

# KNOW THE CODE

## **GRASS/WEEDS**

All premises and exterior property, including any right-of-way/easement bordering or crossing the property, shall be maintained free from weeds and grass in excess of 12 inches. Noxious plants (poison ivy, poison oak, etc.) and thickets (dense growth of wild shrubbery) are prohibited.

## **OPEN STORAGE PROHIBITED**

Items, such as automobile parts, building materials, appliances, furniture not designed for outside use, tools, tires, machinery, bricks, business-related equipment and other similar items cannot be kept outside for more than seven days. Barbecue grills, lawn furniture, garden hoses, lawn mowers and toys designed for outside use may be stored outside provided they are kept in good repair and free of insect/rodent infestation. Firewood must be stored behind the house, cut in length/sizes suitable for use, and stacked evenly on a concrete pad or 12 inches off the ground.

## **NUISANCE VEHICLES**

All vehicles must be registered, currently licensed, and in operable condition if they are parked, kept or stored on the premises in an unenclosed area for more than seven days.

## **FENCES/SWIMMING POOL FENCES**

All fences on the premises shall be structurally sound and constructed of customary or normal fencing material. Swimming pools capable of holding 12 inches or more of water at any point must be completely enclosed by a 6-foot fence or other 6-foot high structure. Gates enclosing swimming pools must be self-latching and self-closing with the latching mechanism on the pool side of the gate.

## **REFUSE, RUBBISH, AND GARBAGE**

All exterior property and premises shall be free from any accumulation of refuse, rubbish, and garbage. All refuse shall be disposed of properly. All refuse containers shall be made of a rodent/insect proof material with tight fitting lids. Refuse containers shall not be stored in any front or side yard abutting a street. Refuse shall not be placed at the curb more than 16 hours prior to the time of scheduled pick-up, and refuse containers must be removed from the curb the same day. Single family dwellings and duplexes shall not use refuse containers in excess of a sufficient capacity or number.

## **RODENTS/INSECTS**

All premises, exterior property and structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by an approved process.

## **LANDLORD/TENANT**

**Landlords** are responsible for: a) obtaining a rental business license; b) providing each tenant with a Landlord/Tenant Guide and keeping a signed copy of the receipt provided in the back of the Landlord/Tenant Guide; c) maintaining the premises in accordance with the property maintenance code; d) following all applicable laws to evict tenants or to terminate utilities.

**Tenants** are responsible for: a) maintaining the premises in accordance with the property maintenance code; b) providing accurate information when applying for tenancy; c) not intentionally causing damage to the premises; d) allowing the landlord access to the interior to make repairs.

## **BUILDING MAINTENANCE**

The maintenance of a structure is the responsibility of the property owner. Any wood, siding, roofing, railings, walls, ceilings, porches, doors, windows and screens, or other exterior parts of a structure must be maintained structurally sound, weather tight, rodent proof, and in good repair. All doors and windows shall tightly secure and operate. The street number assigned to each structure shall be displayed so that it is easily readable from the opposite side of the street and in Arabic numerals at least 3 inches in height.

## **PAINT/WATERPROOFING**

Proper surface coating is required on all exterior structures that are not naturally decay resistant. The surface coating must be maintained as a complete surface coating without peeling, flaking, chipping, or wear that exposes the underlying exterior material including any surface coating applied to a naturally decay resistant material.

## **DEPARTMENTAL CONTACT INFORMATION FOR RELATED COMPLAINTS**

**[www.IndependenceMo.org/ActionCenter.Public/](http://www.IndependenceMo.org/ActionCenter.Public/)**

**Animal Services:** 325-7205 (too many animals; animal abuse; dangerous dogs; unrestrained pets)

**Building Inspections:** 325-7401 (construction inspections; building permits)

**City Clerk:** 325-7010 (copies of City codes and inspection reports)

**Police:** 325-7300 (graffiti; vehicles parked in street; garage sales)

**Power & Light:** 325-7500 (power outages; lines down)

**Public Works:** 325-7600 (roadside dumping; driveway construction; septic tanks; sight obstruction; public sidewalks; dangerous trees)

**Water Pollution Control:** 325-7727 (storm water or sewer problems; flooding; leaves/grass clippings being deposited in the street)

**Zoning:** 325-7425 (vehicles parked on grass; trailers, commercial or recreational vehicles in residential areas; business in residential areas; commercial screening)

## The Complaint Process

A case is started when a complaint is registered against a property online ([www.independencemo.org](http://www.independencemo.org)), by phone (816-325-7193), in person at the Community Development Department (111 E. Maple Ave.), or by one of the department's proactive programs. Complaints must include the address of the property and a description of the



The case is then assigned to a property maintenance officer, who conducts his/her inspections in order of priority. Complaints that pose a direct risk to public health and safety get top priority.



The property maintenance officer then conducts an on-site inspection, taking photographs and noting any violations of the property maintenance portion of the City Code. The responsible parties are then notified and voluntary compliance is requested. A notice is issued in person or by posting a notice on the property while on site and by sending a notice via U.S. mail.



The notice lists the violation observed and provides the dates for an administrative hearing and the correction deadline. Hearings are scheduled ten business days after the initial inspection and the correction date is five business days after the hearing. The purpose of the hearing is to provide an opportunity to the citizen to discuss the violations and to request an extension for the correction date. An extension of up to two weeks may be granted by contacting the assigned property maintenance officer prior to the hearing.



On or shortly after the correction date, the property maintenance officer conducts a visual recheck and takes photographs of the property. In most cases, voluntary compliance is achieved, and the case is closed. If compliance has not been met, corrective action is started. For trash, tall grass/weeds, non-operable vehicles, or similar violations, the City contractor may be ordered to make corrections at the property owner's expense. Municipal Court charges may be filed against the occupant/owner for each violation not in compliance, which requires a court appearance. Guilty verdicts may result in fines. Failure to appear in court will result in a bench warrant being issued by the judge.



Properties found to be in violation for grass or trash violations a second time in a calendar year are issued a notice to correct within seven days without the possibility of a hearing or extension. Properties cited for a third and subsequent grass or trash violation during a calendar year are not provided notice, and corrective action is taken immediately by the City.

## If you receive a notice of code violation...

Correct the violations listed on the notice promptly. If you are unsure about a violation or need additional time, contact the property maintenance officer assigned to your case. The officer's name and telephone number will be printed on the bottom of the notice. An additional two weeks may be requested before the hearing date, provided you are making progress on correcting the violations. If a violation is determined to be an immediate risk to public health, a shortened timeframe for correction may be given. In some circumstances, financial assistance may be available through other City programs. For additional information, contact NWCDC at (816) 833-3072.

Property maintenance officers are authorized to enter exterior property areas to make an inspection or to bring property into compliance. **Property maintenance officers cannot enter buildings without the owner/tenant's permission or other legal authorization.** For further information contact:

**Independence Community Development Department  
Neighborhood Services Division  
111 E. Maple Ave  
Independence, MO 64050  
(816) 325-7193**

06-0-101

# KNOW THE CODE

## Community Development Neighborhood Services Division

The Neighborhood Services Division is responsible for enforcing City codes regarding property maintenance. The purpose of these codes is to promote the health, safety, and welfare of the citizens of the City of Independence. Additionally, when property is maintained, homeowners benefit with higher property values.