



THE CITY OF
HARRISONVILLE
WHERE TRADITION MEETS INNOVATION

AGENDA
CITY OF HARRISONVILLE
BOARD OF BUILDING AND ENGINEERING APPEALS
REGULAR MEETING
CITY HALL
OCTOBER 18, 2022
6:00 PM

- 1. Call to Order**
 - A. Roll Call**
- 2. Approval of Minutes**
 - A. Board of Building and Engineering Appeals - Regular Meeting - May 24, 2022 6:00 PM**
- 3. Agenda Items**
 - A. Recap of Previous Findings**
 - B. 903 E. Pearl Street - Staff Report**
 - C. 903 E. Pearl Street - Public Hearing**
 - D. 1205 South Independence - Staff Report**
 - E. 1205 S. Independence - Public Hearing**
- 4. Discussion Items**
- 5. Adjourn**

Posted on City Hall Bulletin Board this 30th day of September, 2022.

Daniel Barnett , City Clerk



DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF BUILDING AND ENGINEERING APPEALS
REGULAR MEETING
CITY HALL
MAY 24, 2022
6:00 PM

1. Call to Order

The meeting was called to order at 6:01 PM by Chair Mike Cox

Attendee Name	Organization	Title	Status	Arrived
Mike Cox	Harrisonville	Chair	Present	
Tony Meister	Harrisonville		Present	
Jeff Cryderman	Harrisonville		Present	
Vince Farr	Harrisonville		Absent	
Kevin Stucker	Harrisonville		Present	
John Foster	Harrisonville		Present	
Bryan Wooten	Harrisonville		Absent	

Also in attendance were Katie Phelps, Code Enforcement Officer; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

A. Board of Building and Engineering Appeals - Regular Meeting - May 18, 2021 6:00 PM

With no additions or corrections, the minutes from the May 18, 2021, meeting were unanimously accepted.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	John Foster
SECONDER:	Kevin Stucker
AYES:	Cox, Meister, Cryderman, Stucker, Foster
ABSENT:	Vince Farr, Bryan Wooten

3. Agenda Items

A. 1000 S INDEPENDENCE STAFF REPORT

Katie Phelps presented the Staff Report for 1000 S. Independence. She said that this is a single family home that has been a problem for some time. Staff has been trying to work with the homeowner. The owner has been in Municipal Court multiple times and was

ordered to have an interior inspection of the property done. It was scheduled for today (May 24th) at 10:00 AM and the property owner did not show up. Chris Arthur, the Building Official for the City, and Ms. Phelps walked around the property . There are known electric issues, no connection to the water main, and has had vagrants in the structure that have been removed several times. The property has several liens on it as well.

Kevin Stucker asked if Staff was considering demolition of the structure as he believes that the siding is asbestos. Ms. Phelps stated that Staff is aware of the expense involved with the removal of asbestos. The demolition bid would have that included and the cost would be put in a lien on the property and either paid when the property sells or when taxes are paid.

John Foster made a motion to support the findings of Staff, that the building and structure is a nuisance and detrimental to the health, safety and welfare of the residents of the City of Harrisonville. Kevin Stucker seconded the motion.

The motion passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Foster
SECONDER:	Kevin Stucker
AYES:	Cox, Meister, Cryderman, Stucker, Foster
ABSENT:	Vince Farr, Bryan Wooten

B. 1000 S INDEPENDENCE PUBLIC HEARING

There were no comments from the public.

C. 301 E CHESTNUT STAFF REPORT

Katie Phelps presented her Staff Report for 301 E Chestnut. She said that she had been trying to work with the property owner, his son, and his lawyer. The property owner has said that he does not have the funds to fix the problems with the structure. This case has been in Municipal Court since February of 2021. There has been no physical progress to the structure.

Mr. Stucker asked if the building was uninhabited. Mrs. Phelps said that it is.

Kevin Stucker made a motion to support the findings of Staff, that the building and structure is a nuisance and detrimental to the health, safety and welfare of the residents of the City of Harrisonville. Jeff Cryderman seconded the motion.

The motion passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin Stucker
SECONDER:	Jeff Cryderman
AYES:	Cox, Meister, Cryderman, Stucker, Foster
ABSENT:	Vince Farr, Bryan Wooten

D. 301 E CHESTNUT PUBLIC HEARING

There were no comments from the public.

E. 204 N INDEPENDENCE STAFF REPORT

Katie Phelps present the Staff Report for 204 N Independence. The biggest concern with this building is the north-west corner is ready to collapse. It is currently has safety fencing around it. The property owner has pulled a building permit to stabilize the structure but has not begun any work. This case has been in Municipal court since August of 2021. The property owner missed his last court date on May 18, 2022, so the next court date

Minutes Acceptance: Minutes of May 24, 2022 6:00 PM (Approval of Minutes)

will be in June. Staff asking to find the structure dangerous due to possible collapse. The preference of Staff is to have the owner work on stabilizing the building as he intended to, but it a major undertaking. Ms. Phelps said that Mr. Meister had assessed the Building for the City in January of 2021.

Mr. Meister described the decline of the structure to the rest of the Board. He said the north side is in a state of collapse and it's only a matter of time.

Mr. Stucker commented that he doesn't want to set a standard of demolition of the Historic buildings.

Mr. Foster stated that he saw this an opportunity.

Mr. Meister said that the south side of the structure could be preserved since the north side was an addition.

John Foster made a motion to support the findings of Staff, that the building and structure is a nuisance and detrimental to the health, safety and welfare of the residents of the City of Harrisonville. Jeff Cryderman seconded the motion.

The motion passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Foster
SECONDER:	Jeff Cryderman
AYES:	Cox, Meister, Cryderman, Stucker, Foster
ABSENT:	Vince Farr, Bryan Wooten

F. 204 N INDEPENDENCE PUBLIC HEARING

There were no comments from the public.

G. 103 S COMMERCIAL STAFF REPORT

Katie Phelps presented the Staff Report for 103 S Commercial. She told the Board that the foundation, decking, roof, and windows are all in a state of decay. The current owner was aware of the violations when the property was purchased. She has now put it back on the market to be sold. This property sits on Commercial Street and is surrounded by new or newer structures that are kept up. This could be a nice lot on one of the City's main corridors.

Kevin Stucker made a motion to support the findings of Staff, that the building and structure is a nuisance and detrimental to the health, safety and welfare of the residents of the City of Harrisonville. Tony Meister seconded the motion.

The motion passed unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin Stucker
SECONDER:	Tony Meister
AYES:	Cox, Meister, Cryderman, Stucker, Foster
ABSENT:	Vince Farr, Bryan Wooten

H. 103 S COMMERCIAL PUBLIC HEARING

There were no comments from the public.

4. Discussion Items

Ms. Phelps told the Board that a Chairman need to be elected. Kevin Stucker made a motion to re-elect Mike Cox. Jeff Cryderman seconded. The motion passed unanimously.

Minutes Acceptance: Minutes of May 24, 2022 6:00 PM (Approval of Minutes)

Kevin Stucker request a map overlay with Agenda Items.

Tony Meister requested that the Board meet at least 2 times a year.

5. Adjourn

With nothing further to come before the Board, Jeff Cryderman made a motion to adjourn. Kevin Stucker seconded. The meeting was adjourned at 6:48 PM.

Jamie Martin, Recording Secretary



TO: Board of Building and Engineering Appeals
FROM: Jamie Martin, Assistant
DATE: September 30, 2022
SUBJECT: Recap of Previous Findings

Type of Item: *Discussion*

1000 S. Independence

103 S. Commercial

301 E. Chestnut

204 N. Independence

A. Action Item (ID # 4336)

Recap of Previous Findings



City of
Harrisonville^{est. 1836}
STAFF REPORT

TO: Board of Building and Engineering Appeals
FROM: Chris Arthur,
DATE: September 30, 2022
SUBJECT: 903 E. Pearl Street Staff Report

Type of Item: *Approval*

B. Action Item (ID # 4337)

903 E. Pearl Street Staff Report

Attachments:

Doc0373 (PDF)
Doc0375 (PDF)
Doc0376 (PDF)
Doc0377 (PDF)
Doc0378 (PDF)
Doc0379 (PDF)
Doc0386 (PDF)
DOC093022-09302022121406 (PDF)
DOC093022-09302022121601 (PDF)
Doc0389 (PDF)



City of

Harrisonville

est.
1836

300 E. Pearl Street, P.O. Box 367 • Tel: 816-380-8900 • Fax: 816-380-8906 • Harrisonville, MO 64701

To: Board of Building and Engineering Appeals (BBEA)
From: Katie Phelps, Housing and Zoning Specialist
Date: October 18, 2022
Re: 903 E. Pearl St., Dangerous Building Hearing

GENERAL INFORMATION

Applicant: N/A

Requested Actions: Determination of Finding and Order.

Date of Application: N/A

PROPOSAL

Request for Concurrence of Finding of Dangerous building at 903 E. Pearl St.

PREVIOUS ACTIONS

September 9, 2020, Property added to Vacant, Abandoned, and Blighted List (VAB).
 September 9, 2020, Original violation letter sent
 October 15, 2020, Second violation letter sent
 January 20, 2021, First appearance in court scheduled
 March 23, 2021, Electric permit obtained
 April 21, 2021, Second citation first appearance scheduled
 May 26, 2021, Met owner at property to form a compliance list
 March 15, 2022, Plumbing permit obtained
 August 17, 2022, Found Guilty in both cases in Municipal Court (Total of \$326.00 fine)

KEY ISSUES

BACKGROUND: The structure at 903 E. Pearl St is, in the Codes Department's opinion, in serious disrepair and constitutes a public nuisance and a dangerous building. The structure has previously been issued a Dangerous Building order and has been listed Vacant, Abandoned, and Blighted since September 9, 2020. Specific violations are: Dangerous Building, Nuisance, including Attractive Nuisance, Property Maintenance, and Fire Code. The structure has been posted and legal notices have been published as required. Please see the attached.

STAFF COMMENTS AND SUGGESTIONS

SUBJECT: Hearing provided for by Article Section 510.080 of the City of Harrisonville Municipal Code., if the evidence supports a finding that the building or structure is a nuisance or detrimental to the health, safety or welfare of the residents of the City, the Board of Building and Engineering shall issue an order making specific findings of fact based upon competent and substantial evidence which shows the building or structure to be a nuisance and detrimental to

Attachment: Doc0373 (903 E. Pearl Street Staff Report)

the health, safety and welfare of the residents of the City and ordering the building or structure to be demolished and removed or repaired. If the evidence does not support a finding that the building or structure is a nuisance or detrimental to the health, safety, and welfare of the residents of the City, no order shall be issued.

Staff has done everything possible to try to work with deed holders to abate the structure. The property owner has been in municipal court since January 20, 2021, with no physical progress to the structure. According to Harrisonville utility records, no one has lived in this house full time for at least 10 years, and no one has lived there at all for at least 6 years. Multiple squatters have been found in structure due to owner neglecting to properly secure the structure. Interior of the structure is full of personal items and electric cannot be reconnected to main house until interior demolition and new electric is run throughout. The only electric allowed at the property at this time, is a service outlet outside. The owner did obtain a plumbing permit and run a new water line from the meter to the house on March 15, 2022. This is the only project the owner has completed in almost 3 years. The structure continues to deteriorate. Since the Municipal Court finding of guilty, the city has been abating yard violations at a total of \$848.00 Staff views the property as abandoned and needing demolition or complete rehabilitation. The property owner has indicated lack of funds to bring the structure into compliance but is unwilling to sell to multiple potential buyers. The structure is still an attractive nuisance; a dangerous building due to elements damaged and decayed to the point of being structurally and sanitarily unfit for human occupancy. Municipal code 510.010 #1 through #10. Municipal code 220.020, 500.320, 500.330 and adopted IFC 311.1.1.

STAFF RECOMMENDATION

Staff recommends the Board of Building and Engineering Appeals, if the evidence supports such finding, to issue a finding that the building and structure is a nuisance and detrimental to the health, safety, and welfare of the residents of the City of Harrisonville.

ATTACHMENTS

Please see full attached report of all code case documents.

STAFF CONTACT: Katie Phelps, Housing and Zoning Specialist.

Attachment: Doc0373 (903 E. Pearl Street Staff Report)

NAME OF JUDGE

3.B.b

DISPOSITION

DATE

MO 100-0051 (2-15)

Attachment: Doc0375 (903 E. Pearl Street Staff Report)



ORI NO. MO-0190400
 HARRISONVILLE POLICE DEPARTMENT
 HARRISONVILLE, MO 64701

170590040

3.B.b

UNIFORM CITATION

STATE OF MISSOURI				DIVISION	
IN THE CIRCUIT COURT OF			CASS	COUNTY	MUNICIPAL
COURT ADDRESS (STREET, CITY, ZIP) 300 EAST PEARL HARRISONVILLE, MISSOURI 64701					
COURT DATE 7/21/21		COURT TIME 5:30 PM		COURT PHONE NO. (816) 380-8903	
I, KNOWING THAT FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY LAW, STATE THAT I HAVE PROBABLE CAUSE TO BELIEVE THAT:					
ON/ABOUT (DATE) 3/29/21	AT TIME 10:00 HRS	HWY CLASS	UPON/AT OR NEAR (LOCATION) 903 E Pearl		
WITHIN CITY/COUNTY AND STATE AFORESAID,					
NAME (LAST, FIRST, MIDDLE) McIntyre Wanda				PHONE #	
STREET ADDRESS 903 E Pearl					
CITY Harrisonville			STATE MO	ZIP CODE 64701	
DATE OF BIRTH 6/20/55	RACE	SEX	HEIGHT	WEIGHT	
DRIVER'S LIC. NO. JON 478-62-0368			CDL <input type="checkbox"/> YES <input type="checkbox"/> NO	STATE	
DID UNLAWFULLY <input type="checkbox"/> OPERATE/DRIVE <input type="checkbox"/> PARK			<input type="checkbox"/> C.M.V. <input type="checkbox"/> WITH HA		
V E H I C L E	YEAR	MAKE	MODEL	STYLE	COLOR
	REGISTERED WEIGHT	L I C	NUMBER	STATE	YEAR
DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE. THE FACTS SUPPORTING BELIEF ARE AS FOLLOWS: The house has rotted siding, missing framing paint all over the exterior boarded doors, the fence is in disrepair. It is unhabitable due to electric issues, torn screens on windows. The house overall is a REPORT # nuisance and drain to the neighbor - RMC 2018					
<input type="checkbox"/> Subject taken into custody. (Complete "For Issuance of a Warrant" section on reverse side.)					
DRIVING MPH		POSTED SPEED LIMIT MPH	DETECTION METHOD <input type="checkbox"/> STATIONARY RADAR <input type="checkbox"/> WATCH (AIR) <input type="checkbox"/> PA <input type="checkbox"/> MOVING RADAR <input type="checkbox"/> WATCH (GROUND) <input type="checkbox"/> OT		
IN VIOLATION OF: STATUTE/ORDINANCE - CHARGE CODE <input type="checkbox"/> RSMo <input type="checkbox"/> ORD. 300.020 ORS 101.0-024 N20215597.0					
SEAT BELT VIOLATION: STATUTE/ORDINANCE - CHARGE CODE <input type="checkbox"/> RSMo <input type="checkbox"/> ORD.					
<input type="checkbox"/> IN FATAL CRASH <input type="checkbox"/> IN CRASH <input type="checkbox"/> DW/BAC			OCN		
OFFICER Katie Phelps		BADGE 02	TRP/ZONE	DATE	
ON INFORMATION, UNDERSIGNED PROSECUTOR CHARGES THE DEFENDANT AND INFORMS THE COURT THAT ABOVE FACTS ARE TRUE AND PUNISHABLE BY: <input type="checkbox"/>					
PROSECUTOR'S SIGNATURE Sandra Cause			DATE 7/21/21	SEE ENVELOPE FOR MAIL II FINE SCHEDULE	
I PROMISE TO DISPOSE OF THE CHARGES OF WHICH I AM ACCUSED THROUGH COURT APPEARANCE OR PREPAYMENT OF FINE AND COURT COSTS.					DR. LI POSTED <input type="checkbox"/> YES
SIGNATURE X					

Attachment: Doc0375 (903 E. Pearl Street Staff Report)

DISOBEYED SIGNAL (WHEN LIGHT TURNED RED) PAST MIDDLE OF INTERSECTION MIDDLE OF INTERSECTION NOT REACHED INTERSECTION

DISOBEYED STOP SIGN STOPPED WRONG PLACE WALK SPEED FASTER

IMPROPER TURN NO SIGNAL INTO WRONG LANE LEFT RIGHT "U" CUT CORNER FROM WRONG LANE PROHIBITED

IMPROPER PASSING WRONG SIDE OF PAVEMENT AT INTERSECTION ON RIGHT IMPROPER LANE USE WRONG LANE ON HILL BETWEEN TRAFFIC LANE STRADDLING ON CURVE CUT IN

SLIPPERY PAVEMENT RAIN SNOW ICE CAUSED PERSON TO DODGE PEDESTRIAN OPERATOR JUST MISSED CRASH

VISIBILITY NIGHT RAIN/SNOW FOG AREA SCHOOL RESIDENTIAL BUSINESS RURAL OTHER

OTHER TRAFFIC PRESENT CROSS SAME DIRECTION ONCOMING PEDESTRIAN

ROAD TYPE 2-LANE 3-LANE 4-LANE 4-LANE DIVIDED 6-LANE DIVIDED

IN CRASH HEAD ON PEDESTRIAN SIDESWIPE VEHICLE REAR-END INTERSECTION RAN OFF ROAD RIGHT ANGLE HIT FIXED OBJECT

OFFICER'S NOTES NAMES AND ADDRESSES OF WITNESSES

Large empty area for handwritten notes and witness information.

REPORT OF ACTION IN CASE

Large empty area for reporting actions taken in the case.



ORI NO. MO-0190400
 HARRISONVILLE POLICE DEPARTMENT
 HARRISONVILLE, MO 64701

170590021

3.B.b

UNIFORM CITATION

STATE OF MISSOURI		IN THE CIRCUIT COURT OF		CASS	COUNTY	DIVISION		MUNICIP
COURT ADDRESS (STREET, CITY, ZIP)								
300 EAST PEARL HARRISONVILLE, MISSOURI 64701								
COURT DATE			COURT TIME		COURT PHONE NO.			
1/20/2021			5:30 PM		(816) 380-8903			
I, KNOWING THAT FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY LAW, S THAT I HAVE PROBABLE CAUSE TO BELIEVE THAT:								
ON/ABOUT (DATE)	AT TIME	HWY CLASS	UPON/AT OR NEAR (LOCATION)					
1/30/20	10:45 HRS		103 E Pearl					
WITHIN CITY/COUNTY AND STATE AFORESAID,								
NAME (LAST, FIRST, MIDDLE)						PHONE #		
McIntyre, Tom								
STREET ADDRESS								
703 E Pearl								
CITY						STATE	ZIP CODE	
Harrisonville						MO	64701	
DATE OF BIRTH		RACE	SEX	HEIGHT	WEIGHT			
6/20/55			male					
DRIVER'S LIC. NO.				CDL		STATE		
55N 498-62-0360				<input type="checkbox"/> YES <input type="checkbox"/> NO				
DID UNLAWFULLY			<input type="checkbox"/> OPERATE/DRIVE		<input type="checkbox"/> PARK		<input type="checkbox"/> C.M.V. <input type="checkbox"/> WITH HA	
V E H I C L E	YEAR		MAKE		MODEL		STYLE	COLOR
	REGISTERED WEIGHT			L I C	NUMBER		STATE	YEAR
DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE. THE FACTS SUPPORTING BELIEF ARE AS FOLLOWS:								
703 Vacant Structures + Land Trunc 2018								
REPORT #								
<input type="checkbox"/> Subject taken into custody. (Complete "For Issuance of a Warrant" section on reverse side.)								
DRIVING		POSTED SPEED LIMIT		DETECTION METHOD				
MPH		MPH		<input type="checkbox"/> STATIONARY RADAR <input type="checkbox"/> WATCH (AIR) <input type="checkbox"/> PA <input type="checkbox"/> MOVING RADAR <input type="checkbox"/> WATCH (GROUND) <input type="checkbox"/> OT				
IN VIOLATION OF: STATUTE/ORDINANCE - CHARGE CODE								
<input type="checkbox"/> RSMo <input type="checkbox"/> ORD. 500.320 ORDN. 0-173N200055								
SEAT BELT VIOLATION: STATUTE/ORDINANCE - CHARGE CODE								
<input type="checkbox"/> RSMo <input type="checkbox"/> ORD.								
<input type="checkbox"/> IN FATAL CRASH <input type="checkbox"/> IN CRASH <input checked="" type="checkbox"/> DWI/BAC			OCN					
OFFICER				BADGE	TRP/ZONE	DATE		
Dabe Phelps				52		11/30/		
ON INFORMATION, UNDERSIGNED PROSECUTOR CHARGES THE DEFENDANT AND INFORMS THE COURT THAT ABOVE FACTS ARE TRUE AND PUNISHABLE BY: <input type="checkbox"/>								
PROSECUTOR'S SIGNATURE						DATE	SEE ENVELOPE FOR MAIL II FINE SCHEDU	
[Signature]						1/19/21		
I PROMISE TO DISPOSE OF THE CHARGES OF WHICH I AM ACCUSED THROUGH COURT APPEARANCE OR PREPAYMENT OF FINE AND COURT COSTS.								DR. LI POST <input type="checkbox"/> Y <input type="checkbox"/> N
SIGNATURE X								

Attachment: Doc0375 (903 E. Pearl Street Staff Report)



Harrisonville

300 E. Pearl Street
 PO BOX 367
 Harrisonville, MO 64701
 Phone: (816) 380-8958
 Fax: (816) 380-8906
 www.harrisonville.com
 www.ecode360/HA3317

September 09, 2020

903 E PEARL
 HARRISONVILLE, MO 647010000

RE: Code Compliance Case No. VAB-20-0005

TOM L & WANDA M MCINTYRE,

Location : 903 E PEARL , HARRISONVILLE MO

Complaint Description:

THIS PROPERTY IS VACANT AND NEGLECTED.

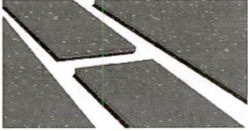
CONTACT THE HARRISONVILLE BUILDING DEPARTMENT IMMEDIATELY TO DISCUSS FUTURE DEVELOPMENTS

IPMC 2018
 301.2 RESPONSIBILITY OF OWNER
 301.3 VACANT STRUCTURES AND LAND

VACANT, ABANDONED AND BLIGHTED PROPERTIES AND AREAS ARE DEFINED IN CITY NUISANCE AND PROPERTY MAINTENANCE CODES, MISSOURI STATE STATUTES AND FEDERAL GUIDELINES AS PROPERTIES WHICH BY REASON OF AGE, OBSOLENCE, INADEQUATE OR OUTMODED DESIGN OR PHYSICAL CONDITION AND DETERIORATION HAVE BECOME SOCIAL AND ECONOMIC LIABILITIES AND SUCH CONDITIONS ARE CONDUCTIVE TO ILL HEALTH, TRANSMISSION OF DISEASE, CRIME OR INABILITY TO PAY REASONABLE TAXES; ANY PROPERTY WHICH BECAUSE OF IT'S PHYSICAL CONDITION OR USE IS DECLARED OR CITED AS A NUISANCE MAY BE CONSIDERED BLIGHTED; DETERIORATION, DILAPIDATION, DECAY, UNINHABITABILITY, UNSAFE OR UNSANITARY CONDITIONS, EXISTENCE OF ANY CONDITIONS WHICH ENDANGER LIFE OR PROPERTY BY FIRE AND ANY OTHER CAUSES, OR CONSTITUTES AN ECONOMIC OR SOCIAL LIABILITY OR MENACE TO THE PUBLIC HEALTH, SAFETY, MORALS OR WELFARE IN ITS PRESENT CONDITION OR USE.

TITLE 5 BUILDING AND CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 9 ABANDONED RESIDENTIAL PROPERTY REGISTRATION - SECTION 500.370 REGISTRATION [Ord. No. 3236 §1, 8-5-2013]

Attachment: Doc0376 (903 E. Pearl Street Staff Report)



Harrisonville

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 PO BOX 367
 Harrisonville, MO 64701
 Phone: (816) 380-8958
 Fax: (816) 380-8906
 www.harrisonville.com
 www.ecode360/HA3317

- A. Any beneficiary under a deed of trust covering a property located within the City of Harrisonville shall cause an inspection to be performed of the property that is the security for the deed of trust within fifteen (15) days of issuing a notice of default to the trustor. The beneficiary shall, within ten (10) days of the inspection, register the property with the Director of Community Development or his designee on forms provided by the City.
- B. The registration shall contain the full legal name of the beneficiary and the registered representative, the direct street/office mailing address of the beneficiary and the registered representative (no Post Office boxes), a direct contact name and phone number for the beneficiary and registered representative, and, if applicable, the local property management company responsible for the security, maintenance and marketing of the property.
- C. The registration shall be valid as long as the subject property remains vacant and shall be amended as needed.
- D. This Section shall also apply to properties that have been the subject of a foreclosure sale where title to the property was transferred to the beneficiary of a deed of trust involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure or sale.
- E. Properties subject to this Article shall remain under the security and maintenance standards of this Section as long as they remain vacant.
- F.
- Any person, firm or corporation that has registered a property under this Article must report any change of information contained in the registration within ten (10) days of the change.

TITLE 5 BUILDING AND CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 9 ABANDONED RESIDENTIAL PROPERTY REGISTRATION - SECTION 500.380 MAINTENANCE REQUIREMENTS [Ord. No. 3236 §1, 8-5-2013]

Properties subject to this Article shall be in compliance with the City of Harrisonville Property Maintenance Code. Adherence to this Section does not relieve the beneficiary or property owner of any obligations set forth in any covenants, conditions and restrictions or homeowner's association rules and regulations which may apply to the property.

TITLE 5 BUILDING AND CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 9 ABANDONED RESIDENTIAL PROPERTY REGISTRATION - SECTION 500.390 [Ord. No. 3236 §1, 8-5-2013]

- A. Properties subject to this Section shall be maintained in a secure manner so as not to be accessible to unauthorized persons. This includes, without limitation, the closure and locking of windows, doors (walk-through, sliding and garage), gates and any other opening of such size that it may allow a child to access the interior of the property and/or structure(s). In the case of broken windows, "securing" means the reglazing or boarding of the window.
- B. If the beneficiary is an out-of-area beneficiary, a local property management company shall be contracted to perform weekly inspections to verify that the requirements of this Section, and any other applicable laws, are being met.
- C. The beneficiary shall cause the property to be inspected on a weekly basis to determine if the property is in compliance with the requirements of this Article.

TITLE 5 BUILDING & CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 9 ABANDONED RESIDENTIAL PROPERTY REGISTRATION - SECTION 500.410 [Ord. No. 3236 §1, 8-5-2013]

Any beneficiary, registered representative, or local property management company that violates any provision of this Article shall be in violation of this Article, and a General Ordinance Summons (GOS) may be issued against the beneficiary's representative for such violation. In addition to any other penalties which may be assessed for a violation of this Article, any person or entity who violates a provision of this Article shall be assessed a fine of five hundred dollars (\$500.00) per violation, or imprisonment not exceeding ninety (90) days, or both such fine and imprisonment.

TITLE 5 BUILDING & CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 8 PROPERTY MAINTENANCE CODE - 500.320 ADOPTION OF STANDARDS [Ord. No. 3503, 8-3-2020]



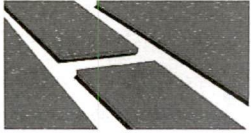
Harrisonville

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www.ecode360/HA3317

The City hereby adopts the International Property Maintenance Code, 2018 Edition, as published by the International Code Council, including Appendix Chapter A as the Official Property Maintenance Code of the City of Harrisonville, Missouri.

Regards,
Katie Phelps
Code Enforcement Officer and Building Inspector
816-380-8921

Attachment: Doc0376 (903 E. Pearl Street Staff Report)



Harrisonville

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 PO BOX 367
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October 15, 2020

903 E PEARL
 HARRISONVILLE, MO 647010000

RE: Code Compliance Case No. VAB-20-0005

TOM L & WANDA M MCINTYRE,

Location : 903 E PEARL , HARRISONVILLE MO

Complaint Description:

THIS PROPERTY IS VACANT AND NEGLECTED.

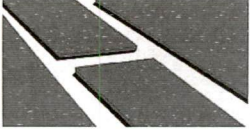
CONTACT THE HARRISONVILLE BUILDING DEPARTMENT BY 10/30/20 WITH A COMPREHENSIVE PLAN OR AN APPEARANCE IN COURT WILL BE REQUIRED

IPMC 2018
 301.2 RESPONSIBILITY OF OWNER
 301.3 VACANT STRUCTURES AND LAND

VACANT, ABANDONED AND BLIGHTED PROPERTIES AND AREAS ARE DEFINED IN CITY NUISANCE AND PROPERTY MAINTENANCE CODES, MISSOURI STATE STATUTES AND FEDERAL GUIDELINES AS PROPERTIES WHICH BY REASON OF AGE, OBSOLENCE, INADEQUATE OR OUTMODED DESIGN OR PHYSICAL CONDITION AND DETERIORATION HAVE BECOME SOCIAL AND ECONOMIC LIABILITIES AND SUCH CONDITIONS ARE CONDUCTIVE TO ILL HEALTH, TRANSMISSION OF DISEASE, CRIME OR INABILITY TO PAY REASONABLE TAXES; ANY PROPERTY WHICH BECAUSE OF IT'S PHYSICAL CONDITION OR USE IS DECLARED OR CITED AS A NUISANCE MAY BE CONSIDERED BLIGHTED; DETERIORATION, DILAPIDATION, DECAY, UNINHABITABILITY, UNSAFE OR UNSANITARY CONDITIONS, EXISTENCE OF ANY CONDITIONS WHICH ENDANGER LIFE OR PROPERTY BY FIRE AND ANY OTHER CAUSES, OR CONSTITUTES AN ECONOMIC OR SOCIAL LIABILITY OR MENACE TO THE PUBLIC HEALTH, SAFETY, MORALS OR WELFARE IN ITS PRESENT CONDITION OR USE.

TITLE 5 BUILDING AND CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 9 ABANDONED RESIDENTIAL PROPERTY REGISTRATION - SECTION 500.370 REGISTRATION [Ord. No. 3236 §1, 8-5-2013]

Attachment: Doc0377 (903 E. Pearl Street Staff Report)



Harrisonville

300 E. Pearl Street
 PO BOX 367
 Harrisonville, MO 64701
 Phone: (816) 380-8958
 Fax: (816) 380-8906
 www.harrisonville.com
 www.ecode360/HA3317

- A. Any beneficiary under a deed of trust covering a property located within the City of Harrisonville shall cause an inspection to be performed of the property that is the security for the deed of trust within fifteen (15) days of issuing a notice of default to the trustor. The beneficiary shall, within ten (10) days of the inspection, register the property with the Director of Community Development or his designee on forms provided by the City.
- B. The registration shall contain the full legal name of the beneficiary and the registered representative, the direct street/office mailing address of the beneficiary and the registered representative (no Post Office boxes), a direct contact name and phone number for the beneficiary and registered representative, and, if applicable, the local property management company responsible for the security, maintenance and marketing of the property.
- C. The registration shall be valid as long as the subject property remains vacant and shall be amended as needed.
- D. This Section shall also apply to properties that have been the subject of a foreclosure sale where title to the property was transferred to the beneficiary of a deed of trust involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure or sale.
- E. Properties subject to this Article shall remain under the security and maintenance standards of this Section as long as they remain vacant.
- F. Any person, firm or corporation that has registered a property under this Article must report any change of information contained in the registration within ten (10) days of the change.

TITLE 5 BUILDING AND CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 9 ABANDONED RESIDENTIAL PROPERTY REGISTRATION - SECTION 500.380 MAINTENANCE REQUIREMENTS [Ord. No. 3236 §1, 8-5-2013]

Properties subject to this Article shall be in compliance with the City of Harrisonville Property Maintenance Code. Adherence to this Section does not relieve the beneficiary or property owner of any obligations set forth in any covenants, conditions and restrictions or homeowner's association rules and regulations which may apply to the property.

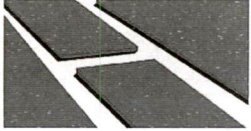
TITLE 5 BUILDING AND CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 9 ABANDONED RESIDENTIAL PROPERTY REGISTRATION - SECTION 500.390 [Ord. No. 3236 §1, 8-5-2013]

- A. Properties subject to this Section shall be maintained in a secure manner so as not to be accessible to unauthorized persons. This includes, without limitation, the closure and locking of windows, doors (walk-through, sliding and garage), gates and any other opening of such size that it may allow a child to access the interior of the property and/or structure(s). In the case of broken windows, "securing" means the reglazing or boarding of the window.
- B. If the beneficiary is an out-of-area beneficiary, a local property management company shall be contracted to perform weekly inspections to verify that the requirements of this Section, and any other applicable laws, are being met.
- C. The beneficiary shall cause the property to be inspected on a weekly basis to determine if the property is in compliance with the requirements of this Article.

TITLE 5 BUILDING & CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 9 ABANDONED RESIDENTIAL PROPERTY REGISTRATION - SECTION 500.410 [Ord. No. 3236 §1, 8-5-2013]

Any beneficiary, registered representative, or local property management company that violates any provision of this Article shall be in violation of this Article, and a General Ordinance Summons (GOS) may be issued against the beneficiary's representative for such violation. In addition to any other penalties which may be assessed for a violation of this Article, any person or entity who violates a provision of this Article shall be assessed a fine of five hundred dollars (\$500.00) per violation, or imprisonment not exceeding ninety (90) days, or both such fine and imprisonment.

TITLE 5 BUILDING & CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES - ARTICLE 8 PROPERTY MAINTENANCE CODE - 500.320 ADOPTION OF STANDARDS [Ord. No. 3503, 8-3-2020]



Harrisonville

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The City hereby adopts the International Property Maintenance Code, 2018 Edition, as published by the International Code Council, including Appendix Chapter A as the Official Property Maintenance Code of the City of Harrisonville, Missouri.

Regards,
Katie Phelps
Code Enforcement Officer and Building Inspector
816-380-8921

Attachment: Doc0377 (903 E. Pearl Street Staff Report)

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

3.B.e

For delivery information, visit our website at www.usps.com®.

CITY OF HARRISONVILLE

INTEGRITY MEETS INNOVATION

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To Wanda McIntyre
 Street and Apt. No., or PO Box No. 903 E Pearl
 City, State, ZIP+4® Harrisonville

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

LEGAL NOTICE
REGARDING APPEALS HEARING
TO BE HELD IN CONFERENCE ROOM AT CITY HALL

CITY OF HARRISONVILLE, 300 EAST PEARL ST. HARRISONVILLE, MISSOURI 64726
PROPERTY MAINTENANCE AND DANGEROUS STRUCTURES, CODE CASE NUMBER VAB-20-0005

TO:

WANDA MCINTYRE
903 E PEARL
HARRISONVILLE, MO 64701

THE PROPERTY AT:
903 E PEARL
HARRISONVILLE, MO. 64701
PARCEL# 13-21-41-104-000-083.000

YOU HAVE BEEN SERVED A DECLARATION OF NUISANCE, DANGEROUS BUILDING, AND NOTICE TO REPAIR OR DEMOLISH THE PROPERTY AT 903 E. PEARL ST., HARRISONVILLE, MO 64701. AS OF September 15, 2022, A PERMIT FOR REPAIR OR DEMOLITION HAS NOT BEEN ISSUED AND NO WORK HAS COMMENCED.

PURSUANT TO SECTION 510.070 OF THE CITY OF HARRISONVILLE CODE OF ORDINANCES, YOU ARE HEREBY GIVEN NOTICE OF A HEARING FOR ABATEMENT OF THE NUISANCE AND DANGEROUS BUILDING BEFORE THE BOARD OF BUILDING AND ENGINEERING APPEALS TO BE HELD ON OCTOBER 18, 2022 AT 6:00 p.m. YOU ARE ADVISED THAT ANY PERSON HAVING RECORD TITLE OR LEGAL INTEREST IN THIS STRUCTURE MAY APPEAR AT THE HEARING, MAY BE REPRESENTED BY COUNSEL, AND SHALL HAVE AN OPPORTUNITY TO BE HEARD. FAILURE TO APPEAR WILL CONSTITUTE A WAIVER TO ALL RIGHTS TO AN ADMINISTRATIVE HEARING AND DETERMINATION OF THIS MATTER.

Proceedings for review of the decision of the Board of Building and Engineering may be instituted by filing a petition in the County Circuit Court within thirty (30) days after the mailing or delivery of notice of the Board of Building And Engineering's final decision. Said appeal shall be filed in accordance with Chapter 536, RSMo., as amended.

Attachment: Doc0378 (903 E. Pearl Street Staff Report)

903 E Pearl

3.B.f



Attachment: Doc0379 (903 E. Pearl Street Staff Report)

03/16/2021 09:15



03/16/2021 09:14

Attachment: Doc0379 (903 E. Pearl Street Staff Report)

903 E Pearl

3.B.f



Attachment: Doc0379 (903 E. Pearl Street Staff Report)

03/16/2021 09:14

Packet Pg. 23



03/16/2021 09:13

OFFICIAL NOTICE

DELINQUENT REAL ESTATE TAX CERTIFICATE SALE

Cass County Collector's Office

Chris Molendorp, Collector

Attention:

City of Harrisonville
300 E Pearl St
PO Box 367
Harrisonville, MO 64701

Tax Payment Deadline is August 20th, 2021 @ 4:00p.m.

Tax Sale Auction is to be held on the north steps of the Cass County Courthouse, 102 Wall St. Harrisonville, MO
August 23rd, 2021 beginning at 10:00 am.

The property referenced below will be SOLD at public auction if the 2019 & Prior delinquent taxes, penalties and costs are not paid by August 20th, 2021.

Property owner name & mailing address:

Parcel number and legal description:

MCINTYRE, TOM L & WANDA M
903 E PEARL
HARRISONVILLE MO 64701

57-13-935100
13-21-41-104-000-083.000
PT LT 5 NE S OF PEARL N OF WALL
56.5'X200'
4 44 31 Book/Page 2171 1

TAX SALE #157

As the property owner, lien holder or interested party, you may pay the outstanding taxes, penalties and costs which will remove the property from the scheduled tax certificate sale. **Prior to remitting payment, please refer to your tax statement or contact our office for the required payment amount.**

Please remit payment to:

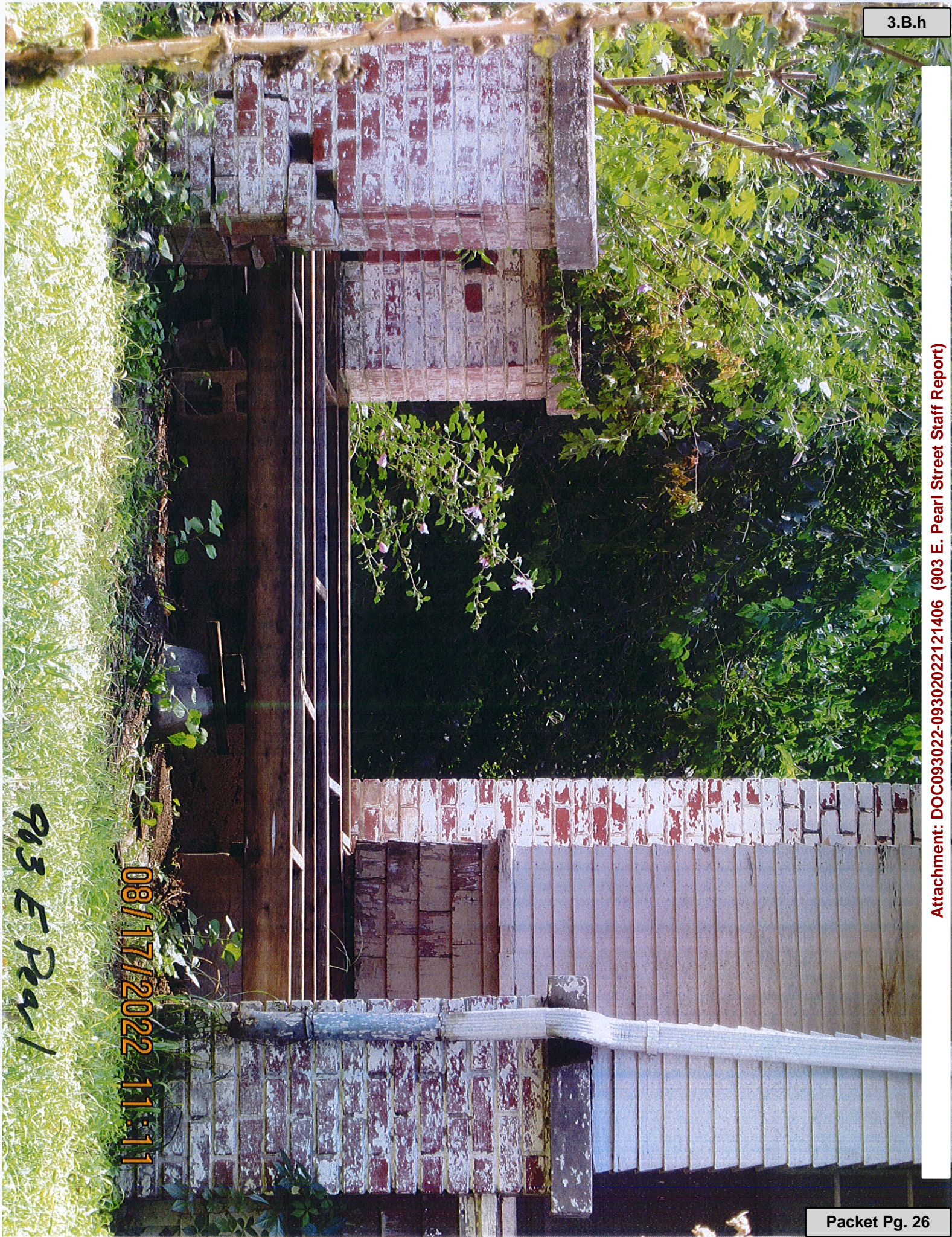
Chris Molendorp, Collector
2725 Cantrell Rd
Harrisonville, MO 64701

Phone: (816) 380-8377 Fax: (816) 380-8375

6/2/2021

GRP0157-47

Attachment: Doc0386 (903 E. Pearl Street Staff Report)



903 E Pearl

08/17/2022 11:11

08/17/2022 11:12





08/17/2022 11:08



08/17/2022 11:08

1027

Attachment: DOC093022-09302022121406 (903 E. Pearl Street Staff Report)



903 E Pearl

08/17/2022 11:08



Attachment: DOC093022-09302022121406 (903 E. Pearl Street Staff Report)

08/17/2022 11:08



Attachment: DOC093022-09302022121406 (903 E. Pearl Street Staff Report)

08/17/2022 11:08

903 E Pearl

08/17/2022 11:07

903 E Pearl



Attachment: DOC093022-09302022121601 (903 E. Pearl Street Staff Report)

03/29/2021 09:25

903 E Pearl

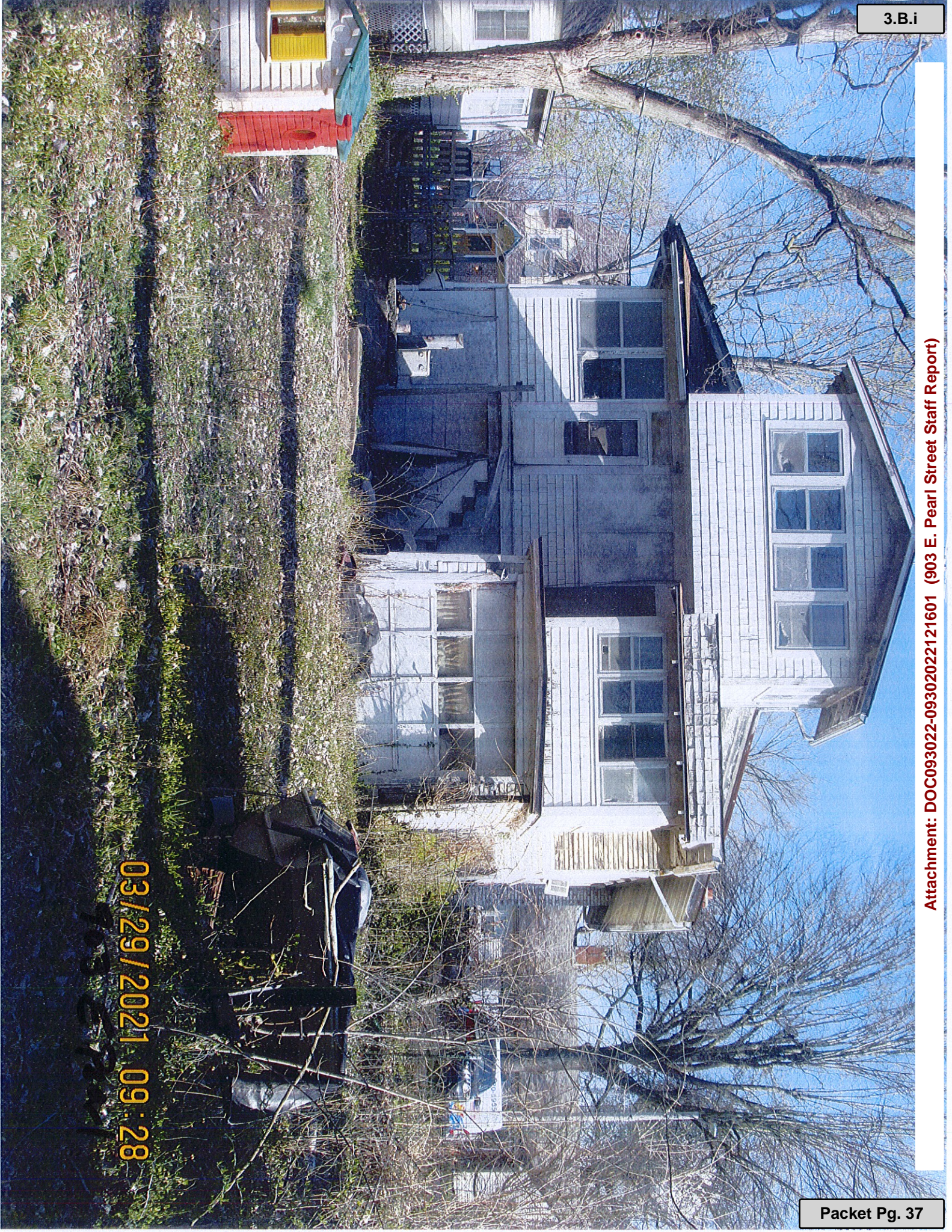


903 E Pearl
03/29/2021 09:28



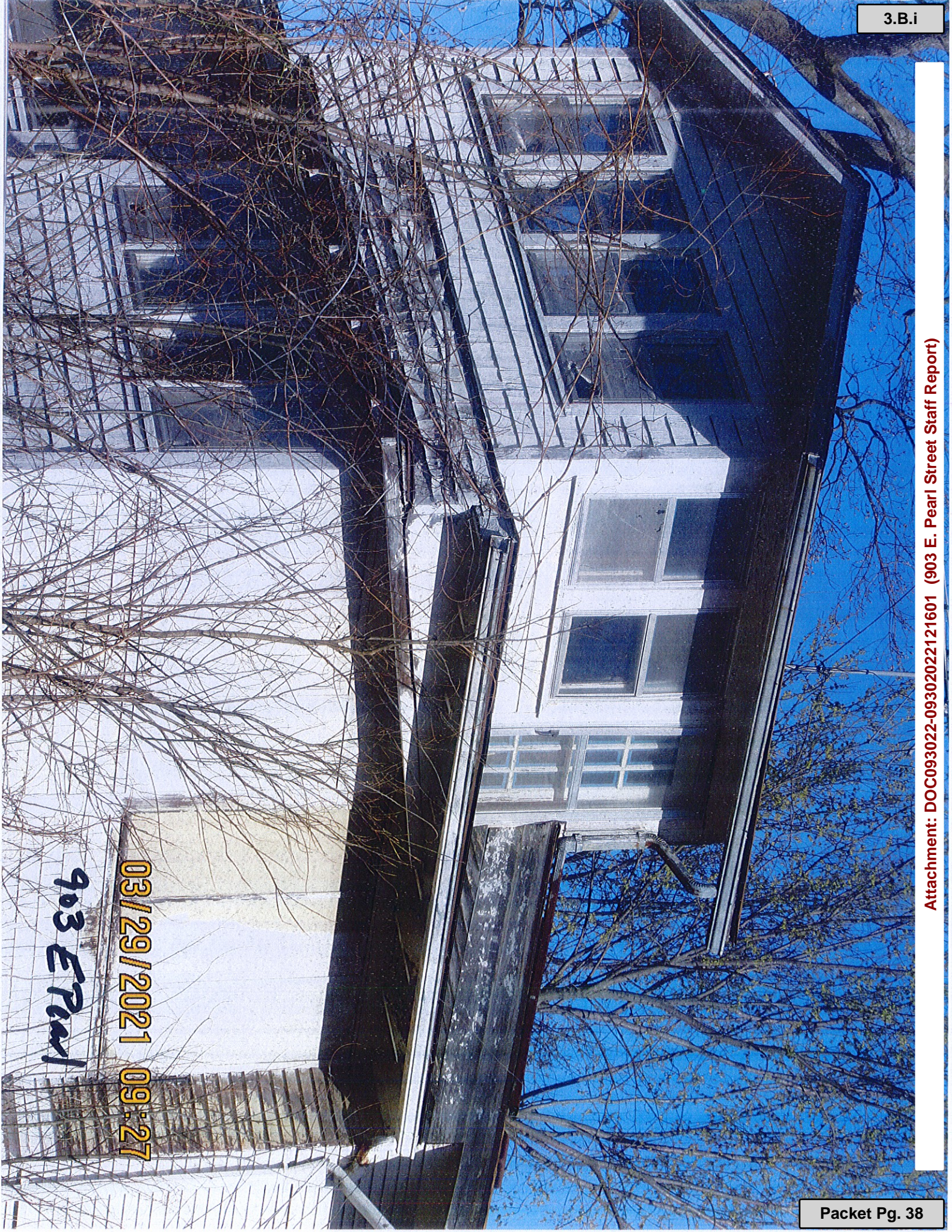
03/29/2021 09:28
903 E Pearl

03/29/2021 09:28



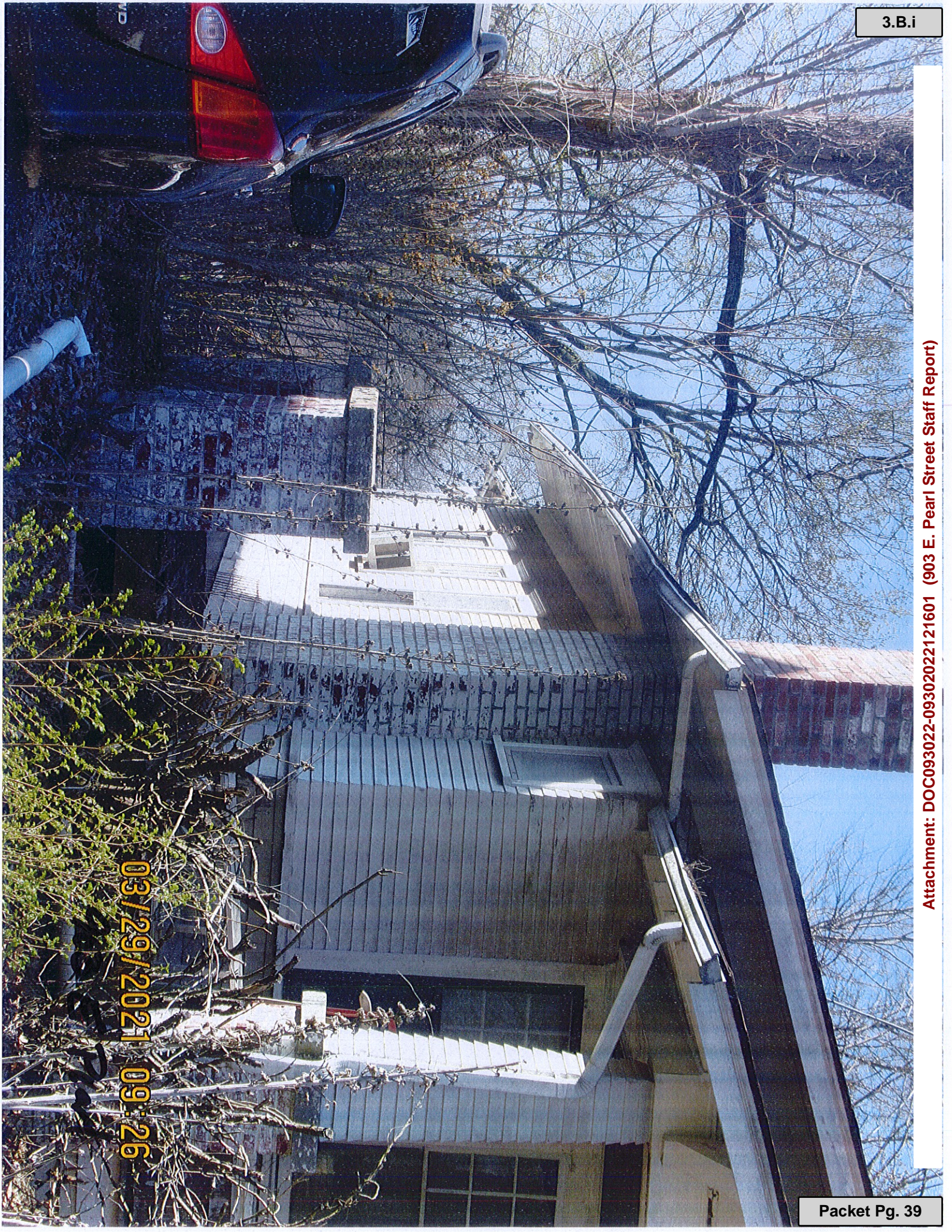
3.B.i

Attachment: DOC093022-09302022121601 (903 E. Pearl Street Staff Report)



903 E Pearl

03/29/2021 09:27



03/29/2021 09:26

DO NOT OCCUPY

CITY OF HARRISONVILLE

Whereas violations of Section _____ of the Building Code
 Section 108.1 of the Property Maintenance Code
 Section _____ of the Municipal Code
 have been found on these premises, and IT IS HEREBY ORDERED in accordance with the above code that
 all persons cease and desist from OCCUPYING or ENTERING the structure on these premises known as

903 E Pearl

All persons acting contrary to this order or removing or mutilating this notice are liable to arrest unless such action is authorized by the Codes Administration Department.

DATE 9/29/22

[Signature]

BUILDING OFFICIAL
816-380-8958

ANY UNAUTHORIZED PERSON REMOVING THIS SIGN WILL BE PROSECUTED

Attachment: Doc0389 (903 E. Pearl Street Staff Report)



TO: Board of Building and Engineering Appeals
FROM: Jamie Martin, Assistant
DATE: September 30, 2022
SUBJECT: 903 E. Pearl St - Public Hearing

Type of Item: *Public Hearing*

- C. Action Item (ID # 4338)**
903 E. Pearl St - Public Hearing



City of
Harrisonville^{est. 1836}
STAFF REPORT

TO: Board of Building and Engineering Appeals
FROM: Jamie Martin, Assistant
DATE: September 30, 2022
SUBJECT: 1205 South Independence - Staff Report

Type of Item: *Approval*

D. Action Item (ID # 4339)

1205 South Independence - Staff Report

Attachments:

Doc0390 (PDF)

Doc0391 (PDF)

Doc0392 (PDF)

DOC093022-09302022133053 (PDF)

DOC093022-09302022133142 (PDF)

DOC093022-09302022133215 (PDF)

DOC093022-09302022133235 (PDF)



City of

Harrisonville

est.
1836

300 E. Pearl Street, P.O. Box 367 • Tel: 816-380-8900 • Fax: 816-380-8906 • Harrisonville, MO 64701

To: Board of Building and Engineering Appeals (BBEA)
From: Katie Phelps, Housing and Zoning Specialist
Date: October 18, 2022
Re: 1205 S. Independence St., Dangerous Building Hearing

GENERAL INFORMATION

Applicant: N/A

Requested Actions: Determination of Finding and Order.

Date of Application: N/A

PROPOSAL

Request for Concurrence of Finding of Dangerous building at 1205 S. Independence St.

PREVIOUS ACTIONS

August 30, 2022, Interior inspection at request of PD
 August 30, 2022, Property posted Unsafe to Occupy
 August 31, 2022, Property added to Vacant, Abandoned, and Blighted List (VAB).
 August 31, 2022, Original violation letter sent
 September 22, 2022, Meeting with potential buyer (HomeVesters)

KEY ISSUES

BACKGROUND: The structure at 1205 S. Independence is, in the Codes Department's opinion, in serious disrepair and constitutes a public nuisance and a dangerous building. The structure has previously been issued a Dangerous Building order and has been listed Vacant, Abandoned, and Blighted since August 31, 2022. Specific violations are: Dangerous Building, Nuisance, including Attractive Nuisance, Property Maintenance, and Fire Code. The structure has been posted and legal notices have been published as required. Please see the attached.

STAFF COMMENTS AND SUGGESTIONS

SUBJECT: Hearing provided for by Article Section 510.080 of the City of Harrisonville Municipal Code., if the evidence supports a finding that the building or structure is a nuisance or detrimental to the health, safety or welfare of the residents of the City, the Board of Building and Engineering shall issue an order making specific findings of fact based upon competent and substantial evidence which shows the building or structure to be a nuisance and detrimental to the health, safety and welfare of the residents of the City and ordering the building or structure to be demolished and removed or repaired. If the evidence does not support a finding that the building or structure is a nuisance or detrimental to the health, safety, and welfare of the residents of the City, no order shall be issued.

Staff has done everything possible to try to work with deed holders to abate the structure. The property owner has been receptive to a potential sale and a closing date is set for October 14, 2022. Upon interior inspection the structure is a sanitary hazard and potential fire hazard. At some point the structure was separated into two residences (upper and lower). This separation has lost the legal non-conforming use for multifamily on April 5, 2022. The structure is still an attractive nuisance; a dangerous building due to damaged electrical elements and being sanitarly unfit for human occupancy. Municipal code 510.010 #1 through #10. Municipal code 220.020, 500.320, 500.330 and adopted IFC 311.1.1.

The potential buyers have met with both Chris Arthur, Building Official and Katie Phelps, Housing and Zoning Specialist to thoroughly discuss steps to bring the property into compliance and back to a single-family residence.

STAFF RECOMMENDATION

Staff recommends the Board of Building and Engineering Appeals, if the evidence supports such finding, to issue a finding that the building and structure is a nuisance and detrimental to the health, safety, and welfare of the residents of the City of Harrisonville.

ATTACHMENTS

Please see full attached report of all code case documents.

STAFF CONTACT: Katie Phelps, Housing and Zoning Specialist.

Attachment: Doc0390 (1205 South Independence - Staff Report)

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Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

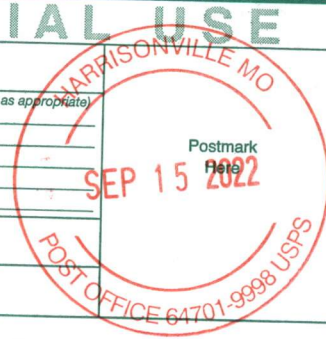
Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Postmark

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



CITY OF HARRISONVILLE

PROGRESS MEETS INNOVATION

LEGAL NOTICE

BOARD OF BUILDING AND ENGINEERING APPEALS HEARING

OCTOBER 18, 2022 AT 6:00 P.M. IN THE CONFERENCE ROOM AT CITY HALL

CITY OF HARRISONVILLE, 300 EAST PEARL ST. HARRISONVILLE, MISSOURI 64726

PROPERTY MAINTENANCE AND DANGEROUS STRUCTURES, CODE CASE NUMBER PM-22-0079/
VAB-22-0012

TO:

LAURA MARIE TAYLOR
1205 S INDEPENDENCE
HARRISONVILLE, MO 64701

THE PROPERTY AT:
1205 S INDEPENDENCE
HARRISONVILLE, MO. 64701
PARCEL# 13-21-41-304-000-111.000

YOU HAVE BEEN SERVED A DECLARATION OF NUISANCE, DANGEROUS BUILDING, AND NOTICE TO REPAIR OR DEMOLISH THE PROPERTY AT 1205 S. INDEPENDENCE ST., HARRISONVILLE, MO 64701. AS OF September 15, 2022, A PERMIT FOR REPAIR OR DEMOLITION HAS NOT BEEN ISSUED AND NO WORK HAS COMMENCED.

PURSUANT TO SECTION 510.070 OF THE CITY OF HARRISONVILLE CODE OF ORDINANCES, YOU ARE HEREBY GIVEN NOTICE OF A HEARING FOR ABATEMENT OF THE NUISANCE AND DANGEROUS BUILDING BEFORE THE BOARD OF BUILDING AND ENGINEERING APPEALS TO BE HELD ON OCTOBER 18, 2022 AT 6:00 p.m. YOU ARE ADVISED THAT ANY PERSON HAVING RECORD TITLE OR LEGAL INTEREST IN THIS STRUCTURE MAY APPEAR AT THE HEARING, MAY BE REPRESENTED BY COUNSEL, AND SHALL HAVE AN OPPORTUNITY TO BE HEARD. FAILURE TO APPEAR WILL CONSTITUTE A WAIVER TO ALL RIGHTS TO AN ADMINISTRATIVE HEARING AND DETERMINATION OF THIS MATTER.

Proceedings for review of the decision of the Board of Building and Engineering may be instituted by filing a petition in the County Circuit Court within thirty (30) days after the mailing or delivery of notice of the Board of Building And Engineering's final decision. Said appeal shall be filed in accordance with Chapter 536, RSMo., as amended.

Attachment: Doc0391 (1205 South Independence - Staff Report)



Harrisonville

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 Fax: (816) 380-8906
 www.harrisonville.com
 www.ecode360/HA3317

August 31, 2022

1205 S INDEPENDENCE
 HARRISONVILLE, MO 64701-0000

RE: Code Compliance Case No. PM-22-0079

LAURA TAYLOR

Location : 1205 S INDEPENDENCE , HARRISONVILLE MO

Complaint Description:

THIS HOUSE IS UNSAFE FOR HUMAN OCCUPANCY. BROKEN EXTERIOR DOORS THAT DO NOT CLOSE, HOUSE IS FULL OF GARBAGE, UNSAFE WIRING AND EQUIPMENT, GENERAL INTERIOR AND EXTERIOR ARE UNSANITARY, EXTERIOR STAIRWELL AND DECK IS UNSAFE, ACCESSORY STRUCTURES ARE IN DISREPAIR
 IPMC 2018

108.1 GENERAL UNSAFE STRUCTURES AND EQUIPMENT
 108.1.1 UNSAFE STRUCTURES
 108.1.2 UNSAFE EQUIPMENT
 108.1.3 STRUCTURE UNFIT FOR HUMAN OCCUPANCY
 301.2 RESPONSIBILITY OF OWNER
 302.1 SANITATION
 302.7 ACCESSORY STRUCTURES
 304.1 GENERAL EXTERIOR VIOLATIONS
 304.2 PROTECTIVE TREATMENT
 304.3 PREMISES IDENTIFICATION
 304.10 STAIRWAYS, DECKS, PORCHES, AND BALCONIES
 304.13 WINDOW, SKYLIGHT, AND DOOR FRAMES
 304.15 DOORS
 305.1 GENERAL INTERIOR VIOLATIONS
 305.3 INTERIOR SURFACES
 305.4 STAIRS AND WALKING SURFACES
 604.3 ELECTRICAL SYSTEM HAZARDS
 605.1 ELECTRICAL EQUIPMENT INSTALLATION

NOTICE OF VIOLATION. THIS PROPERTY HAS BEEN OBSERVED TO BE IN VIOLATION OF THE BELOW MUNICIPAL ORDINANCE AND REQUIRES COMPLIANCE WITHIN THIRTY CALENDAR DAYS FROM THE DATE OF THIS NOTICE.

TITLE 5 BUILDING AND CONSTRUCTION - CHAPTER 510 DANGEROUS STRUCTURES/REPAIR OR DEMOLITION OF CERTAIN STRUCTURES - SECTION 510.010 DANGEROUS STRUCTURES [Ord. No. 2903 §§1 — 3, 3-7-2005]

Attachment: Doc0392 (1205 South Independence - Staff Report)



Harrisonville

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A. Defined. All buildings or structures, including accessory structures, which are detrimental to the health, safety or welfare of the residents of the City and that, have any or all of the following defects shall be deemed "dangerous buildings".

1. Those with interior walls or other vertical structural members that list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base.
2. Those that, exclusive of the foundation, show thirty-three percent (33%) or more damage or deterioration of the supporting members or fifty percent (50%) damage or deterioration of the non-supporting members enclosing or outside walls or covering.
3. Those that have improperly distributed loads upon the floors or roofs, or in which the same are overloaded, or that have insufficient strength to be reasonably safe for the purpose intended.
4. Those that have been damaged by fire, wind or other causes so as to become dangerous to life, safety or the general health and welfare of the occupants or people of the City.
5. Those that are so dilapidated, decayed, unsafe, unsanitary or that so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to cause injury to the health, morals, safety or general welfare of those living therein.
6. Those having light, air and sanitation facilities that are inadequate to protect the health, safety, or general welfare of human beings who live or may live therein.
7. Those having inadequate facilities for egress in case of fire or panic, or those having insufficient stairways, elevators, fire escapes or other means of evacuation.
8. Those that have parts thereof which are so attached that they may fall and injure members of the public or property.
9. Those that because of their condition is unsafe, unsanitary, or dangerous to the health, safety or general welfare of the people of this City.
10. Those buildings existing in violation of any provision of the Building Code of this City, or any provision of the International Fire Code, National Electric Code or any other ordinance of this City.

[Ord. No. 3238 §1, 8-5-2013]

B. Dangerous Building Declared Nuisance. All dangerous buildings, as defined in Subsection (A), are hereby declared to be public nuisances, and shall be repaired, vacated and repaired, or demolished as provided in Subsection (C).

C. Standards For Repair, Vacation Or Demolition. The following standards shall be followed in substance by the Director of Community Development or his/her designee in ordering repair, vacation, or demolition of any dangerous building.

[Ord. No. 3238 §2, 8-5-2013]

1. If the dangerous building reasonably can be repaired so that it no longer will exist in violation of the terms of this Section, it shall be repaired.
2. If the dangerous building is in condition as to make it dangerous to the health, safety or general welfare of its occupants, it shall be ordered to be vacated and repaired.
3. In all cases where a building cannot be repaired so that it no longer will exist in violation of the terms of this Section, it shall be demolished.
4. In all cases where a dangerous building is a fire hazard, existing or erected in violation of the terms of this Section or any Section of the Code of Ordinances or Statute of the State of Missouri, it shall be repaired or demolished.

TITLE 2 PUBLIC HEALTH, SAFETY AND WELFARE - CHAPTER 240 GARBAGE AND REFUSE - ARTICLE 4 RESIDENTIAL SOLID WASTE MANAGEMENT SYSTEM - SECTION 240.260 RESPONSIBILITIES OF OWNER, OCCUPANT [CC 1977 §14-69; Ord. No. 1223 §5, 8-22-1979; Ord. No. 2670 §1, 10-9-2000]



Harrisonville

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The occupant of every dwelling unit producing solid waste within the corporate limits of the City shall provide adequate and sufficient approved disposable or non-disposable containers for the storage of all solid waste, except bulky rubbish, and maintain such solid waste containers in good repair and the area surrounding them in a clean, neat and sanitary condition at all times. Containers shall be leakproof and waterproof. Containers which are to be manually lifted shall not exceed fifty-five (55) gallons in capacity, except that fifty-five (55) gallon metal or fiber barrels are not approved containers. Non-disposable solid waste containers which are not approved as outlined above will be collected, together with their contents, and disposed of. The weight of any individual container and contents shall not exceed sixty-five (65) pounds. Waste containers shall be placed at the curb line or at the roadway but the householder shall not place or allow said garbage or rubbish or solid waste container or bulky rubbish to be placed there prior to 5:00 P.M. on the day preceding the collection of same and shall not leave such solid waste container or bulky rubbish in front of the building line after 9:00 P.M. on the day of collection.

Except for the aforementioned times, all solid waste containers and bulky rubbish not kept or stored inside Dwelling Units, Garages, or Accessory Building structures and kept or stored outside in front yards or side yards shall be a maximum of 2 (two) feet from the front walls or side walls of the Dwelling Unit, Garage, or Accessory Building structure.

All bulky rubbish, except for trees, branches, or stumps, shall be collected and/or removed within 1 (one) day of being kept or stored outside. Trees, branches, or stumps shall be collected and/or removed within 7 (seven) days.

TITLE 2 PUBLIC HEALTH, SAFETY AND WELFARE - CHAPTER 220 NUISANCES - ARTICLE 1 GENERALLY - SECTION 220.020 ENUMERATION [CC 1977 §16-18; Rev. Ords. 1939 Ch. 17 Art. 1 §§21, 45 Art. 3 §§1— 3; Ord. No. 2284 §1, 8-26-1996; Ord. No. 2512 §1, 6-22-1998; Ord No. 2907 §§1 — 2, 3-7-2005; Ord. No. 2914 §1, 4-18-2005; Ord. No. 3072 §1, 2-2-2009]

A. The following are hereby declared, defined and deemed to be nuisances for the purposes of this Article; provided however, that the following shall not be deemed to be exclusive:

1. All substances which emit or cause foul, obnoxious, unhealthful or disagreeable odor or effluvia in the neighborhood where they exist.
2. All carcasses of animals remaining exposed for twelve (12) hours after death.
3. Any growth of weeds, grasses or bushes to a greater height than twelve (12) inches; provided that this shall not apply to planted and cultivated flowers, shrubbery or other landscaping.
Exception: In agricultural zoned properties, or properties used for agricultural, there shall be no weeds, grasses or bushes over twelve (12) inches in height a minimum distance of twenty (20) feet from any adjoining property line, street or alley.
4. All slop, foul or dirty water, filth, refuse or offal discharged in or upon any street, avenue, sidewalk, alley, park, public square or public enclosure or allowed to accumulate there or in a pond or pool.
5. All articles or things whatsoever caused, kept, maintained or permitted by any person to the injury, inconvenience, danger, detriment or annoyance of the public health, safety or welfare.
6. The keeping or allowing to remain on any premises any trees, shrubs or other vegetation infected with fungus or other diseases that will or might spread to other non-infected trees, shrubs or other vegetation.
7. Any silt caused by water flows which is deposited on downstream property thereby covering or obstructing land, including land normally covered by standing water.
8. Any writing, painting, drawing, marking, inscription, or figure of the type which a reasonable person would deem "graffiti" upon any wall, rock, bridge, building, fence, gate, other structure, tree or other real or personal property, either publicly or privately owned within the City.

TITLE 2 PUBLIC HEALTH, SAFETY AND WELFARE, CHAPTER 240 GARBAGE AND REFUSE, ARTICLE 2 COLLECTION REGULATIONS, SECTION 240.040 ACCUMULATION OF REFUSE ON PREMISES [CC 1977 §14-17; Ord. No. 666 §4, 1-19-1966]

It shall be unlawful for any household or business establishment to permit the accumulation of refuse upon his/her premises in such a manner as to create a public nuisance or so as to create any unsanitary or unsightly condition.



Harrisonville

300 E. Pearl Street
 PO BOX 367
 Harrisonville, MO 64701
 Phone: (816) 380-8958
 Fax: (816) 380-8906
www.harrisonville.com
www.ecode360/HA3317

**TITLE 5 BUILDING & CONSTRUCTION - CHAPTER 500 BUILDING AND PROPERTY MAINTENANCE CODES -
 ARTICLE 8 PROPERTY MAINTENANCE CODE - 500.320 ADOPTION OF STANDARDS [Ord. No. 3503, 8-3-2020]**

The City hereby adopts the International Property Maintenance Code, 2018 Edition, as published by the International Code Council, including Appendix Chapter A as the Official Property Maintenance Code of the City of Harrisonville, Missouri.

SECTION 100.200 GENERAL PENALTY - CONTINUING VIOLATIONS

A.
 Whenever in this Code or in any ordinance of the City any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or ordinance shall be punished by a fine of not exceeding five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or by both such fine and imprisonment; provided however, that in any case wherein the penalty for an offense is fixed by any State law or Statute, the same penalty so fixed by State law or Statute shall be imposed for the punishment of such offense and no other, except that imprisonments, when made under this Section, may be in the City Jail instead of the County Jail.

B.
 Each day any violation of any provision of this Code or of any such ordinance shall continue shall constitute a separate offense.

C.
 In addition to the penalty set out in Subsection (A), any condition caused or permitted to exist in violation of any of the provisions of this Code or any such ordinance shall be deemed a public nuisance and may be, by the City, abated as provided by law and each day that such condition continues shall be regarded as a new and separate offense.

PROPERTY OWNERS HAVE THE RIGHT TO A HEARING AFTER 10 DAYS' NOTICE THEREOF. IF NO REPRESENTATIVE IS PRESENT AT THE LISTED HEARING DATE, AND THE VIOLATIONS ARE NOT BROUGHT INTO COMPLIANCE, THE CITY CAN ABATE THE VIOLATION OR REQUIRE AN APPEARANCE IN COURT. IF A SECOND VIOLATION OCCURS WITHIN ONE CALENDAR YEAR, NO HEARING WILL BE SCHEDULED.

THE HEARING DATE FOR THIS VIOLATION IS N/A AT 9:00 AM

City of Harrisonville Municipal Ordinance may be viewed at www.harrisonville.com or www.ecode360.com/HA3317

Thank you for your cooperation in resolving this matter.

Regards,
 KATIE PHELPS
 Code Enforcement Officer and Building Inspector
 816-380-8921

08/30/2022 13:14

Attachment: DOC093022-09302022133053 (1205 South Independence - Staff Report)

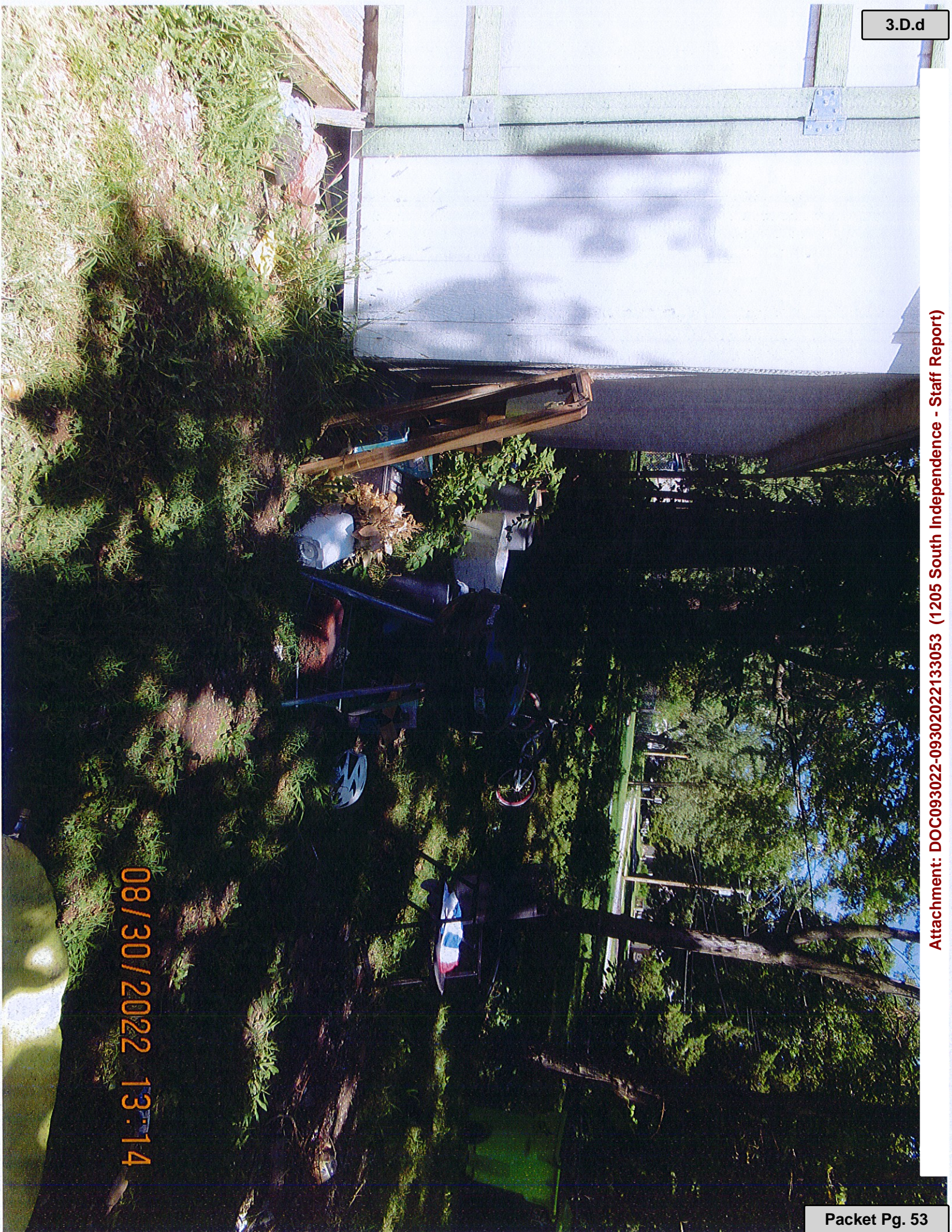




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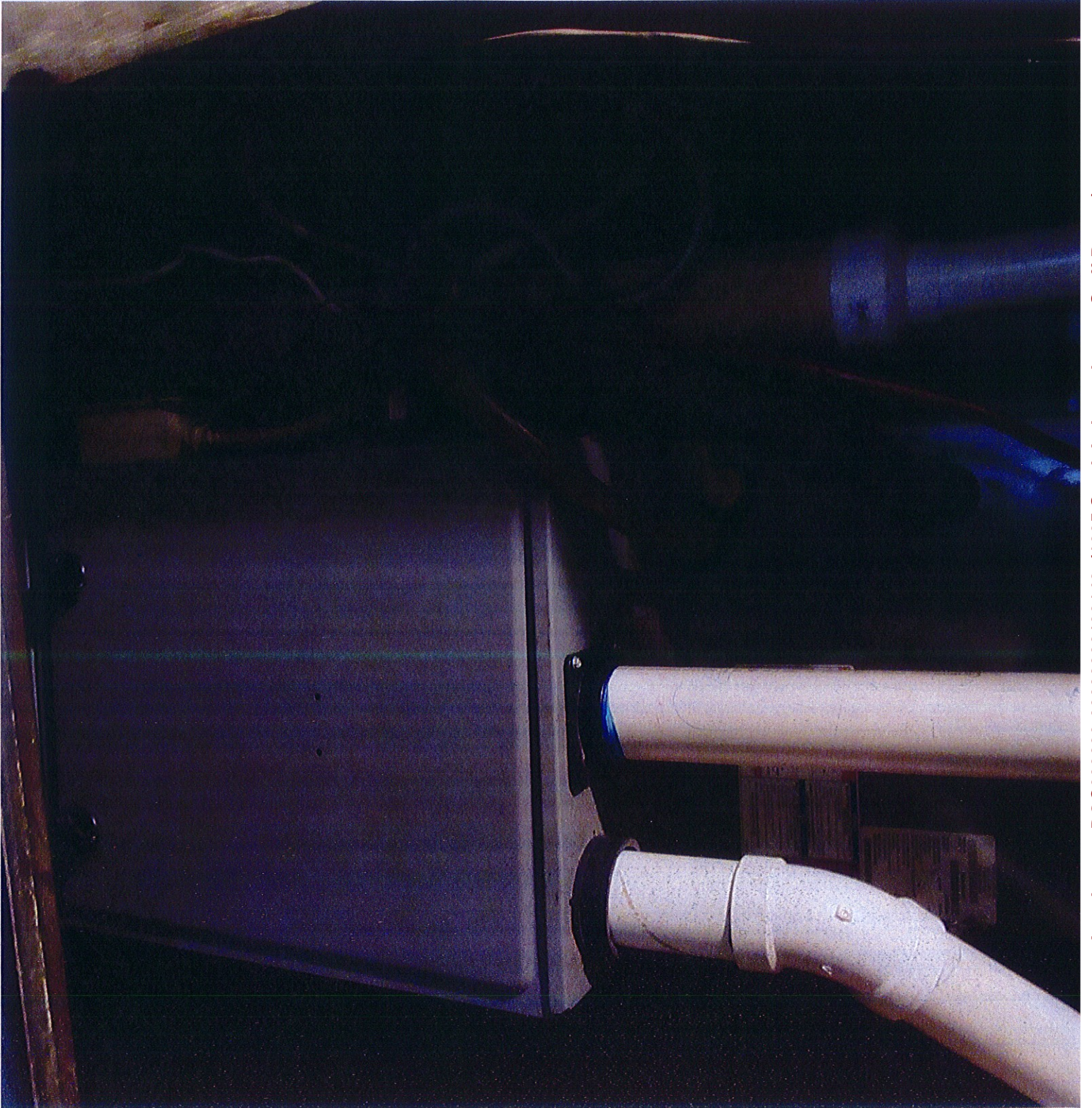


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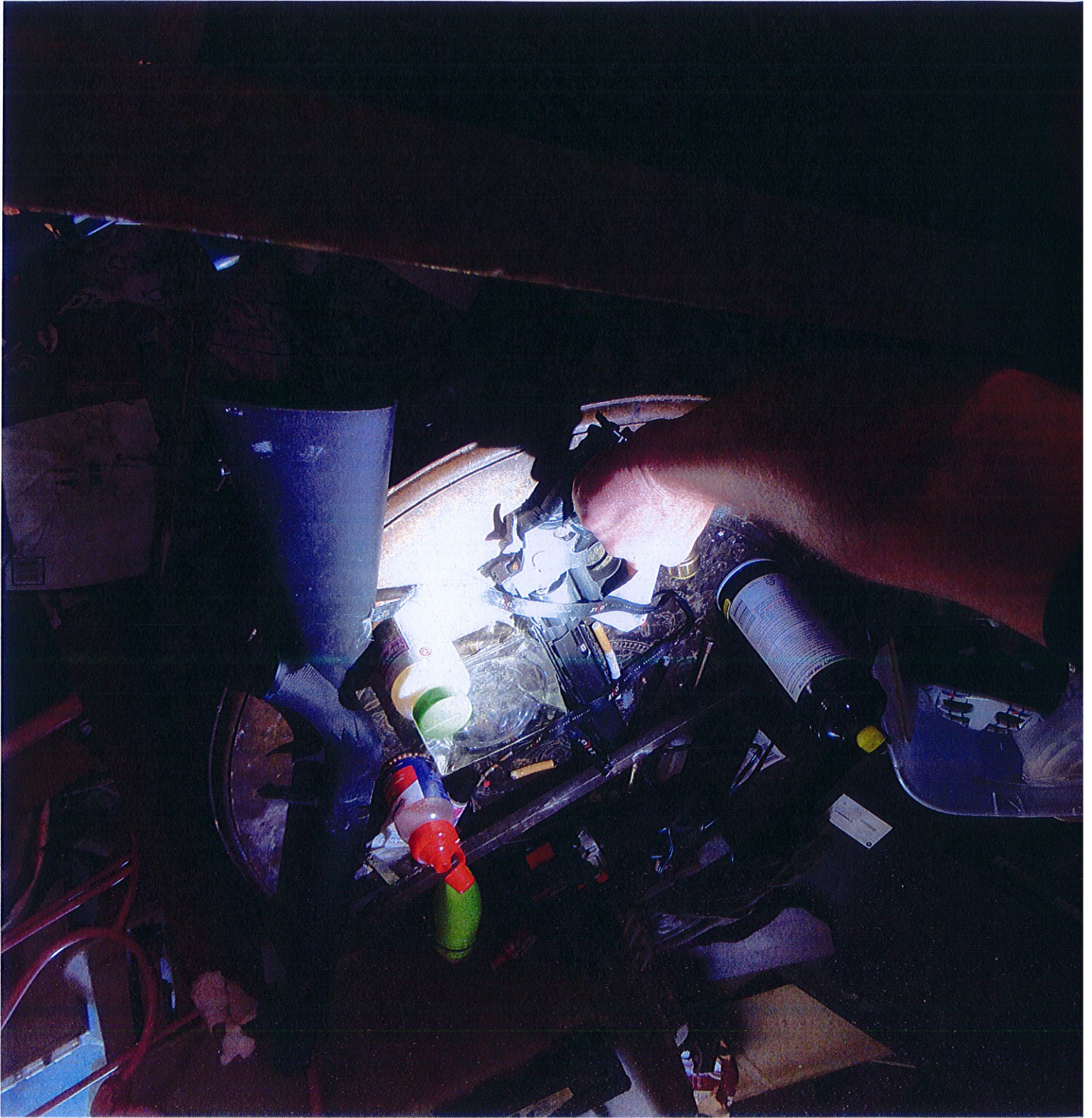
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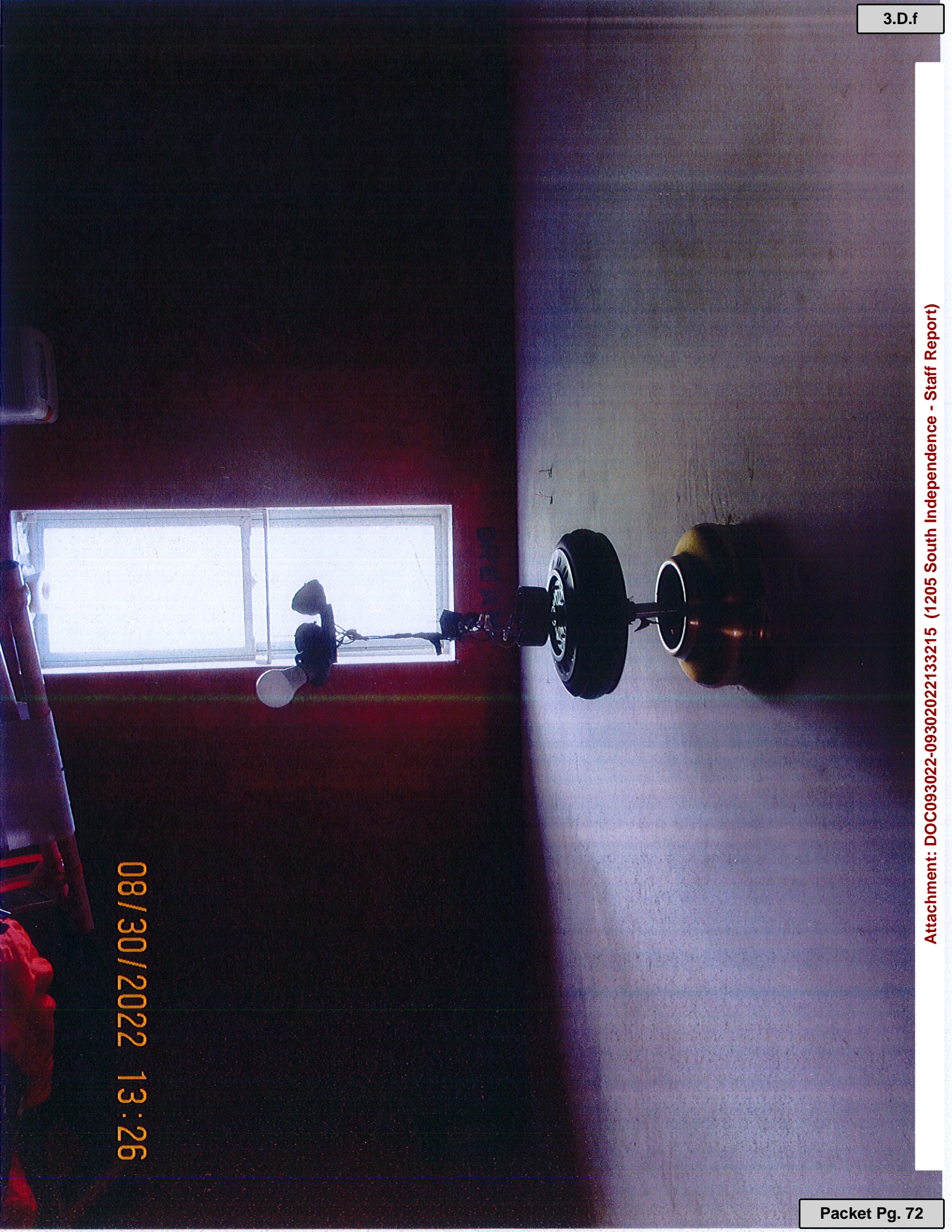
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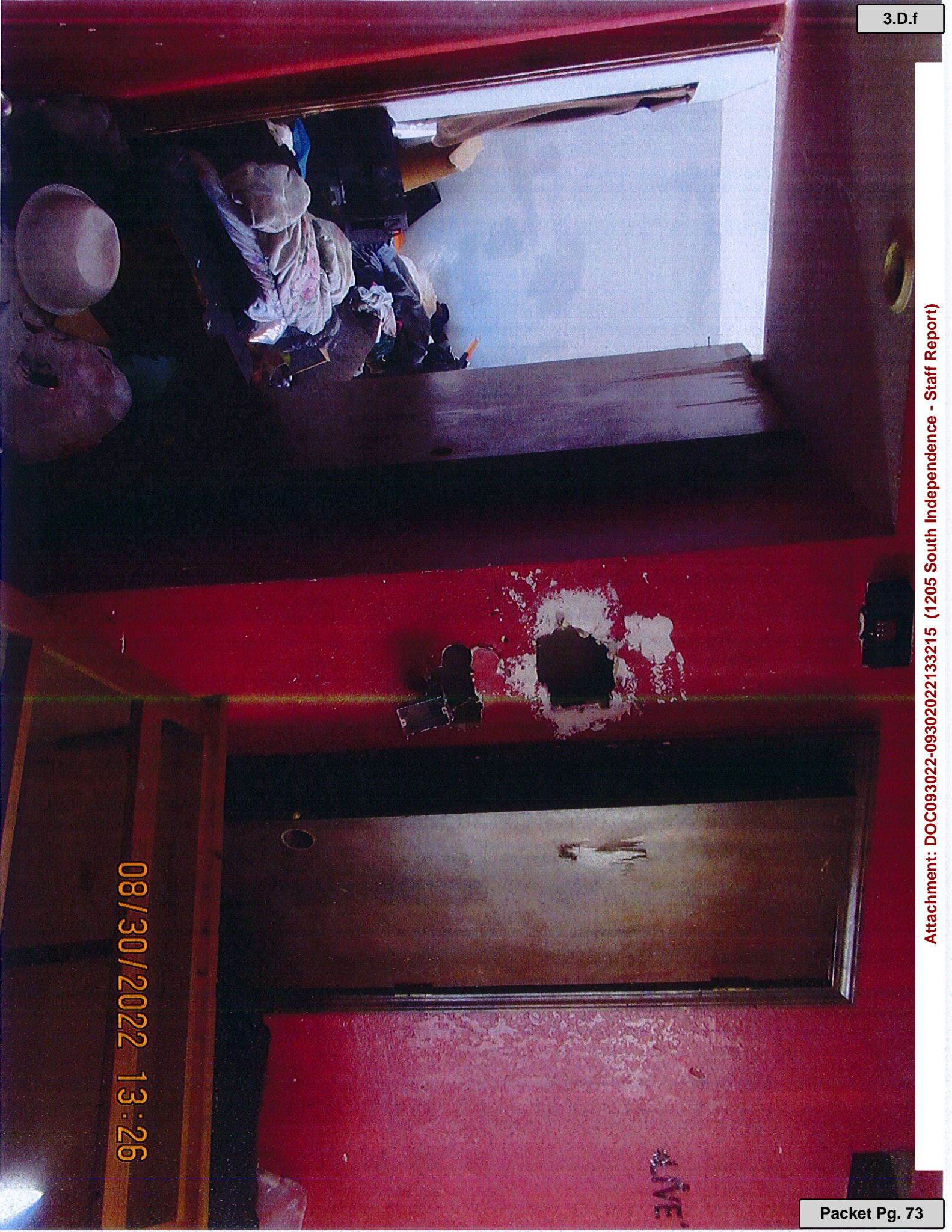
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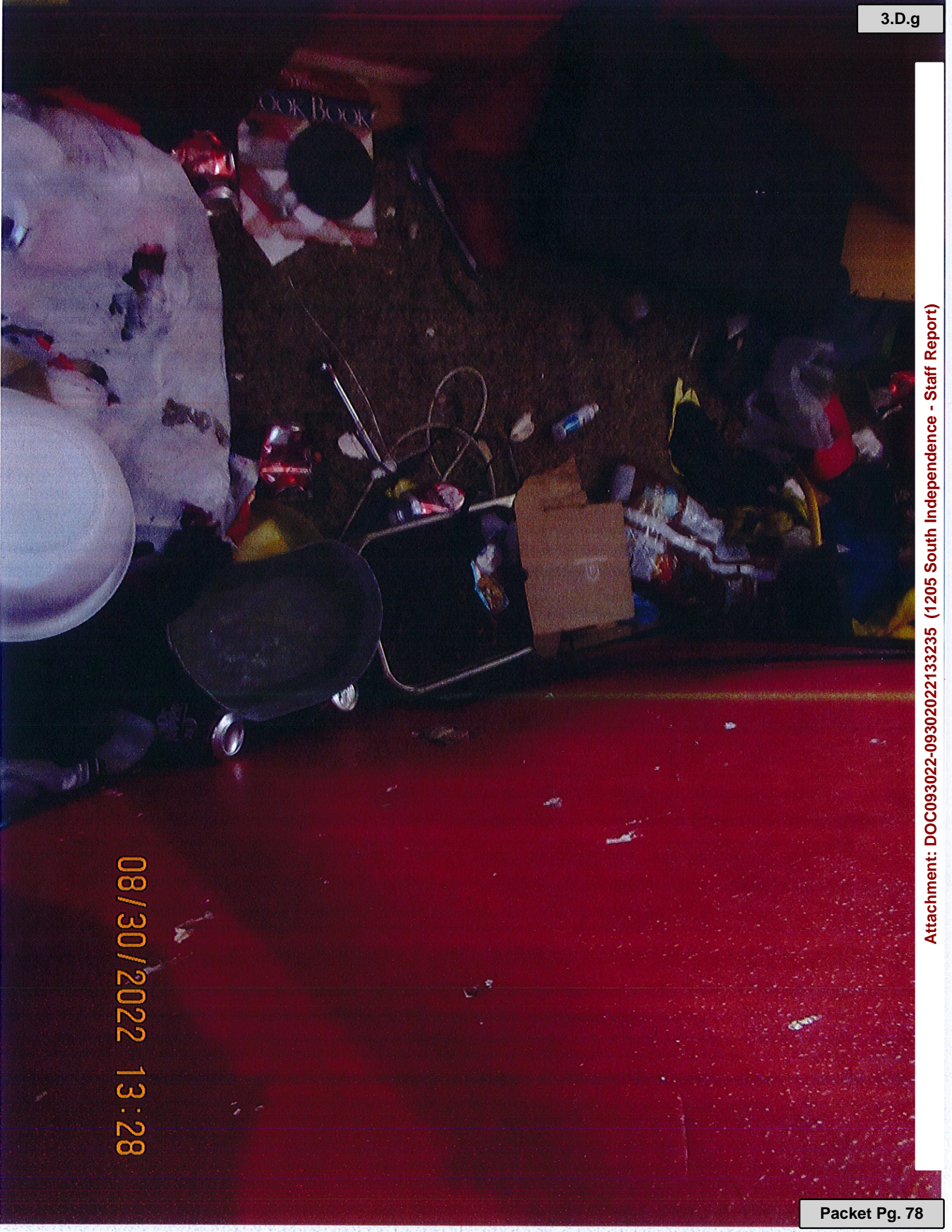
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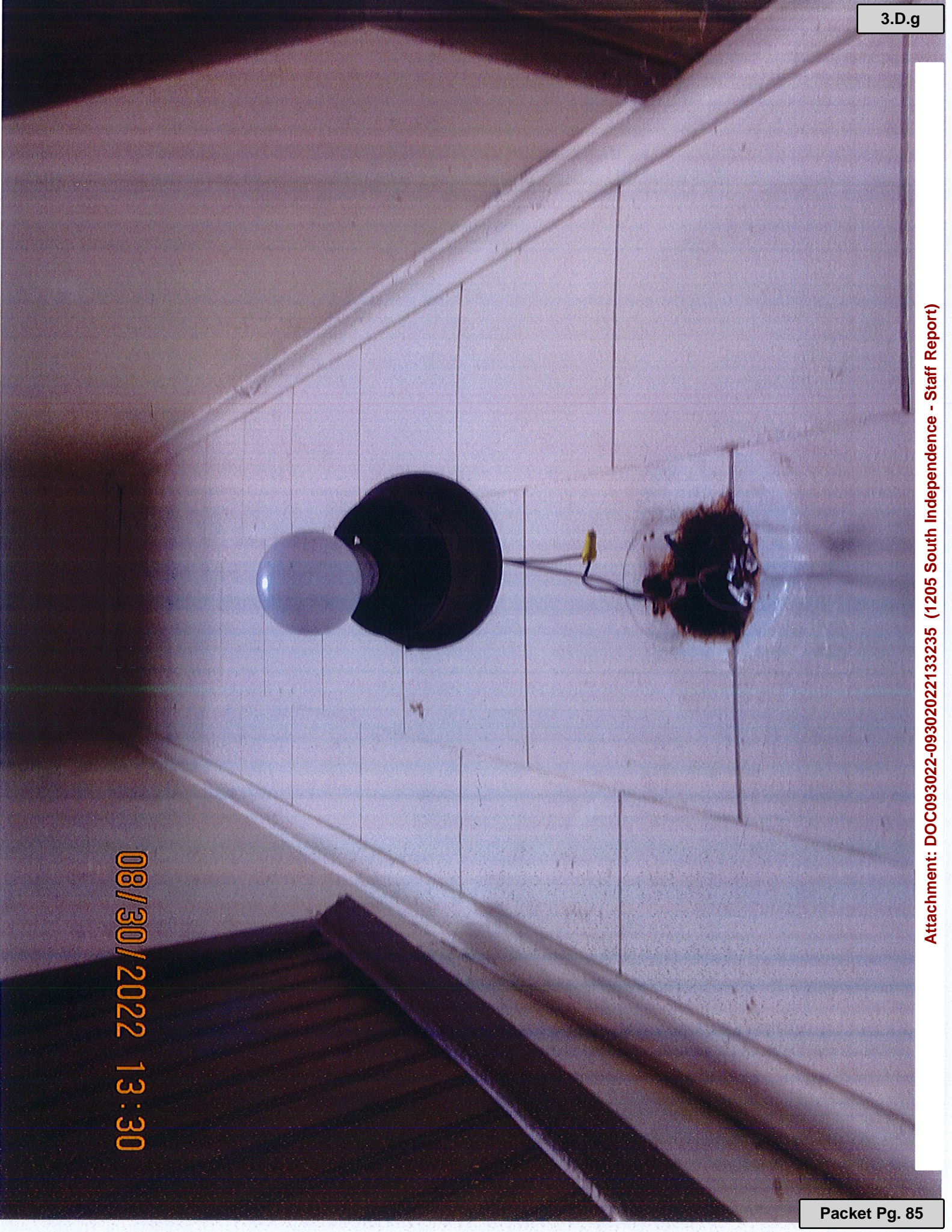
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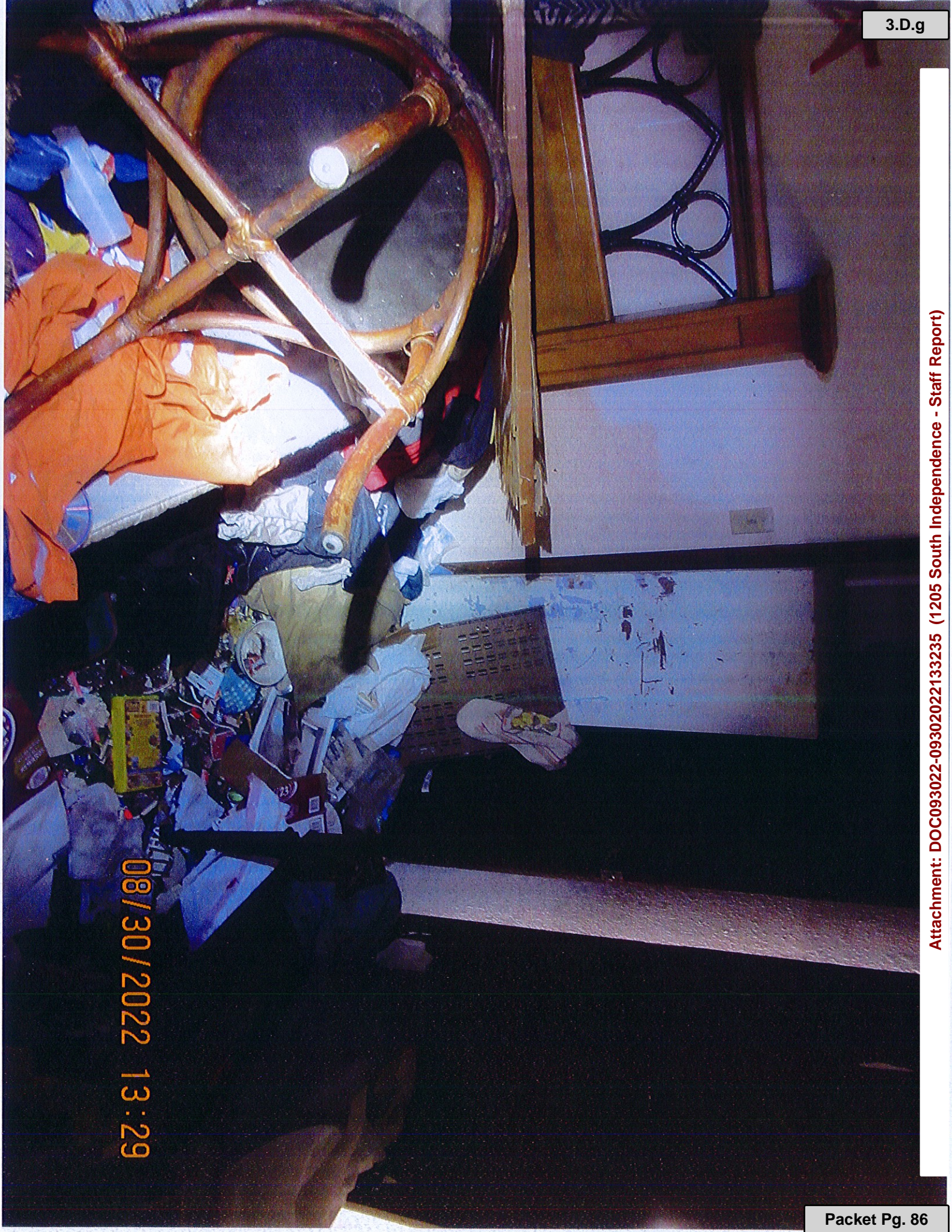
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TO: Board of Building and Engineering Appeals
FROM: Jamie Martin, Assistant
DATE: September 30, 2022
SUBJECT: 1205 S. Independence - Public Hearing

Type of Item: *Public Hearing*

- E. Action Item (ID # 4340)**
1205 S. Independence - Public Hearing