

BILL NO. 1326

ORDINANCE NO. 1332

AN ORDINANCE OF SCOTT CITY, MISSOURI TO AMEND SECTIONS 500.030 AND 540.100 IN TITLE V: BUILDING AND CONSTRUCTION, CHAPTER 540: RENTAL PROPERTY MINIMUM HOUSING QUALITY STANDARDS RELATING TO COMPLIANCE STANDARDS AND APPEALS TO CITY COUNCIL; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES IN CONFLICT HERewith.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF SCOTT CITY, MISSOURI, AS FOLLOWS:

(Note: Language to be added is underlined. Language to be deleted is ~~stricken~~.)

SECTION ONE. Section 540.030 entitled Compliance Standards in Title V: Building and Construction, Chapter 540: Rental Property Minimum Housing Quality Standards, is hereby repealed and a new Section 540.030 is enacted in lieu thereof to read as follows:

“Section 540.030 Compliance Standards.

A. All rental units identified for compliance herewith must conform to Housing Quality Standards (HQS) established by the U. S. Department of Housing and Urban Development as from time to time amended, in effect upon adoption of this Chapter. Those standards are found in the Federal regulations at 24 CFR §982.401.

B. All rental units identified for compliance herewith must also conform to the ~~International Property Maintenance Code (IMPC), and the International Residential Code (IRC) established by the International Code Council (ICC).~~ Building Code as adopted by the City in Code Section 500.010.”

SECTION TWO. Section 540.100 entitled Appeals to the City Council in Title V: Building and Construction, Chapter 540: Rental Property Minimum Housing Quality Standards is hereby repealed and a new Section 540.100 is enacted in lieu thereof to read as follows:

“Section 540.100 Appeals To The City Council.

A. ~~Upon receipt of an appeal filed with the City Clerk's office, the~~ The Property Owner of a Rental Property may file a request for an appeal of a decision of the inspector by filing a written request with the City Clerk within forty (40) days of

the date of notification of non-compliance. The appeal will be reviewed by the City Council at its next regularly scheduled meeting or at a special meeting called by the Mayor or two (2) members of the Council.

- B. The City Council shall conduct a full and adequate hearing upon the question of whether the rental property in fact complies with the standards stated herein and the inspector complied with the provisions of this Chapter.
- C. The owners of the property, or their representative or agents of the subject property, shall be given the opportunity to present evidence to the City Council in the course of the hearing.
- D. The City Council may overrule, modify, or sustain the decision of the Building Inspector upon a vote of the majority of the members of the Council. Should the evidence support a finding that the Rental Property does not conform to the Compliance Standards, the City Council shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the conditions that fail to comply and ordering their repair prior to the premises being eligible for rental to a Tenant. If the premises are occupied, notice of the decision shall be issued to Tenant advising they have thirty (30) days to vacate the premises.”

SECTION THREE. It is the intent of the Mayor and City Council of Scott City, Missouri, and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of Scott City, Missouri, and that sections of this ordinance may be renumbered to accomplish such intention.

SECTION FOUR. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION FIVE. That this ordinance shall take effect and be in force from and after its passage and approval.

SECTION SIX. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Read first time this 16 day of October, 2023.

Read second time this 16 day of October, 2023.

The bill was thereupon placed on its final passage and put to a roll call vote this 16 day of October, 2023 with the following results:

K. Page	<u>AYE</u>	Rhymer	<u>AYE</u>
Phillips	<u>AYE</u>	Ingvalson	<u>Absent</u>
Howard	<u>AYE</u>	Brashear	<u>Absent</u>
C. Page	<u>AYE</u>	Morse	<u>AYE</u>

WHEREUPON, the Mayor declared that Bill No. 1326 passed and that the same had become Ordinance No. 1332.

Norman Brant
Norman Brant, Mayor

Attest:

Christina Oswald
City Clerk