

CITY OF
HOUSTON LAKE

STATE OF
MISSOURI

BILL NO. 091211-3

ORDINANCE NO. 335

**AN ORDINANCE ADOPTING A NEW SECTION OF THE HOUSTON LAKE CODE
REGARDING PROPERTY MAINTENANCE REGULATIONS.**

WHEREAS, the health, safety and welfare of the residents of the City of Houston Lake, Missouri shall be promoted by regulating property maintenance within the City; and

WHEREAS, the Board of Aldermen of the City of Houston Lake, Missouri deems it desirable to regulate such property maintenance and to adopt standards in connection therewith.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HOUSTON LAKE,
MISSOURI AS FOLLOWS:

SECTION 1: A new Chapter 235 to the Houston Lake Code is hereby enacted as follows:

**"CHAPTER 235: PROPERTY MAINTENANCE
 REGULATIONS**

SECTION 235.010: TITLE

These regulations shall hereafter be known, cited and referred to as the
"Property Maintenance Regulations of the City of Houston Lake,
Missouri".

SECTION 235.020: SCOPE AND ENFORCEMENT

The provisions of this Chapter shall govern the minimum conditions and
the responsibilities of persons for maintenance of structures, buildings,
equipment and exterior property in districts zoned commercial,
residential and industrial, except where specifically exempt. The
provisions of this Chapter shall be enforced and violations of the same
shall be penalized in accordance with and pursuant to Chapter 100 of this
Code.

SECTION 235.030: DEFINITIONS

For purposes of these property maintenance regulations, the following
words and terms as used herein are defined to have those meanings
provided below.

EXTERIOR PROPERTY: The open space on the premises and on the
adjoining property under the control of owners or operators of such
premises.

EXTERMINATION: The control and elimination of insects, rats or other
pests by eliminating their harborage places; by removing or making
inaccessible materials that serve as their food; by poison spraying,
fumigating, trapping or by any other acceptable pest elimination
methods.

GARBAGE: The animal or vegetable waste resulting from the handling,
preparation, cooking and consumption of food.

GUARD: A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimize the possibility of a fall from the walking surface to a lower level.

INFESTATION: The presence, within or contiguous to a structure or premises, of insects, rats, vermin or other pests.

JUNK: Any metal, glass, paper, rags, wood, machinery parts, cloth, other waste or discarded material of any nature or substance whatsoever, or scrape or salvage materials.

OCCUPANCY: The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT: Any individual living or sleeping in a building or having possession of a space within a building.

OPERATOR: Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

OWNER: Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the State, County or the City as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON: An individual, corporation, partnership or any other group acting as a unit.

PREMISES: A lot, plot or parcel of land including any structures thereon.

ROOMING HOUSE: A building arranged or occupied for lodging, with or without meals, for compensation and occupied as a one- or two-family dwelling.

ROOMING UNIT: Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

RUBBISH: Combustible and non-combustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

TENANT: A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

VENTILATION: The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

SECTION 235.040: RESPONSIBILITY

The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in the Code. A person shall not occupy as owner-occupant or permit another person to occupy premises or dwellings which are not in a sanitary and safe condition and which do not comply with the requirements of this Chapter. Occupants of a dwelling unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit or premises that they occupy and control.

SECTION 235.050: VACANT STRUCTURES AND LAND

All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 235.060: EXTERIOR PROPERTY AREAS

- A. *Sanitation.* All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.
- B. *Grading And Drainage.* All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon or within any structure located thereon.
- C. *Sidewalks and Driveways.* All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.
- D. *Rodent Harborage.* All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by accepted processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.
- E. *Exhaust Vents.* Pipes, ducts, conductors, fans or blowers shall not discharge harm- or damage-causing gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.
- F. *Accessory Structures.* All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.
 - 1. *Gates.* Gates must be maintained and in good repair.
 - 2. *Swimming Pools.* Swimming pools shall be maintained in a clean and sanitary condition and in good repair.
- G. *Motor Vehicles.* Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on

any premises and no vehicle shall at any time be in a state of major disassembly, disrepair or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an acceptable spray booth.

1. *Exception.* A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed for such purposes.

H. *Defacement Of Property.* No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an acceptable state of maintenance and repair.

SECTION 235.070: EXTERIOR STRUCTURE

A. *General.* The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

B. *Protective Treatment.* All exterior surfaces, including, but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted with a color and covering which is consistent and uniform with the surrounding coloring and covering. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained weather resistant and watertight. All metal surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust or corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

C. *Premises Identification.* Buildings shall have address numbers assigned by the City placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four (4) inches (102 mm) high with a minimum stroke width of one-half (0.5) inch.

D. *Structural Members.* All structural members shall be maintained free from deterioration and shall be capable of safely supporting the imposed dead and live loads.

E. *Foundation Walls.* All foundation walls should be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

F. *Exterior Walls.* All exterior walls shall be free from holes, breaks and loose or rotting materials and maintained weatherproof and properly surface coated where required to prevent deterioration.

G. *Roofs And Drainage.* The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

H. *Decorative Features.* All cornices, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

I. *Overhang Extensions.* All overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials such as paint or similar surface treatment.

J. *Stairways, Decks, Porches And Balconies.* Every exterior stairway, deck, porch and balcony and all appurtenances attached thereto shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

K. *Chimneys And Towers.* All chimneys, cooling towers, smokestacks and similar appurtenances shall be maintained structurally safe and sound and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials such as paint or similar surface treatment.

L. *Handrails And Guards.* Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

M. *Window, Skylight And Door Frames.* Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

N. *Glazing.* All glazing materials shall be maintained free from cracks and holes.

O. *Openable Windows.* Every window, other than a fixed window, shall be easily openable and capable of being held in a position by window hardware.

P. *Insect Screens.* Screen doors shall not be required where other acceptable means, such as air curtains or insect repellent fans, are employed.

Q. *Doors.* All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guest rooms shall tightly secure the door.

R. *Basement Hatchways.* Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

S. *Guards For Basement Windows.* Every basement window that is openable shall be supplied with rodent shields, storm windows or other acceptable protection against the entry of rodents.

SECTION 235.080: RUBBISH, GARBAGE AND JUNK

A. *Accumulation Of Rubbish Or Garbage Or Junk.* All exterior property and premises and the interior of every structure shall be free from any accumulation of rubbish or garbage or junk.

B. *Disposal Of Rubbish Or Junk.* Every occupant of a structure shall dispose of all rubbish or junk in a clean and sanitary manner by placing such rubbish or junk in acceptable containers.

C. *Disposal Of Garbage.* Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an acceptable garbage disposal facility or acceptable garbage containers.

SECTION 235.090: EXTERMINATION

A. *Infestation.* All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by acceptable processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

B. *Owner.* The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

C. *Single Occupant.* The occupant of a one-family dwelling or of a single-tenant non-residential structure shall be responsible for extermination on the premises.

D. *Occupant.* The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

1. *Exception.* Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination.”

SECTION 2: Upon adoption and approval the City Clerk is directed to incorporate the provisions of this Ordinance into the Houston Lake Code.

PASSED by the Board of Aldermen of Houston Lake, Missouri, this 12 day of September, 2011.

Mike Hallauer
MAYOR

ATTEST:

Marsha Duncan
CITY CLERK

APPROVED THIS 12 DAY OF September, 2011.

Mike Hallauer
Mayor

ATTEST:

Marsha Duncan
CITY CLERK