

INTRODUCED BY ALDERMAN _____

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING ANNUAL INSPECTION AND CODE COMPLIANCE REQUIREMENTS FOR SUBSTANTIALLY VACANT BUILDINGS

WHEREAS, the City of Wright City (the "City") is a Missouri city of the fourth classification, duly organized and existing pursuant to Chapter 79, Revised Statutes of Missouri; and

WHEREAS, Sections 79.110 and 441.500 et seq., among other authority, authorize fourth-class cities such as the City to enact regulations for the protection of the public health, safety, and welfare and to petition the circuit court for the appointment of a receiver to abate housing code violations and to rehabilitate, demolish, or sell vacant nuisance buildings or structures; and

WHEREAS, Section 79.410, RSMo, grants fourth-class cities the power to enact ordinances necessary for the good government of the city and the preservation of the public peace, health, safety, and welfare; and

WHEREAS, Section 79.370, RSMo, authorizes the Board of Aldermen to regulate sanitary conditions in and about the city and to "pass ordinances for the prevention of nuisances and their abatement" under Section 79.380 RSMo; and

WHEREAS, Section 79.383, RSMo, authorizes the City to define, prevent, and abate public nuisances and to recover costs incurred in such enforcement actions; and

WHEREAS, Sections 79.200 and 79.290, RSMo, authorize the City to enforce ordinances and to prescribe the powers and duties of municipal officers by ordinance; and

WHEREAS, Section 71.780 RSMo which applies to all Missouri cities organized under general statutes, additionally "grant[s] the power to suppress all nuisances which are, or may be, injurious to the health and welfare of the inhabitants of said cities" through ordinance or other authorized action; and

WHEREAS, the Board of Aldermen finds that buildings that remain substantially vacant for extended periods are more likely to fall into disrepair, create fire hazards, attract vandalism, foster unsanitary conditions, and negatively affect surrounding property values; and

WHEREAS, the Board further finds that early inspection and correction of code violations in substantially vacant buildings protects public safety, reduces long-term redevelopment costs, and promotes orderly economic reinvestment;

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

SECTION 1. Chapter 515, Inspections and Miscellaneous Provisions, is hereby amended by adding a new Section 515.112 to read as follows:

Section 515.112 Vacant Buildings

- A. *Definitions.* For purposes of this Section, the following terms shall have the meanings stated:

BUILDING: Any structure intended for residential, commercial, industrial, or mixed use.

VACANT: A unit, floor, or space that is unoccupied and not lawfully used for its permitted purpose.

SUBSTANTIALLY VACANT BUILDING: A building in which more than sixty percent (60%) of the total usable floor area has been vacant for a continuous period of one hundred eighty (180) days or longer.

INSPECTOR: Any city employee or contractor designated by the City to conduct building, property maintenance, fire, or safety inspections.

- B. *Applicability.* This Section shall apply to all substantially vacant buildings located within the corporate limits of the City, regardless of ownership type.
- C. *Annual Inspection Requirement.* Any vacant or substantially vacant building shall be subject to annual inspection by the City.

1. Inspections may include review of:
 - a. Structural integrity
 - b. The Vacant Building Maintenance Standards in Section E below.
 - c. Fire and life safety systems
 - d. Property maintenance conditions
 - e. Compliance with adopted building and safety codes

D. *Code Compliance*

1. Upon inspection, the owner shall correct all violations of:
 - a. City building codes
 - b. Property maintenance codes
 - c. Fire codes
 - d. Health or safety ordinances
 - e. Vacant Building Maintenance Standards
2. The Inspector shall provide written notice identifying violations and a reasonable deadline for compliance.
3. Extensions may be granted upon demonstration of active repair, rehabilitation, or redevelopment.

E. *Vacant Building Maintenance Standards.* All vacant or substantially vacant buildings shall be adequately maintained by ensuring that:

1. Doors, windows, areaways and other openings are weather-tight and secured against entry by birds, vermin and trespassers, and missing or broken doors, windows and other openings are covered with one-half ($\frac{1}{2}$) inch CDX plywood that is weather protected, tightly fitted to the opening and secured by screws or bolts;
2. The roof and flashing are sound and tight, will not admit moisture and are drained to prevent dampness or deterioration in the walls or interior;
3. The building storm drainage system is adequately sized and installed in an approved manner and functional;
4. The interior and exterior is maintained in good repair, structurally sound, and free from debris, rubbish, garbage, and unsanitary conditions so as not to threaten public health or safety;
5. The structural members are free of deterioration and capable of safely bearing imposed dead and live loads;
6. The foundation walls are plumb, free from open cracks and breaks and vermin-proof;
7. The exterior walls are free of holes, breaks and loose or rotting materials, and exposed metal and wood surfaces are protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint;
8. The cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features are safe, anchored, and in good repair, and exposed metal and wood surfaces are protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint;
9. All balconies, canopies, marquees, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts, and similar features are in good repair, anchored, safe and sound, and exposed metal and wood surfaces are protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint;
10. Chimneys, cooling towers, smokestacks, and similar appurtenances are structurally safe, sound, and in good repair, and exposed metal and wood surfaces are protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint;
11. Openings in sidewalks used by the public are safe for pedestrian travel;
12. Accessory and appurtenant structures such as garages, sheds and fences are free from safety, health and fire hazards; and

13. The property on which a structure is located is clean, safe and sanitary and does not threaten the public health or safety.

F. *Exemptions.* The City may grant temporary exemptions for buildings:

1. Under active construction pursuant to a valid building permit
2. Under contract for sale with demonstrated progress toward occupancy
3. Where compliance would pose an undue hardship and no immediate safety risk exists

G. *Enforcement and Penalties*

1. **Penalty.** Any person, firm, or other legal entity violating any provision(s) of this Chapter shall, upon conviction, be deemed guilty of an offense and be punished as provided in Sections 100.220-230 of the Municipal Code of the City of Wright City.
2. **Each Day An Offense.** Each day any violation of this Chapter continues unabated after notice has been given and the reasonable time to abate given has elapsed shall constitute a separate offense as described in Section 100.220 of the Municipal Code of the City of Wright City.
3. **Charge Of Failure To Correct.** The City may issue a summons for any person, firm, or other legal entity in care and control of a property who fails to remove or correct any violation after such notice has been provided and the reasonable time to abate given has elapsed with the violation uncorrected, and such failure shall be a separate offense in violation of this Code. Jurisdiction of the case shall proceed in all respects as in other cases of ordinance violations.
4. **Charge of Failing to Correct Code Violations.** The City may issue a summons to any owner-occupant, tenant, or person who engages in, encourages, permits, or otherwise impedes correcting of code violations after notice has been provided and the reasonable time to abate or correct given has elapsed, and such action shall be a separate offense in violation of this Code. Jurisdiction of the case shall proceed in all respects as in other cases of ordinance violations.
5. **All Legal Remedies Authorized.** The procedure and remedies set forth in this Section shall be in addition to any other remedies that may exist under law for the abatement of public nuisances, and this Section shall not prevent the City from proceeding in a criminal or quasi-criminal action against any person violating provisions of this Chapter.
6. **Civil Action Authorized.** In addition to any other remedies or penalties established and authorized by law, the City Attorney may, on behalf of the City and after approval by the Board of Aldermen through enactment of an ordinance, apply to a court of competent jurisdiction for such legal or equitable relief as may be necessary to require the abatement of any

nuisance defined by this Chapter. In such action the court may grant such legal or equitable relief, including, but not limited to, mandatory or prohibitory injunctive relief, as the facts may warrant. Upon the successful prosecution of any such action, the City may be awarded by the court reasonable attorneys' fees in accordance with Section 79.383, RSMo and Section 110.220.

7. **Emergency Abatement.** In cases where it reasonably appears that there is an immediate danger to the health, safety, or general welfare of the public due to the existence of a violation hereunder or a nuisance under this Chapter 215, the Inspector, or his or her designee, shall have the authority to order the immediate abatement of the nuisance in an appropriate manner or the immediate vacation of the vicinity in which the violation causing the emergency is ongoing.

H. **Fees.** Inspection fees to recover the administrative costs of this program shall be based on the hourly rate (including benefits) of the inspector multiplied by the duration of the inspection.

I. **Severability.** If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions that can be given effect without the invalid provision.

SECTION 2. This ordinance shall take effect and be in full force from and after the passage and approval thereof.

READ TWO TIMES BY TITLE AND PASSED by the Board of Aldermen of the City of Wright City, Missouri, this ____ day of _____, 2026.

President of the Board of Aldermen

ATTEST:

City Clerk

APPROVED BY THE MAYOR of the City of Wright City, Missouri, this ____ day of _____, 2026.

Mayor

ATTEST:

City Clerk