

**CITY OF NORMANDY, MISSOURI
AN ORDINANCE**

**1st READING 11/14/2023
2nd READING 12/12/2023**

**BILL NO. 23-27
ORDINANCE NO. 797**

AN ORDINANCE OF THE CITY OF NORMANDY, MISSOURI, AMENDING CHAPTER 220: NUISANCES, ARTICLE II: WEEDS AND CHAPTER 510: STREETS, SIDEWALKS, AND PUBLIC PLACES, ARTICLE I: IN GENERAL, REGARDING OBLIGATIONS OF PROPERTY OWNERS TO MAINTAIN ABUTTING OR ADJACENT RIGHTS-OF-WAY.

WHEREAS, the City of Normandy, Missouri, a third-class city, pursuant to RSMo 77.590, may exercise its general police powers to enact any ordinance to maintain the peace and welfare of the City and its citizens; and

WHEREAS, the safety of public thoroughfares and the desire to maintain the beauty and aesthetics of the City are proper concerns to be addressed through the police powers of the municipality; and

WHEREAS, the City Council has determined that it would be in the best interest of the peace and welfare of the City and its citizens to require owners of property in the City to maintain at their own expense any and all physical objects or things that encroach upon the City's right-of-way.

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

Section 1

Chapter 220: Nuisances, Article II: Weeds, Section 220.060: Definitions of the Code of Ordinances of the City of Normandy is hereby amended by the deletion of the existing definition of the term "Property" and the insertion of a new definition of the term "Property," as follows:

CHAPTER 220 NUISANCES

ARTICLE II WEEDS

Section 220.060 Definitions

PROPERTY

Includes any lot, or parts of lots, vacant or habitable; any property with structures, residential or commercial; any easement or rights-of-way (sidewalks, etc.) upon or abutting any lot.

Section 2

Chapter 220: Nuisances, Article II: Weeds, Section 220.070: Vegetative Growths Which Constitute Nuisance of the Code of Ordinances of the City of Normandy is hereby amended to read as follows:

CHAPTER 220 NUISANCES

ARTICLE II WEEDS

Section 220.070 Vegetative Growths Which Constitute Nuisance

- A. Weeds and grass over six (6) inches in height; obnoxious vegetative growths; hazardous bushes, trees, and shrubbery on any lot or part of a lot in the City of Normandy are hereby declared to be a nuisance and subject to removal according to the provisions of this Article.

- B. Whenever private property abuts a public right-of-way or easement belonging to the City of Normandy, 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 and weeds, 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.

Section 3

Chapter 510: Streets, Sidewalks, and Public Places, Article I: In General, Section 510.010: Encroachments of the Code of Ordinances of the City of Normandy is hereby amended to read as follows:

CHAPTER 510 STREETS, SIDEWALKS, AND PUBLIC PLACES

ARTICLE I IN GENERAL

Section 510.010 Encroachments

- A. Except as may be provided otherwise by State law, this Code, or other ordinance, no person shall encroach upon any street, sidewalk, or public place or within the space above any street, sidewalk, or public place in the City by the construction or maintenance of any manhole, coal chute, trap door, steps, overhanging eave or other projection or by any other means, except pursuant to a currently valid permit issued by authority of the City Council; and any such permit shall be revocable by the City Council at will; provided, that this Section shall not be construed to apply to limbs of shade or ornamental trees projecting over the surface of a sidewalk at a height not less than eight (8) feet, nor shall this section apply to tree lawns or other grassy areas.

- B. All property owners in the City shall be obligated and required to maintain at their own expense any and all physical objects including, but not limited to, trees, shrubs, grasses, walls, porticos, stoops, awnings, area ways, walls or other structures or things that encroach upon the right-of-way of any City street so that the street right-of-way, including sidewalks, is kept in a reasonably safe condition for travel and as public thoroughfares in the usual modes by day and night.
- C. The requirement that property owners maintain such objects that abut their property shall apply regardless of who planted or placed the object in the street right-of-way.

Section 4

All other Sections and Subsections of Chapter 220: Nuisances, Article II: Weeds and of Chapter 510: Streets, Sidewalks, and Public Places, Article I: In General of the Code of Ordinances of the City of Normandy, Missouri shall remain in full force and effect.

Section 5 – Repeal

All acts and parts of Ordinances or Resolutions heretofore adopted by the City in conflict with the provisions of this Ordinance are hereby repealed insofar as they conflict with the provisions of this Ordinance.

Section 6 – Severability

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases, and words of this ordinance are severable, and if any section, paragraph, sentence, clause, phrase, or word(s) of this ordinance shall be declared unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, phrases, and words or this ordinance since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional or invalid portion of the ordinance.

Section 7 – Codification

The Chapter, Article, Division, and/or Section assignments designated in this Ordinance may be revised and altered by the codification company servicing the City's Code of Ordinances upon supplementation of such code if, at the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations, the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

Section 8 – Effective Date

This Ordinance shall be in full force and effect upon the passage of this Ordinance and its approval by the Mayor and attested by the City Clerk.

PASSED by the Council of the City of Normandy and **APPROVED** by the Mayor this **12th** day of **December**, 2023.



Honorable Mark Beckmann, Mayor

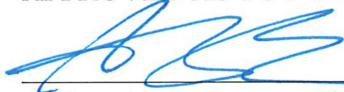
(SEAL)

Attest:



Khianna C. DeGarmo, City Clerk

APPROVED AS TO FORM:



Andrew R. Bramman - City Attorney