

1st Reading: June 25, 2026
2nd Reading: June 25, 2026

SPONSOR: JOKERST

ORDINANCE NO. 4667

BILL NO. 26-58

AN ORDINANCE AMENDING CHAPTER 215, NUISANCES, TO ADOPT INVASIVE SPECIES REGULATIONS AND SHRUB, BUSH, AND OVERGROWN VEGETATION IMPACTING THE ROW REGULATIONS, CLARIFY RANK VEGETATION, AND MAKE OTHER MINOR AMENDMENTS.

WHEREAS, the City's police powers, including under Section 67.398 and Section 71.285 of the Revised Statutes of Missouri, as amended, authorize the City to enact regulations regarding certain weeds and any material or condition which is unhealthy or unsafe and declared to be a public nuisance; and

WHEREAS, Staff proposed certain amendments to Chapter 215, Nuisance, related to rank vegetation, invasive species regulations, shrubs, bushes, and overgrown vegetation impacting the ROW, and other minor amendments; and

WHEREAS, at Committee Meetings of the Board of Aldermen including last on June 11, 2026, the Board of Aldermen discussed the proposed amendments to Chapter 215 including the environmental problems caused by invasive species and reasons and options to regulate invasive species and the problems caused by any vegetation encroaching onto adjacent properties; and

WHEREAS, upon review of the proposed amendments, the Board finds it in the best interest to amend the Municipal Code to amend Chapter 215 as presented.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FENTON, MISSOURI, AS FOLLOWS:

Section 1. Section 215,090, Grass, Weeds, Rank Vegetation, And Accumulated Trash Deemed A Public Nuisance, When, of Chapter 215 of the Municipal Code is hereby amended by repealing the ~~struck through~~ text and including the below text in **bold and underlined** to read as follows:

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Section 215.090. Grass, Weeds, Rank Vegetation, And Accumulated Trash Deemed A Public Nuisance, When.

A. Accumulated Trash, Overgrown Grass, Weeds, Rank Vegetation Declared A Public Nuisance. It shall be unlawful and is hereby declared to be a public nuisance for any person to cause or permit accumulated trash, or permit any grass, weeds, or rank vegetation growth to attain a height in excess of nine (9) inches upon any property located within the City. Any property upon which any owner(s) or person(s) in care and control of such property, who shall cause or permit accumulated trash, or permit any grass, weeds, or rank vegetation growth to attain a height in excess of nine (9) inches shall be deemed a public nuisance. **For the purposes of this Section, rank vegetation shall be deemed to be any uncontrolled, uncultivated weed or plant growth which exhale unpleasant or noxious odors, or which may conceal filthy deposits or vermin, or which encroach onto adjacent public or private property.** Whenever private property abuts a public right-of-way or easement belonging to the City, or any public entity, and there exists in such right-of-way or easement a tree lawn or grassy area between the private property line and the midline of said right-of-way or easement, then such tree lawn or grassy area shall be considered, for purposes of this Section requiring cutting of grass, weeds, or rank vegetation, 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, and all of the provisions of this Section shall apply with equal force and effect to said tree lawn or grassy area. "Grass, weeds, or rank vegetation" shall not be deemed to include **any intentionally cultivated and managed stands of plants**, genuine agricultural product, or crop that is grown for agricultural purposes **provided said plants or crops do not encroach onto adjacent public or private property or obstruct or block the passage of pedestrians on the sidewalk or the view of traffic signs, streetlights, or any street or alley intersections.**

B. Notice And Hearing. Notice of such public nuisance along with demand to abate same by cutting or removing such grass, weeds, or rank vegetation or removing such trash within a reasonable time, not to be less than four (4) days, shall be given by the Community Development Director, or his/her designee, or the Code Enforcement Officer, or his/her designee, in the same manner as provided in Section 215.060(A). The City shall perform the same duties, have the same powers and rights, and give the same notices and conduct the same hearings as are provided for in Sections 215.060(A) and 215.060(B), respectively, absent an emergency which may be abated by the City as described in Section 215.050. Should the City be forced to abate the nuisance, it shall proceed as provided in Section 215.060(C).

~~B.~~ **C.** Appeal. Any person(s), alleged to be aggrieved by the decision and ensuing nuisance abatement order of the Hearing Officer may appeal such order in the same manner as described in Section 215.060(D).

~~C.~~ **D.** Exceptions.

1. With respect to any undeveloped property in excess of three (3) acres, the

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provisions of this Section relating to grass, weeds, and rank vegetation in excess of nine (9) inches shall apply only to the portions of such property which are located within one hundred (100) feet of any street right-of-way or within one hundred (100) feet of any adjoining property.

2. Industrial Park Zoning District. Undeveloped and unused portions of property in the Industrial Park Zoning District may be exempted in whole or in part from such portions of this Chapter relating to grass, weeds, and rank vegetation by the Board of Aldermen upon written petition if the Board of Aldermen determines that the maintenance of grass, weeds, and rank vegetation in excess of nine (9) inches on such portions of the property would not be a hazard to public safety, cause a harm to nearby property owners, or contribute to the decline of property values. The visibility from the rights-of-way and proximity to residences shall be a factor considered in reviewing an exemption request. This exemption shall not apply to any property within five (5) feet of any sidewalk or other public improvement and shall be personal to the property owner(s) receiving it and shall not run with the land.

~~D.~~ **E.** Repeat Violations. If grass, weeds, or rank vegetation are allowed to grow, or if trash is allowed to accumulate, on the same property in violation of this Section more than once during the same growing season in the case of grass, weeds, or rank vegetation, or more than once during a calendar year in the case of trash, the Community Development Director, or his/her designee, or the Code Enforcement Officer, or his/her designee, may, without further notification, have the weeds or trash removed and the cost of the same shall be billed in the manner described in Section 215.060(C) and as authorized by law, including Section 71.285, RSMo.

Section 2. Chapter 215, Nuisance, of the Municipal Code is hereby amended to enact a new Section 215.095 to read as follows:

Section 215.095. Invasive Non-Native, Exotic Plant Species Declared a Nuisance.

- A. Invasive Non-Native, Exotic Plant Species Declared a Public Nuisance. All invasive non-native plant species as defined by the Missouri Department of Conservation are declared a public nuisance. It shall be unlawful for any person to plant, cultivate, or propagate invasive non-native, exotic plant species. Those areas where invasive non-native, exotic plant species are existing on the date of this Subsection shall be intentionally managed by the property owner so that such areas do not expand and so that the invasive non-native, exotic plant species do not encroach onto adjacent private property or within five (5) feet of any public property.
- B. Notice And Hearing. Notice of such public nuisance along with demand to abate same by pruning, treating, or removing such tree(s) within a reasonable time, not to be less than ten (10) days, shall be given by the Community Development Director, or his/her designee, or the Code Enforcement Officer, or his/her designee, in the same manner as provided in Section 215.060(A). The City shall perform the same duties, have the same powers and rights, and give the same notices and conduct the same hearings as are provided for in Sections 215.060(A) and 215.060(B), respectively, absent an

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emergency which may be abated by the City as described in Section 215.050. Should the City be forced to abate the nuisance, it shall proceed as provided in Section 215.060(C).

- C. Appeal. Any person(s), alleged to be aggrieved by the decision and ensuing nuisance abatement order of the Hearing Officer may appeal such order in the same manner as described in Section 215.060(D).

Section 3. Subsection B of Section 215.100, Trees Deemed A Public Nuisance, When, of Chapter 215 of the Municipal Code is hereby amended to repeal the ~~struck-through~~ text and include the below text in **bold and underlined** to read as follows:

B. Trees Impacting Public Rights-Of-Way Declared a Public Nuisance. Any trees and/or tree limbs located on private property adjacent to the public rights-of-way that are identified by the Public Works Director, or his/her designee, or the Code Enforcement Officer, or his/her designee, as obstructing **or blocking** the passage of pedestrians; **or** the view of traffic signs, **streetlights, or any** streets, or alley intersections; are hereby declared a public nuisance and must be promptly pruned by the owner of the property on which the tree is located so as to remove the obstruction **or blockage**.

Section 4. Chapter 215, Nuisance, of the Municipal Code is hereby amended to enact a new Section 215.105 to read as follows:

Section 215.105. Shrubs, Bushes, and Other Overgrown Vegetation Impacting Public Rights-Of-Way Declared a Public Nuisance

- A. Shrubs, Bushes, and Other Overgrown Vegetation Impacting Public Rights-Of-Way Declared a Public Nuisance. Any shrubs, bushes, or other overgrown vegetation located on private property adjacent to the public rights-of-way that are identified by the Public Works Director, or his/her designee, or the Code Enforcement Officer, or his/her designee, as obstructing or blocking the passage of pedestrians or the view of traffic signs, streetlights, or any street or alley intersection are hereby declared a public nuisance and must be promptly pruned by the owner of the property on which the shrubs, bushes, or other overgrown vegetation is located so as to remove the obstruction or blockage.
- B. Notice And Hearing. Notice of such public nuisance along with demand to abate same by pruning, treating, or removing such shrubs, bushes, or other overgrown vegetation. within a reasonable time, not to be less than ten (10) days, shall be given by the Community Development Director, or his/her designee, or the Code Enforcement Officer, or his/her designee, in the same manner as provided in Section 215.060(A). The City shall perform the same duties, have the same powers and rights, and give the same notices and conduct the same hearings as are provided for in Sections 215.060(A) and 215.060(B), respectively, absent an emergency which may be abated by the City as described in Section 215.050. Should the City be forced to abate the nuisance, it shall proceed as provided in Section 215.060(C).

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C. Appeal. Any person(s), alleged to be aggrieved by the decision and ensuing nuisance abatement order of the Hearing Officer may appeal such order in the same manner as described in Section 215.060(D).

Section 5. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

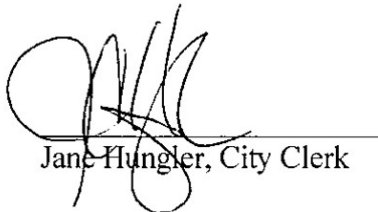
PASSED this 25th day of June, 2026.

APPROVED 25th day of June, 2026.


JOE MAURATH, MAYOR


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ATTEST:


Jane Hungler, City Clerk

Motion to approve. Roll Call vote:
Ayes: Bereitschaft, Lange, Wisbrock, Huels, Maserang, Jokerst
Abstain: 0
Nays: 0
Absent: Harrell, Rogers