Chapter 40--Buildings

Subchapter A--Construction Permits

40.010. Building Code. Ordinance 528 of the City of Sarcoxie shall, as heretofore, be the Building Code for the City. No building or construction shall be permitted except in accordance with the provisions of that ordinance. (A copy of Ordinance 528 follows this page).

40.020. Cost of Building Permits. Permits required by Ordinance No. 528, as heretofore, shall be $1.00 per thousand dollars of building cost, with a minimum fee of $5.00. Building permits shall not be required for projects under $500.00.

1. That this ordinance, which codifies an existing charge of the City of Sarcoxie, Missouri, shall not be deemed to be a new license, tax or fee within the meaning of the Hancock Amendment.

2. In the event this ordinance is found to be unlawful, such findings shall in no way act as a revocation, repeal or modification of Ordinance 528 of the City of Sarcoxie, Missouri.

40.030. Building, Electrical and Plumbing Codes. (Ordinance 959, passed and effective 3/1/11)

1. Building Code. The latest edition of the International Building Code, including Appendix's thereto, are hereby designated and adopted and made a part of this Code, by reference, as the basic Building Code of the City. A copy of such Code, as supplemented or amended, duly certified, shall be on file in the office of the City Clerk.

2. Electrical Code. The most recent version of the International Electrical Code, including Appendix's thereto, as supplemented or amended, is hereby adopted and made a part hereof by reference, as the basic Electrical Code of the City. A copy of such Code, as supplemented or amended, duly certified, shall be on file in the office of the City Clerk.

3. Plumbing Code. The most recent version of the International Plumbing Code, including Appendix's thereto, as supplemented or amended, is hereby adopted and made a part hereof by reference, as the basic Plumbing Code of the City. A copy of such Code, as supplemented or amended, duly certified, shall be on file in the office of the City Clerk.

40.040. Liability. This Section shall not be construed to relief or lessen any responsibility of any person, firm, or corporation, owning, controlling, installing, constructing or improving structures within the City; and the City shall not assume any

liability of any nature by reason of the inspection or lack of inspection of any building or structure in the City, or the failure of any such person, firm, or corporation to comply with such Code.

Subchapter B--Moving of Buildings

40.100. Permit required. No building, dwelling, house, barn, shed or any outbuilding of any nature or description shall be moved over any street of the City on rollers, pegs, wheels, sledges or other apparatus without first obtaining a permit from the City Clerk.

40.110. Hours of moving limited. No building, dwelling house, barn, shed or any outbuilding shall be allowed to stand in the streets of the City for a longer period than six (6) hours, and in no event during the period between sunset and sunrise.

40.120. Injury to pavement. No pavement nor any part thereof shall be taken up or removed to assist in any way the moving of any building, dwelling, house, bar, shed or other outbuilding, nor shall pegs, stakes or poles be driven into paved streets for such purposes.

40.130. Bond required. Before any permit shall be issued under this article the applicant shall furnish a good and sufficient bond with a corporate surety company as surety, or individual surety approved by the Mayor, in a sum to be fixed by the Board of Aldermen, conditioned that the applicant will promptly and fully pay the owner of any public or private property for any injury of such property in the process of moving such building.

40.140. Permit denied. No permit for the moving of a building shall be granted if the building, in the proposed new location, would seriously increase the fire hazards of the surrounding buildings.

Subchapter C - Registration of Vacant Residential Structures

40.200. Purpose and Scope. It is the purpose of this Subchapter to provide for effective monitoring and routine inspection of vacant buildings and structures that, due to housing code violations, and endanger the life, limb, health, property, safety, or welfare of the general public; and this Subchapter shall apply to all residential structures that have been vacant for more than six (6) months and that are subject to housing code violations.

40.210. Definitions. The following words and phrases, when used in this Subchapter, shall mean:

“Housing Code”: The Sarcoxie building, fire, health, property maintenance, nuisance, or other ordinance which contains standards regulating the condition or maintenance of

residential buildings.

"Residential Structure": A structure devoted primarily to residential use, whether classified as residential or commercial, and regardless of the number of dwelling units contained within such structure.

40.220. Registration Requirement. Every parcel of residential property improved by a residential structure or commercial property improved by a structure containing multiple dwelling units that is vacant and has been vacant for at least six (6) months and is characterized by violations of the Housing Code, shall be registered as a vacant residential structure and shall be subject to the registration fee.

40.230. Designation of Vacant Residential Structures.

1. Registration. The Director of Public Works for the City of Sarcoxie, Missouri, or his designee, shall investigate any property that may be subject to registration. Based upon his findings, the Director may register property as a vacant residential structure subject to this Subchapter.

2. Notice of Registration. Within five (5) business days of such registration, the City Clerk shall notify the owners of the registered property by mail at their last known address according to the records of the City of Sarcoxie and Jasper County. Such notice shall state:

a. A description of the property registered;

b. A description of the Housing Code violations found on the property;

c. The fact that a semiannual registration fee has been levied on the property; and

d. The amount of the semiannual registration fee.

3. Time to Cure; Reconsideration. Within thirty (30) days of the date of notification, the property owner may complete any improvements to the property that may be necessary to remove the property from registration under this Subchapter and may request a re-inspection of the property and reconsideration of the levy of the registration fee. Upon receipt of a written request for reconsideration of the levy of the registration fee, which sets out the reasons claimed by the property owners as to why the registration fee should be waived, the Director may waive levy of the registration fee, following timely compliance.

4. Appeal of Registration and/or Reconsideration to Municipal Court. Within thirty (30) days of the date of such notification or within thirty (30) days of the date of reconsideration by the Director, the property owner may appeal the decision to the Municipal Court for the City of Sarcoxie.

40.240. Registration Fee.

1. Amount of Fee. There is hereby established and assessed a semiannual fee in the amount of Two Hundred and No/100 ($200.00) Dollars, imposed on all owners of property registered under this Subchapter.

2. *Owner Responsible.* It shall be the joint and several responsibility of each owner of property registered pursuant to this Subchapter, to pay the semiannual registration fee.

3. Accrual of Fee. The registration fee shall begin to accrue on the beginning of the second calendar quarter after registration by the Director or reconsideration by the Director; however, in the event that an appeal is filed with the Municipal Court, the registration fee shall begin to accrue on the beginning of the second calendar quarter after the final decision of the Municipal Judge or court of competent jurisdiction.

4. Billing Procedures: Late Penalties. The Collector shall cause to be mailed to the owner of property registered under this Subchapter, at his or her last known address, a bill for the semiannual registration fee. The fee shall be due and payable within thirty (30) days of mailing. In addition to any other penalties provided by law, if an owner fails to pay the fee assessed for such property within thirty (30) days of the date of mailing, a late payment fee of Twenty-Five and No/100 ($25.00) Dollars per month shall be assessed for each month during which the fee remains unpaid.

5. Failure to Pay Fee Unlawful. It shall be unlawful for any owner of property registered pursuant to this Subchapter to fail to pay the registration fee imposed for such property. Any person found guilty of failing to pay any required fee shall be punished as provided in Article 13 of the Municipal Code.

6. Collection of Delinquent Fees; Lien on Property and other Affects of Delinquent Fees: Foreclosure Proceedings.

a. *Action to Recover.* In addition to any other penalties provided by law, the City may initiate and pursue an action in a court of competent jurisdiction to recover any unpaid fees, interest, and penalties from any person liable therefore, and in addition, may recover the costs of such action, including reasonable attorney fees.

b. *Lien on Property.* Any unpaid or delinquent fees, interest, and/or penalties, whether or not reduced to judgment, shall constitute a lien against the property for which the fee was originally assessed until the same shall be fully satisfied. The Collector is authorized to take all steps necessary to file and perfect such liens as may be required or directed by the Director from time-to-time.

c. *Obtaining Permits Prohibited.* In addition to any other penalties provided by law, if an owner fails to pay the fee assessed for such property, including any late payment fee subsequently imposed within sixty (60) days of the date of mailing of the initial bill, said owner shall not be permitted to apply for, obtain, or renew any city license or permit of any kind until such delinquency has been satisfied.

d. *Foreclosure.* Any registration fees which are delinquent for a period of one (1) year shall be subject to foreclosure proceedings in the same manner as delinquent real property taxes. The owner of the property against which the assessment was originally made shall be able to redeem the property only by presenting evidence that the violations of the applicable Housing Code cited by the Director have been cured and by presenting payment of all registration fees and penalties.

e. *Sale of Property.* Upon bona fide sale of the property to an unrelated party, the lien on such property for the registration fees shall be considered released and the delinquent registration fee forgiven.

40.250. Proof of Financial Responsibility (Ordinance# 1016 passed 11/22/16)

1. The owner of any residential structure designated as vacant by the Director of Public Works, and thus subject to registration with the City of Sarcoxie, Missouri, shall maintain proof of financial responsibility which shall include casuality and liability insurance in an amount determined to be the value of any improvements located theron, or at least the value thereof as determined by the Assessor's Office of Jasper County, Missouri.

2. That proof of finanicial responsibility as required by this Section shall be provided at least annually to the City of Sarcoxie, Missouri.