

Title of Document: An Ordinance of Scott City, Missouri Finding Property Located at 108 West Mar Elm, Scott City, Missouri, Constitutes a "Dangerous/Substandard Building" Requiring Repair or Demolition; Establishing the Effective Date; and Repealing all Ordinances in Conflict Herewith

Date of Document:

Grantor(s): William Michael Frye

Grantee(s): City of Scott City, Missouri

Mailing address of Grantees: 215 Chester Avenue
Scott City, MO 63780

Legal Description:

Lot 23 and 24, Block 6, Town of Illmo shown in Plat Book 2, Page 44 and Deed Book 456, Page 206 for reference in the Recorder's Office of Scott County, Missouri.

Reference Book and Page(s): Book 2015 Page 4517

AN ORDINANCE OF SCOTT CITY, MISSOURI FINDING PROPERTY LOCATED AT 108 WEST MAR ELM, SCOTT CITY, MISSOURI, CONSTITUTES A DANGEROUS/SUBSTANDARD BUILDING REQUIRING REPAIR OR DEMOLITION; ESTABLISHING THE EFFECTIVE DATE; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the Code Enforcement Officer of the City of Scott City inspected the premises owned by William Michael Frye (“Owner”) and occupied by Jim Hicks (“Occupant”) located at 108 West Mar Elm, Scott City, Missouri, more fully described as follows:

Lot 23 and 24, Block 6, Town of Illmo shown in Plat Book 2, Page 44 and Deed Book 456, Page 206 for reference in the Recorder’s Office of Scott County, Missouri.

WHEREAS, Owner was notified on April 6, 2023 and Occupant was notified on May 19, 2023 that the mobile home located at 108 West Mar Elm, Scott City, Missouri was a dangerous/substandard building within the definition of Code Section 525.010 in that it is severely deteriorated and neglected to such an extent that it is likely to partially or completely collapse and because of its condition, it is unsafe, unsanitary or dangerous to the health, safety and general welfare of the people of the City.

WHEREAS, Owner and Occupant were provided an opportunity to correct the Code violations.

WHEREAS, Owner and Occupant were notified on November 10, 2023 that a hearing before the City Council of Scott City, Missouri to determine whether the building or structure involved is a public nuisance and should be condemned.

WHEREAS, a hearing before the City Council was conducted December 4, 2023.

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

SECTION ONE. The City Council hereby finds as follows:

A. There is competent and substantial evidence that the mobile home located at 108 West Mar Elm Scott City, Missouri is a public nuisance as it is a dangerous, substandard building within the definition of Section 525.010.5 of the Scott City Code due to conditions including, but not limited to, the following:

1. There is an unfinished addition to the back of the mobile home that is dilapidated and built with faulty construction such that it is unfit for human habitation;
2. There is a tree growing into the side of the mobile home;
3. There is substantial accumulation of trash, debris and other materials susceptible to fire, proving a harboring place for vermin;
4. The underpinning is severely damaged;
5. The back door is not usable;
6. The front porch is decaying and dry rotted.

B. The procedures required by the Nuisance Code have been substantially followed

C. The abatement order directing Owner to remove the mobile home from the property along with all debris, junk and trash was reasonable within the standards of the ordinance.

D. The mobile home is fifty percent (50%) damaged or decayed or deteriorated from its original value and the structure should be demolished.

SECTION TWO. Owner is hereby ordered to bring the building into compliance with Chapter 525 of the Scott City Code of Ordinances within thirty (30) days from the date of this ordinance.

SECTION THREE. If Owner fails to comply with this ordinance within the time allotted in Section Two, the City Council shall cause such building or structure to be demolished, and the

cost of said demolition shall be levied against the land on which the building exists as a special tax bill.

SECTION FOUR. Owner and any interested party has the right to appeal this decision by filing a Petition with the Circuit Court of Scott County, Missouri within thirty (30) days of receipt of this decision pursuant to Scott City Code Section 525.090 and §536.110, RSMo.

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

Read first time this 18th day of December, 2023.

Read second time this 18th day of December, 2023.

The bill was thereupon placed on its final passage and put to a roll call vote this 18th day of December, 2023 with the following results:

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

WHEREUPON, the Mayor declared that Bill No. 1329 passed this date and that the same had become Ordinance No. 1335.

Norman Brant
Norman Brant, Mayor

Attest:

Christine Oswald
City Clerk

STATE OF MISSOURI)
) ss.
COUNTY OF SCOTT)

On this 19th day of December, 2023, before me, the undersigned notary, personally appeared Norman Brant, personally known to me to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose as Mayor of the City of Scott City, Missouri, a municipal corporation of the State of Missouri, and said instrument was signed on behalf of said City by authority of its City Council.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said county and state the day and year first above written.



Tina Blattel
_____, Notary Public
State of Missouri
County of scott
Commission No. 15050270
My term expires: May 17, 2027