ORDINANCE NO. 3-22-02-1

AN ORDINANCE PROHIBITING AND REGULATING THE FOLLOWING NUISANCES; WORN OUT, BROKEN DOWN, DILAPIDATED, OR INOPERABLE AUTOMOBILES, OR PARTS OF AUTOMOVILES; OLD DILAPIDATED BARNS, SHEDS, OR OTHER BUILDINGS, SCRAP OR USED LUMBER, GARBAGE AND ANY UNCLEAN DRAIN OR SEPTIC SYSTEM; AND PROVIDING FOR PENALTIES FOR VIOLATIONS OF THIS ORDINANCE.

WHEREAS, In order to promote the public safety, health and general welfare and to protect property in Camden County, Missouri, it is necessary to adopt a Nuisance Ordinance regulating the following Nuisances; Worn out, broken down, dilapidated, or inoperable automobiles, or parts of automobiles; old dilapidated barns, sheds, or other buildings, scrap or used lumber, garbage, and any unclean drain or septic system; and providing for penalties for violations of the provisions of this ordinance; and

WHEREAS, the Camden County Commission desires to establish a restriction against the foregoing nuisances and providing for penalties for allowing said nuisances to persist.

NOW THEREFORE, Be it Ordained by the Camden County Commission as follows:

SECTION 1. Nuisances Forbidden. Not person, including corporations, partnerships, associations, or other entities shall cause, maintain, or permit, on premises owned or controlled by him, a nuisance as defined by the laws of the state of Missouri or by this Ordinance.

SECTION 2. Nuisances Enumerated. The following things are hereby declared to be nuisances;

a. Worn out, broken down, dilapidated, or inoperable automobiles or parts of automobiles;
b. Old dilapidated barns, sheds, or other buildings;
c. Scrap or used lumber left or deposited, or caused or permitted to remain, or deposited in such quantity or in such condition as to be offensive to the sight or smell, or to be a menace to health, safety, peace or comfort, or of such nature as to be or become harbors or breeding places for mosquitoes, ants, flies, rats, mice or other insects, animals, or vermin
d. Garbage, refuse waste, or other material left or deposited, or cause d or permitted to remain, or deposited in such quantity or in such condition as to be offensive to sight or smell, or to be a menace to health, safety, peace or comfort, or of such nature as to be or become harbors or breeding places for mosquitoes, ants, flies, rats, mice or other insects, animals, or vermin
e. Any unclean, stinking, foul, defective, or filthy drain, including septic tanks or systems, outfalls, and laterals, or an improper sewer lagoon and drains there from;

SECTION 3. Notice to Abate Nuisance. Whenever the Commissioners of the Camden County Commission, Health Department Administration or their representatives shall ascertain or have knowledge that a nuisance dangerous to the public health exists in or upon any house or premises in the county, he shall notify in writing the person occupying or having possession, or the right of possession of such house or premises, to abate or remove such nuisance within the time specified in said notice. If the house or premises aforesaid are not occupied and the owners having the right of possession are non residents, the Commission or its representative shall notify the non-resident owners by posting upon said house or premises a notice of their request to abate or remove such notice within the time specified therein, and by sending a copy of said notice by registered mail to the last known address of the non-resident owners.

SECTION 4. Violations. Any person violating or failing to comply with any provision of this ordinance or with any lawful order of the Camden County Commissioner or its representatives made under the provisions of this ordinance shall be subject to a fine not to exceed One Thousand Dollars (1000.00) upon conviction. Any person convicted of maintaining a nuisance shall within five days thereafter remove such nuisance and failure to do so shall be a second offense and every like neglect for each succeeding five day period thereafter shall be an additional offense.

SECTION 5. Civil Remedy. In addition to the remedies set forth in Section 4, if any person shall fail to comply with a lawful notice to abate under such section, the County Commission may bring a civil action to enjoin the alleged violation. In the event that the County Commission is successful in obtaining an injunction under this section it shall be entitled to be reimbursed for the costs incurred in obtaining the injunction, as well as a reasonable attorney's fee.

SECTION 6. Effective Date. This ordinance shall be in full force and effect from and after its date of adoption by the Camden County Commission.

Dated: 3/22/02

Orbie Wallace

Orbie Wallace, Presiding Commissioner

Steve West

Steve West, 1st District Commissioner

Thom Gumm

Thom Gumm, 2nd District Commissioner

ATTEST: Larry Whitten

Larry Whitten, County Clerk