing, balcony, porch, deck or ramp or other walking surface.

Exception: Guards shall not be required where exempted by the adopted building Code.

DIVISION 7. SOLID WASTE

Solid Waste shall be contained and disposed of in accordance with Chapter 235: Solid Waste of the City Code.

DIVISION 8. EXTERMINATION

SECTION 545.605: INFESTATION

All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

SECTION 545.610: OWNER

The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

SECTION 545.615: SINGLE OCCUPANT

The occupant of a one-family dwelling or of a single-tenant non-residential structure shall be responsible for extermination on the premises.

SECTION 545.620: MULTIPLE OCCUPANCY

The owner of a structure containing two (2) or more dwelling units, a multiple occupancy, a rooming house or a non-residential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupants shall be responsible for extermination.

SECTION 545.625: OCCUPANT

The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination.

ARTICLE IV. PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

DIVISION 1. GENERAL

SECTION 545.630: SCOPE

The provisions of this Chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided, notwithstanding the requirements contained in Chapter 500: Building Code of the City Code regarding the adopted Plumbing Code.

SECTION 545.635: RESPONSIBILITY

The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this Chapter.

DIVISION 2. REQUIRED FACILITIES

SECTION 545.640: DWELLING UNITS

Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed

in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

DIVISION 3. PLUMBING SYSTEMS AND FIXTURES

SECTION 545.645: GENERAL

All plumbing fixtures shall be properly installed and maintained in working order and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

SECTION 545.650: FIXTURE CLEARANCES

Plumbing fixtures shall have adequate clearances for usage and cleaning.

SECTION 545.655: PLUMBING SYSTEM HAZARDS

Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

DIVISION 4. WATER SYSTEMS

SECTION 545.660: GENERAL

Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International One- and Two-Family Dwelling Code and Uniform Plumbing Code.

SECTION 545.665: CONTAMINATION

The water supply shall be maintained free from contamination and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

SECTION 545.670: SUPPLY

The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely and free from defects and leaks.

SECTION 545.675: WATER HEATING FACILITIES

Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than one hundred twenty degrees Fahrenheit (120°F) (forty-nine degrees Celsius (49°C)). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

DIVISION 5. SANITARY DRAINAGE SYSTEM

SECTION 545.680: GENERAL

All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

SECTION 545.685: MAINTENANCE

Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

DIVISION 6. STORM DRAINAGE

SECTION 545.690: GENERAL

Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.

SECTION 545.695: DRAINAGE REGULATIONS

A. *Minimum standards:* All drainage facilities shall be designed to carry water to the nearest drainage way, storm sewer conveyance, or other approved point of collection and conveyance. Erosion of ground in the area of discharge shall be prevented by installation of erosion control devices. Unless specified drainage ways and swales are specifically approved by the Code Official, abutting property lines between dwellings shall be designed to function as drainage ways. The toe of slopes shall set back from the property line a minimum of one (1) foot. The area surrounding the building foundation shall have a drainage gradient as provided for in the International Residential Code or International Building Code, as amended from time to time.

B. *Prohibited conduct:* No person shall allow or cause any:

(1) Obstruction to be created, installed or maintained within any drainage way, detention facility, or engineered swale which will create ponding on adjacent property, divert water onto the adjoining property, or impede drainage. Fences may be erected in such areas provided they do not unnecessarily restrict the flow of water.

(2) Water from intermittent sources such as discharges from sump pumps, downspouts, foundation drains, swimming pools, swimming pool backwashes, or other similar sources excluding lawn sprinklers to be discharged closer than five feet to any adjoining property line.

C. *Sump Pump Discharges to Street Curb:*

(1) Discharge pipes from sump pump systems may discharge directly to the curb line of a street. Discharge pipes shall be installed under any sidewalk or trail that exists within the public right-of-way. Street curbs shall not be cut or altered to allow the discharge pipe to drain.

(2) All discharge pipes that are installed to the curb line, or anywhere within the street right-of-way, shall be disconnected on the private property to a point at least five (5) feet from the right-of-way line between November 1st and April 1st.

D. *Water discharge to Right-of-way:* Intentional discharge of water from private property that is allowed to enter the right-of-way shall not create an unsafe condition upon any sidewalk, driveway approach, or street. Unsafe condition includes, but is not limited to: algae, ice, dirt, mud, stone or rock that accumulates or is present upon a surface.

ARTICLE V. MECHANICAL AND ELECTRICAL REQUIREMENTS

DIVISION 1. GENERAL

SECTION 545.700: SCOPE

The provisions of this Chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

SECTION 545.705: RESPONSIBILITY

The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this Chapter.

DIVISION 2. MECHANICAL EQUIPMENT

SECTION 545.710: MECHANICAL EQUIPMENT

All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition and shall be capable of performing the intended function.

SECTION 545.715: COOKING AND HEATING EQUIPMENT

All cooking and heating equipment, components and accessories in every heating, cooking and water heating device shall be maintained free from leaks and obstructions.

SECTION 545.720: REMOVAL OF COMBUSTION PRODUCTS

All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances which are labeled for unvented operation.

SECTION 545.725: CLEARANCES

All required clearances to combustible materials shall be maintained.

SECTION 545.730: SAFETY CONTROLS

All safety controls for fuel-burning equipment shall be maintained in effective operation.

SECTION 545.735: COMBUSTION AIR

A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

SECTION 545.740: ENERGY CONSERVATION DEVICES

Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto or to the vent outlet or vent piping therefrom shall not be installed unless labeled for such purpose and the installation is specifically approved.

DIVISION 3. ELECTRICAL FACILITIES

SECTION 545.745: FACILITIES REQUIRED

Every occupied building shall be provided with an electrical system in compliance with the requirements of this Section and Section 545.765 of this Chapter.

SECTION 545.750: SERVICE

The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the *National Electrical Code*. Dwelling units shall be served be a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than sixty (60) amperes.

SECTION 545.755: ELECTRICAL SYSTEM HAZARDS

Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient outlets, improper wiring or installation, deterioration or damage or for similar reasons, the Code Official shall require the defects to be corrected to eliminate the hazard.

DIVISION 4. ELECTRICAL EQUIPMENT

SECTION 545.760: INSTALLATION

All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

SECTION 545.765: RECEPTACLES

Every habitable space in a dwelling shall contain at least two (2) separate and remote receptacle outlets. Every laundry area shall contain at least one (1) grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one (1) receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.

SECTION 545.770: LUMINAIRES

Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one (1) electric luminaire.

DIVISION 5. ELEVATORS, ESCALATORS AND DUMBWAITERS

SECTION 545.775: GENERAL

Elevators, dumbwaiters and escalators shall be maintained to sustain safely all imposed loads, to operate properly and to be free from physical and fire hazards. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter; or the certificate shall be available for public inspection in the office of the building operator. The inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.

SECTION 545.780: ELEVATORS

In buildings equipped with passenger elevators, at least one (1) elevator shall be maintained in operation at all times when the building is occupied. Exception: Buildings equipped with only one (1) elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

DIVISION 6. DUCT SYSTEMS

SECTION 545.785: GENERAL

Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

ARTICLE VI. FIRE SAFETY REQUIREMENTS

DIVISION 1. GENERAL

SECTION 545.790: GENERAL

All buildings shall be maintained per the requirements of the International Fire Code as adopted and amended by Chapter 500: Building Code of the City Code.

ARTICLE VII. REGISTRATION OF PROPERTY IN FORECLOSURE

SECTION 545.800: PURPOSE

It is the purpose and intent of the City Council, through the adoption of this Article, to establish a program for registration of properties which are in the process of foreclosure as a mechanism to protect residential neighborhoods and non-residential areas from becoming blighted through the lack of adequate maintenance and/or security of the property.

SECTION 545.805: DEFINITIONS

For the purposes of this Article, certain words and phrases used in this Article are defined as follows:

ABANDONED means a property that is vacant and under a current Notice of Default or Notice of Sale, or properties that have been the subject of a foreclosure sale where the title was retained by the beneficiary of a deed of trust involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure or sale.

ACCESSIBLE PROPERTY means a property that is accessible through a compromised, breached or broken gate, fence or other entry point.

ACCESSIBLE STRUCTURE means a structure that is unsecured or breached in such a way as to allow access to the interior space by unauthorized persons.

BENEFICIARY means a lender under a note secured by a deed of trust.

DAYS means consecutive calendar days.

DEED IN LIEU OF FORECLOSURE OR SALE means a recorded document that transfers ownership of a property from the trustor to the holder of a deed of trust upon consent of the beneficiary of the deed of trust.

DEED OF TRUST means an instrument by which title to real estate is transferred to a third party trustee as security for a real estate loan. This definition includes any subsequent deeds of trust.

DEFAULT means the failure to fulfill a contractual obligation, monetary or conditional.

EVIDENCE OF VACANCY means any condition that on its own, or combined with other conditions present would lead a reasonable person to believe that the property is vacant. Such conditions include but are not limited to, overgrown or dead vegetation; accumulation of newspapers, circulars, flyers or mail; past due utility notices or disconnected utilities; accumulation of trash, junk or debris; the absence of window coverings such as curtains, blinds or shutters; the absence of furnishings or personal items consistent with residential habitation; the absence of furnishings, merchandise or equipment consistent with non-residential occupancy; or statements by neighbors, passersby, delivery agents, or government employees that the property is vacant.

FORECLOSURE means the process by which a property, placed as security for a real estate loan, is sold at auction to satisfy the debt if the trustor (borrower) under a deed of trust defaults.

LOCAL means within forty (40) road/driving miles distance of the subject property.

NON-RESIDENTIAL BUILDING means any improved real property, or portion of, situated in the City, designed or permitted to be used for non-residential purposes, and shall include the buildings and structures located on such improved real property. This includes any real property being offered for sale, trade, transfer, or exchange as "non-residential" whether or not it is legally permitted or zoned for such use.

NOTICE OF DEFAULT means a notice, issued pursuant to the applicable real estate security documentation or section 408.554, RSMo., that a default has occurred under a deed of trust.

OUT OF AREA means in excess of forty (40) road/driving miles distance of the subject property.

OWNER means any person, co-partnership, association, corporation, or fiduciary having legal or equitable title or any interest in any real property.

OWNER OF RECORD means the person having recorded title to the property at the point in time the record is provided by the Cass County Recorder of Deeds Office.

PROPERTY means any unimproved or improved real property, or portion of, situated in the city and includes the buildings or structures located on the property regardless of condition.

REGISTERED REPRESENTATIVE means the person designated by a beneficiary as the beneficiary's representative for purposes of accepting notice, service and summons on behalf of the Beneficiary and for otherwise ensuring compliance with the requirements of this Article.

RESIDENTIAL BUILDING means any improved real property, or portion of, situated in the City, designed or permitted to be used for dwelling purposes, and shall include the buildings and structures located on such improved real property. This includes any real property being offered for sale, trade, transfer, or exchange as "residential" whether or not it is legally permitted or zoned for such use.

SECURING means such measures as may be directed by the Director of Development Services that assist in rendering the property inaccessible to unauthorized persons, including but not limited to the repairing of fences and walls, chaining/pad locking of gates, or the repair or boarding of door, window or other openings.

TRUSTEE means the person, firm or corporation holding a Deed of Trust on a property.

TRUSTOR means a borrower under a Deed of Trust, who deeds property to a trustee as security for the payment of a debt.

VACANT means a building/structure that is not legally occupied.

SECTION 545.810: REGISTRATION

A. Any beneficiary under a deed of trust covering a property located within the City shall cause an inspection to be performed of the property that is the security for the deed of trust within fifteen (15) days of issuing a notice of default to the trustor. If the property is found to be vacant or shows evidence of vacancy, it is, by this article, deemed abandoned and the beneficiary shall, within ten (10) days of the inspection, register the property with the Director of Development Services on forms provided by the City.

B. The registration shall contain the full legal name of the beneficiary and the registered representative, the direct street/office mailing address of the beneficiary and the registered representative (no P.O. boxes), a direct contact name and phone number for the beneficiary and registered representative, and, if applicable, the local property management company responsible for the security, maintenance and/or marketing of the property.

C. The registration shall be valid as long as the subject property remains vacant and shall be amended as needed.

D. This Section shall also apply to properties that have been the subject of a foreclosure sale where title to the property was transferred to the beneficiary of a deed of trust involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure or sale.

E. Properties subject to this Article shall remain under the security and maintenance standards of this section as long as they remain vacant.

F. Any person, firm or corporation that has registered a property under this Article must report any change of information contained in the registration within ten (10) days of the change.

G. If the beneficiary is an out of area beneficiary, a local property management company shall be contracted to ensure that the requirements of this Article, and any other applicable laws, are being met.

SECTION 545.815: MAINTENANCE REQUIREMENTS

Properties subject to this Article shall be maintained so as to be in compliance with Chapter 545: Property Maintenance Code and Chapter 220: Nuisances of the City Code. Adherence to this section does not relieve the beneficiary or property owner of any obligations set forth in any Covenants, Conditions and Restrictions or Homeowners Association rules and regulations which may apply to the property.

SECTION 545.820: SECURITY REQUIREMENTS

Properties subject to this section shall be maintained in a secure manner so as not to be accessible to unauthorized persons. This includes, without limitation, the closure and locking of windows, doors (walk-through, sliding and garage), gates and any other opening of such size that it may allow a child to access the interior of the property and or structure(s). In the case of broken windows "securing" means the reglazing or boarding of the window.

SECTION 545.825: COMPLIANCE WITH OTHER AUTHORITY

The requirements of this Article are in addition to any other maintenance and security measures required by the City Code. The requirements of this Article shall not serve to lessen or abrogate any other applicable provisions of the City Code.

SECTION 545.830: VIOLATIONS

Upon conviction or a plea of guilty, any person, firm or corporation violating or failing to comply with any of the provisions of this Chapter shall be subject to the penalty provisions provided for in Section 100.220 of the City Code.

ARTICLE VIII. HOARDING

SECTION 545.900: DEFINITIONS

Definitions contained within Chapter 545: Property Maintenance Code shall apply to this Article. For the purposes of this Article, certain words and phrases used in this Article are defined as follows:

"*Dangerous Accumulation*" means when objects, goods, possessions or similar items present a safety hazard to an occupant of a building or occupants of an adjacent property by:

a. Preventing ingress or egress to windows or doors;

b. Preventing access to the mechanical or electrical systems;

c. Exceeding the maximum load capacity of the floor of a room or structure;

d. Providing pest harborage;

e. Impeding access to gain entry into a building;

f. Impeding maintenance of the exterior of a building;

g. Preventing or impeding the use of normal utilities, fixtures or furniture, including sinks, bathtubs or beds;

h. Being stored, stacked or placed in a manner that creates an imminent danger of falling or collapsing;

i. Impeding normal maintenance of yards and property; or

j. Impeding access and movement of emergency personnel.

"*Hoarding*" means the compulsive and/or dangerous accumulation of objects, goods, possessions, animals, or similar items.

"*Long-term storage*" means the keeping or storage of items for more than thirty (30) days.

"*Occupant*" means an individual at least eighteen years old having lawful possession of a structure or premises.

SECTION 545.905: APPLICABILITY

This Article applies to any property in the City of Raymore.

SECTION 545.910: UNLAWFUL ACCUMULATIONS

A. It is unlawful for an occupant to maintain a dangerous accumulation inside a building or upon the exterior area of a property that may create a fire hazard or threaten the health, safety or welfare of an occupant of a building on the same or an adjacent property.

B. It is unlawful for an occupant to maintain a dangerous accumulation so as to prevent upkeep, maintenance, or regular housekeeping in a room or building wherein such storage would create a public health risk to an occupant of a building on the same or an adjacent property.

C. It is unlawful for an occupant to maintain a dangerous accumulation so as to prevent upkeep or maintenance of the exterior of a structure or the exterior area of a property wherein such storage would create a public health risk to an occupant of a building on the same or an adjacent property.

D. It is unlawful for an occupant to accumulate items, goods, objects, materials and similar items in excess of what is reasonable and customarily necessary for the use of the property.

E. It is unlawful for an occupant to keep, store or maintain an accumulation of items, goods, objects, materials or similar items in a manner that is unorganized, unmaintained, spread over the exterior yard area of the property, or generally so excessive that the visible appearance of the exterior area of the property creates an attractive nuisance for adjacent properties.

F. It is unlawful for an occupant to accumulate or allow to be accumulated abandoned, discarded or unused items, goods, objects, materials or similar items that are in a visible state of deterioration.

G. It shall be unlawful for an occupant to accumulate or allow to be accumulated on the exterior areas of a property non-customary outdoor storage of items such as indoor furniture, refrigerators, stoves, washers, dryers and other household appliances.

H. It is unlawful for an occupant to utilize a vehicle for an unintended purpose that renders the vehicle undriveable.

SECTION 545.915: HOARDING DETERMINED TO BE A NUISANCE

Hoarding is hereby determined to be a public nuisance as defined by this Chapter and Section 67.398 RSMo.

SECTION 545.920: AUTHORITY TO CONSULT WITH MENTAL HEALTH ORGANIZATION

The Code Official may consult with the Missouri Department of Health and Senior Services, or any other mental health organization, when circumstances related to the enforcement of this Article reasonably indicate that an occupant of a structure subject to enforcement under this

Article may suffer from a mental illness, including but not limited to a hoarding disorder as described in the then-current edition of the Diagnostic and Statistical Manual of Mental Disorders.

SECTION 545.925: HOARDING OF ANIMALS

It is unlawful for an occupant to keep or harbor animals:

a. In excess of the maximum number or type allowed under City Code Chapter 205: Animal Control;

b. Wherein, due to the number of animals, the occupant is unable to provide minimal standards of nutrition, sanitation, shelter and veterinary care; or

c. Within a structure that contains profuse urine or feces in the area where the animals are kept, threatening the health or safety of the occupant or an occupant of another building on the same or a contiguous property.