



AGENDA
CITY OF BELTON, MISSOURI
CODE ENFORCEMENT ADVISORY COMMITTEE
THURSDAY, JANUARY 18, 2024 - 6:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET

- I. CALL MEETING TO ORDER**
- II. ROLL CALL**
- III. REVIEW OF NOVEMBER 16, 2023 MEETING MINUTES**
- IV. DISCUSSION ITEMS**
 - A. Political signs**
 - B. Abatement policy**
 - C. Property maintenance enforcement**
- V. NEXT MEETING DATE: Thursday, March 21, 2024**
- VI. ADJOURNMENT**

*A quorum of the City Council may be in attendance; however, no City Council votes will be taken.
Agenda posted at 506 Main Street, Belton, MO, and on the City's website on January 12, 2024
– Madison Rust, Development Technician*

**Minutes of Meeting
Code Enforcement Advisory Committee
City Hall Annex, 520 Main Street
Thursday, November 16, 2023**

CALL TO ORDER

Demetrius Ramirez called the meeting to order at 6:00 P.M.

ATTENDANCE

Committee: Councilmember Rob Powell, Dennis Hull, Dawn Thomas, Wanda Thompson, Rosemary Howard, Keith Richardson

Absent: Kerry White, Steve Hackett, Robert Miller

Staff: Demetrius Ramirez, Chief Building Official; Tyler Farrow, Neighborhood Improvement Officer and Carol Lee, Neighborhood Improvement Secretary

REVIEW OF September 21, 2023, MEETING MINUTES

No Comments

DISCUSSION ITEMS

An inoperable vehicle is defined as *a vehicle which cannot be driven upon the public streets for reason including, but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.* More specifically, a vehicle is deemed to be inoperable per Sec. 1-5 of the Unified Development Code, if it meets one or more of the criteria that was included in the memo attached to the agenda packet.

There was a discussion on the enforcement process for inoperable vehicles, particularly regarding missing or expired tags. Staff stated that they use door hangers to notify residents of expired tags when the tags are at least 60 days past due. If the expired tags are not updated after 1 week, a violation notice is sent and starts the standard violation timeline. Dennis Hull stated that he had received a complaint from a resident who received a violation for having Kansas tags. Staff stated that if there is no front tag, it is in violation because the State of Missouri requires a front and rear tag. Residents need to contact the officer who issued them the violation notice or the door hanger if they have questions. Councilmember Powell asked who takes care of out-of-state vehicles parked in driveways. Staff responded that the Police Department takes care of those situations. Partially or wholly dismantled vehicles are treated the same as missing or expired tags. Any violation notices go to both the tenant and property owner and/or manager if it is a rental property.

Eviction process and household items left in the front yard

Evicted households have 48 hours to collect their household items that are left on the exterior of the residence. After 48 hours, the items are subject to the code enforcement process.

Wanda Thompson discussed a recent situation where junk/trash/debris was left outside for 3 weeks, which attracted additional illegal dumping, homeless persons, and animals. There were concerns that

this was reported and staff did not move quickly enough to address this issue before it escalated to the point of the police being called to stop additional illegal dumping.

Wanda Thompson recommended making landlords aware of the 48-hour requirement and better notifying them of the eviction process as part of the Rental Registration and Inspection Program. Staff stated that the eviction process is through the Court system, but can still let landlords know that after an eviction, any junk/trash/debris left outside after 48 hours is subject to the violation and abatement process. Property owners are responsible for removing any junk/trash/debris on their property, even if they didn't put it there or it was dumped illegally.

Appeals process for Code Enforcement violations

The appeal process for nuisance code violation is provided in Sec. 14-6 of the Code of Ordinances. Specifically 14-6(d), which allows a person served with a violation notice to request an appeal to the Building Official within seven (7) days of receiving a violation. The appeal process does not stop the abatement process, but if the property is abated, the fees associated with the abatement may be challenged. A citizen may appeal the Building Official's decision to the City Council. This appeal process only applies to nuisance violations. It does not apply to any violations with the Unified Development Code (UDC) - zoning code. Any appeal of the UDC must be appealed to the Board of Zoning Adjustment.

The Committee asked staff what happens if a resident or owner appeals their notice to the Building Official. Staff stated that they would momentarily stop the abatement process to review the violation in further detail before making a determination. It is a judgement call.

OTHER DISCUSSIONS

Other items that were brought forward by the Committee for discussion, including:

- A resident recently went to Court for having a piece of plywood on a pallet left outside. Wanda Thompson asked if there could be any leeway for these types of situations.
- The Committee inquired about residents ignoring Building Codes when building a garage or shed and not obtaining permits. Staff stated that they are currently working on additional communications regarding permits for accessory structures. These are Unified Development Code (UDC)/zoning code requirements, which have a separate, more difficult appeal process and are less likely to be appealed than a nuisance violation.
- The Committee received an update on the Rental Registration and Inspection Program, which will start in July 2024. Staff is currently reviewing all properties in the city to locate unlicensed rental units. Staff is trying to send out notifications at the beginning of 2024.

NEXT MEETING DATE: To Be Determined

ADJOURNMENT

Demetrius Ramirez adjourned the meeting at 7:13 P.M.



Code Enforcement Advisory Committee
Discussion Topics
Thursday, January 18, 2024

Discussion Item A – Political signs

The City's website includes a political signs handout with the applicable codes. Prior to January 2021, the City limited the duration of time before and after an election that a political sign could be posted. However, to comply with previous court rulings regarding the First Amendment and Freedom of Speech, this duration of time limit was removed. There is no time limit on political signs, but there is still a limit on the number, size, and location of signs, as noted in the attached handout. This handout can be accessed on the Community Development's webpage under "Apply for Permits & Inspections" and "Planning & Zoning Guides." We recognize that this may be difficult for some to find and we are still fine tuning the recently updated webpage to improve accessibility.

Discussion Item B – Abatement policy

The abatement process for nuisances (those items listed in Chapter 14 of the Code of Ordinances) may begin after the initial 10-day violation notice period has passed. Emergency items, such as abandoned iceboxes or open structures, are subject to only 24-hour notice prior to abatement as they pose a public safety hazard. Historically, staff has abated both high weeds/grass and junk/trash/debris nuisances. Once abatements have been completed by a third party contractor, the City pays the contractor, sends a bill to the property owner in the amount of the abatement plus lien recording fees, and records a lien at Cass County. The bill must be paid before the lien will be released. Some junk/trash/debris abatements can have significant costs. Tickets are generally issued concurrently with an abatement notice.

Helpful links:

[Code of Ordinances – Chapter 14 \(Nuisances\)](#)

[Sec. 14-2 – Penalty](#) – allows Neighborhood Improvement Officers to issue tickets.

[Sec. 14-3 – Enumeration](#) – lists the most common nuisances, which may not be an exclusive list.

[Sec. 14-5](#) – administrative search warrant process and requirements.

[Sec. 14-6](#) – abatement process after notice has been given and opportunity for person listed on violation notice to request a hearing with the Building Official within 7 days of notice.

[Sec. 14-7](#) – authorizes the City to order an abatement on the property and enter the property to abate.

[Sec. 14-8](#) – abatement without notice for emergency purposes (rarely utilized).

[Sec. 14-9](#) – costs of the abatement are sent to the property owner with a bill for payment.

[Sec. 14-41](#) – abatement for high weeds/grass.

[Sec. 14-42](#) – costs of abatement are sent to the property owner with a bill for payment.

Staff is currently working on creating a formal internal policy to ensure that all Community Development staff are following the same processes and procedures for issuing abatements. New tracking systems will also make it easier to issue and track abatements, as well as following up with the Finance Dept. to track repayments, with the goal of recovering all abatement costs.

Discussion Item C – Property maintenance enforcement

The City has adopted the 2018 International Property Maintenance Code (IPMC), with local amendments. Local amendments can be viewed in [Unified Development Code, Sec. 10-138](#). As the 2018 IPMC is copyrighted it can only be accessed through the International Code Council (ICC) online, subject to payment, or by purchasing the book through their website. Staff maintains multiple copies, which may be requested to be viewed at the Annex but cannot be removed nor copied.

Per the IPMC, the Code establishes minimum requirements for the maintenance of existing buildings through model code regulations that contain clear and specific property maintenance and property improvement provisions. The Code is intended to establish provisions that adequately protect public health, safety and welfare, and to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety.

Some of the more common violations from the IPMC include:

- Parking on paved surfaces required.
- Addresses required and visible on the exterior of every building and unit.
- Accessory structures maintained structurally sound and in good repair.
- Protective treatment – exterior surfaces of all structures shall be maintained in good condition (covers wood rot, peeling paint, damaged/missing siding and roofing, etc.).
- Handrails – handrails are required for any sets of stairs with more than 4 risers and on any landing/platform greater than 30 inches above grade. A handout has been attached to the packet as a reference to interior and exterior requirements for residential properties.



Political Signs

Political signs are exempt from permitting, however, are limited to the size and placement requirements as outlined below per Section 30-9(l) of the Unified Development Code:

Political signs may be erected on private property as follows:

- (1) One political sign per candidate or ballot issue is permitted per street frontage on a lot with permission of the property owner.
- (2) The maximum size of any political sign shall be 32 square feet in a commercial or industrial zoning district.
- (3) The maximum size of any political sign shall be 6 square feet in a residential zoning district.
- (4) No political sign shall be installed within the right-of-way.*

Note: previous provisions regarding the duration of time a political sign may be placed were removed by Ordinance No. 2021-4604, effective 01/12/2021.

*Political signs placed in the right-of-way are subject to removal and disposal by City or MoDOT staff or their contractors.



Summary of Code Requirements for Residential Stairs

The following requirements apply to both interior and exterior stairs:

1. Minimum 36-inch clear width for stairway.
2. Maximum 4-1/2-inch handrail projection into stairway width, on either side.
3. Minimum 6'-8" headroom height clearance for stairway.
4. Maximum 12'-7" vertical height (rise) for a flight of stairs.
5. Maximum 7-3/4-inch stair riser height. With only a 3/8-inch variance.
6. Minimum 10-inch stair tread depth with nosing or Minimum 11 inches with no nosing.
7. Handrails shall be provided on not less than 1 side of each flight of stairs with 4 or more risers.
8. Handrail grasp ability to be either Type I or II with a Minimum 1-1/2-inch clearance from a wall.
9. Stair Handrail height to be placed a Minimum 34 inches to 38 inches.
10. Handrail length must be continuous for full length of flight of stairs.

All requirements are based on building and property maintenance codes adopted by the City of Belton, including the 2018 International Residential Code and the 2018 International Property Maintenance Code.