

CONFERENCE COMMITTEE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1553

AN ACT

To repeal sections 50.660, 50.783, 67.281, 72.401, 82.300, 82.1025, 82.1027, 82.1028, 82.1029, 82.1030, 94.579, 99.805, 99.825, 162.481, 182.802, 349.045, and 483.140, RSMo, and to enact in lieu thereof nineteen new sections relating to political subdivisions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Section A. Sections 50.660, 50.783, 67.281, 72.401, 82.300, 82.1025, 82.1027, 82.1028, 82.1029, 82.1030, 94.579, 99.805, 99.825, 162.481, 182.802, 349.045, and 483.140, RSMo, are repealed and nineteen new sections enacted in lieu thereof, to be known as sections 50.660, 50.783, 67.281, 72.401, 82.300, 82.1025, 82.1027, 82.1028, 82.1029, 82.1030, 94.579, 99.805, 99.825, 137.133, 162.481, 182.802, 349.045, 483.140, and 1, to read as follows:

50.660. 1. All contracts shall be executed in the name of the county, or in the name of a township in a county with a township form of government, by the head of the department or officer concerned, except contracts for the purchase of supplies, materials, equipment or services other than personal made by the officer in charge of purchasing in any county or township having the officer. No contract or order imposing any financial obligation on the county or township is binding on the county or

1 township unless it is in writing and unless there is a balance  
2 otherwise unencumbered to the credit of the appropriation to  
3 which it is to be charged and a cash balance otherwise  
4 unencumbered in the treasury to the credit of the fund from which  
5 payment is to be made, each sufficient to meet the obligation  
6 incurred and unless the contract or order bears the certification  
7 of the accounting officer so stating; except that in case of any  
8 contract for public works or buildings to be paid for from bond  
9 funds or from taxes levied for the purpose it is sufficient for  
10 the accounting officer to certify that the bonds or taxes have  
11 been authorized by vote of the people and that there is a  
12 sufficient unencumbered amount of the bonds yet to be sold or of  
13 the taxes levied and yet to be collected to meet the obligation  
14 in case there is not a sufficient unencumbered cash balance in  
15 the treasury. All contracts and purchases shall be let to the  
16 lowest and best bidder after due opportunity for competition,  
17 including advertising the proposed letting in a newspaper in the  
18 county or township with a circulation of at least five hundred  
19 copies per issue, if there is one, except that the advertising is  
20 not required in case of contracts or purchases involving an  
21 expenditure of less than six thousand dollars. It is not  
22 necessary to obtain bids on any purchase in the amount of four  
23 thousand five hundred dollars or less made from any one person,  
24 firm or corporation during any period of ninety days or, if the  
25 county is any county of the first classification with more than  
26 one hundred fifty thousand but fewer than two hundred thousand  
27 inhabitants, [or] any county of the first classification with  
28 more than two hundred sixty thousand but fewer than three hundred  
29 thousand inhabitants, or any county with more than seventy-five  
30 thousand but fewer than one hundred thousand inhabitants and with

1 a city of the fourth classification with more than seventeen  
2 thousand but fewer than nineteen thousand inhabitants as the  
3 county seat, it is not necessary to obtain bids on such purchases  
4 in the amount of six thousand dollars or less. All bids for any  
5 contract or purchase may be rejected and new bids advertised for.  
6 Contracts which provide that the person contracting with the  
7 county or township shall, during the term of the contract,  
8 furnish to the county or township at the price therein specified  
9 the supplies, materials, equipment or services other than  
10 personal therein described, in the quantities required, and from  
11 time to time as ordered by the officer in charge of purchasing  
12 during the term of the contract, need not bear the certification  
13 of the accounting officer, as herein provided; but all orders for  
14 supplies, materials, equipment or services other than personal  
15 shall bear the certification. In case of such contract, no  
16 financial obligation accrues against the county or township until  
17 the supplies, materials, equipment or services other than  
18 personal are so ordered and the certificate furnished.

19 2. Notwithstanding the provisions of subsection 1 of this  
20 section to the contrary, advertising shall not be required in any  
21 county in the case of contracts or purchases involving an  
22 expenditure of less than six thousand dollars.

23 50.783. 1. The county commission may waive the requirement  
24 of competitive bids or proposals for supplies when the commission  
25 has determined in writing and entered into the commission minutes  
26 that there is only a single feasible source for the supplies.  
27 Immediately upon discovering that other feasible sources exist,  
28 the commission shall rescind the waiver and proceed to procure  
29 the supplies through the competitive processes as described in  
30 this chapter. A single feasible source exists when:

1 (1) Supplies are proprietary and only available from the  
2 manufacturer or a single distributor; or

3 (2) Based on past procurement experience, it is determined  
4 that only one distributor services the region in which the  
5 supplies are needed; or

6 (3) Supplies are available at a discount from a single  
7 distributor for a limited period of time.

8 2. On any single feasible source purchase where the  
9 estimated expenditure is three thousand dollars or over, the  
10 commission shall post notice of the proposed purchase. Where the  
11 estimated expenditure is five thousand dollars or over, the  
12 commission shall also advertise the commission's intent to make  
13 such purchase in at least one daily and one weekly newspaper of  
14 general circulation in such places as are most likely to reach  
15 prospective bidders or offerors and may provide such information  
16 through an electronic medium available to the general public at  
17 least ten days before the contract is to be let.

18 3. Notwithstanding subsection 2 of this section to the  
19 contrary, on any single feasible service purchase by:

20 (1) Any county of the first classification with more than  
21 one hundred fifty thousand but fewer than two hundred thousand  
22 inhabitants; [or]

23 (2) Any county of the first classification with more than  
24 two hundred sixty thousand but fewer than three hundred thousand  
25 inhabitants; or

26 (3) Any county with more than seventy-five thousand but  
27 fewer than one hundred thousand inhabitants and with a city of  
28 the fourth classification with more than seventeen thousand but  
29 fewer than nineteen thousand inhabitants as the county seat;

30 where the estimated expenditure is six thousand dollars or over,

1 the commission shall post notice of the proposed purchase and  
2 advertise the commission's intent to make such purchase in at  
3 least one daily and one weekly newspaper of general circulation  
4 in such places as are most likely to reach prospective bidders or  
5 offerors and may provide such information through an electronic  
6 medium available to the general public at least ten days before  
7 the contract is to be let.

8 67.281. 1. A builder of one- or two-family dwellings or  
9 townhouses shall offer to any purchaser on or before the time of  
10 entering into the purchase contract the option, at the  
11 purchaser's cost, to install or equip fire sprinklers in the  
12 dwelling or townhouse. Notwithstanding any other provision of  
13 law to the contrary, no purchaser of such a one- or two-family  
14 dwelling or townhouse shall be denied the right to choose or  
15 decline to install a fire sprinkler system in such dwelling or  
16 townhouse being purchased by any code, ordinance, rule,  
17 regulation, order, or resolution by any county or other political  
18 subdivision. Any county or other political subdivision shall  
19 provide in any such code, ordinance, rule, regulation, order, or  
20 resolution the mandatory option for purchasers to have the right  
21 to choose and the requirement that builders offer to purchasers  
22 the option to purchase fire sprinklers in connection with the  
23 purchase of any one- or two-family dwelling or townhouse. The  
24 provisions of this section shall expire on December 31, **[2019]**  
25 2024.

26 2. Any governing body of any political subdivision that  
27 adopts the 2009 International Residential Code for One- and  
28 Two-Family Dwellings or a subsequent edition of such code without  
29 mandated automatic fire sprinkler systems in Section R313 of such  
30 code shall retain the language in section R317 of the 2006

1 International Residential Code for two-family dwellings (R317.1)  
2 and townhouses (R317.2).

3 72.401. 1. If a commission has been established pursuant  
4 to section 72.400 in any county with a charter form of government  
5 where fifty or more cities, towns and villages have been  
6 established, any boundary change within the county shall proceed  
7 solely and exclusively in the manner provided for by sections  
8 72.400 to 72.423, notwithstanding any statutory provisions to the  
9 contrary concerning such boundary changes.

10 2. In any county with a charter form of government where  
11 fifty or more cities, towns and villages have been established,  
12 if the governing body of such county has by ordinance established  
13 a boundary commission, as provided in sections 72.400 to 72.423,  
14 then boundary changes in such county shall proceed only as  
15 provided in sections 72.400 to 72.423.

16 3. The commission shall be composed of eleven members as  
17 provided in this subsection. No member, employee or contractor  
18 of the commission shall be an elective official, employee or  
19 contractor of the county or of any political subdivision within  
20 the county or of any organization representing political  
21 subdivisions or officers or employees of political subdivisions.  
22 Each of the appointing authorities described in subdivisions (1)  
23 to (3) of this subsection shall appoint persons who shall be  
24 residents of their respective locality so described. The  
25 appointing authority making the appointments shall be:

26 (1) The chief elected officials of all municipalities  
27 wholly within the county which have a population of more than  
28 twenty thousand persons, who shall name two members to the  
29 commission as prescribed in this subsection each of whom is a

1 resident of a municipality within the county of more than twenty  
2 thousand persons;

3 (2) The chief elected officials of all municipalities  
4 wholly within the county which have a population of twenty  
5 thousand or less but more than ten thousand persons, who shall  
6 name one member to the commission as prescribed in this  
7 subsection who is a resident of a municipality within the county  
8 with a population of twenty thousand or less but more than ten  
9 thousand persons;

10 (3) The chief elected officials of all municipalities  
11 wholly within the county which have a population of ten thousand  
12 persons or less, who shall name one member to the commission as  
13 prescribed in this subsection who is a resident of a municipality  
14 within the county with a population of ten thousand persons or  
15 less;

16 (4) An appointive body consisting of the director of the  
17 county department of planning, the president of the municipal  
18 league of the county, one additional person designated by the  
19 county executive, and one additional person named by the board of  
20 the municipal league of the county, which appointive body, acting  
21 by a majority of all of its members, shall name three members of  
22 the commission who are residents of the county; and

23 (5) The county executive of the county, who shall name four  
24 members of the commission, three of whom shall be from the  
25 unincorporated area of the county and one of whom shall be from  
26 the incorporated area of the county. The seat of a commissioner  
27 shall be automatically vacated when the commissioner changes his  
28 or her residence so as to no longer conform to the terms of the

1 requirements of the commissioner's appointment. The commission  
2 shall promptly notify the appointing authority of such change of  
3 residence.

4 4. Upon the passage of an ordinance by the governing body  
5 of the county establishing a boundary commission, the governing  
6 body of the county shall, within ten days, send by United States  
7 mail written notice of the passage of the ordinance to the chief  
8 elected official of each municipality wholly or partly in the  
9 county.

10 5. Each of the appointing authorities described in  
11 subdivisions (1) to (4) of subsection 3 of this section shall  
12 meet within thirty days of the passage of the ordinance  
13 establishing the commission to compile its list of appointees.  
14 Each list shall be delivered to the county executive within  
15 forty-one days of the passage of such ordinance. The county  
16 executive shall appoint members within forty-five days of the  
17 passage of the ordinance. If a list is not submitted by the time  
18 specified, the county executive shall appoint the members using  
19 the criteria of subsection 3 of this section before the sixtieth  
20 day from the passage of the ordinance. At the first meeting of  
21 the commission appointed after the effective date of the  
22 ordinance, the commissioners shall choose by lot the length of  
23 their terms. Three shall serve for one year, two for two years,  
24 two for three years, two for four years, and two for five years.  
25 All succeeding commissioners shall serve for five years. Terms  
26 shall end on December thirty-first of the respective year. No  
27 commissioner shall serve more than two consecutive full terms.  
28 Full terms shall include any term longer than two years.

1           6. When a member's term expires, or if a member is for any  
2 reason unable to complete his term, the respective appointing  
3 authority shall appoint such member's successor. Each appointing  
4 authority shall act to ensure that each appointee is secured  
5 accurately and in a timely manner, when a member's term expires  
6 or as soon as possible when a member is unable to complete his  
7 term. A member whose term has expired shall continue to serve  
8 until his successor is appointed and qualified.

9           7. The commission, its employees and subcontractors shall  
10 be subject to the regulation of conflicts of interest as defined  
11 in sections 105.450 to 105.498 and to the requirements for open  
12 meetings and records under chapter 610.

13           8. Notwithstanding any provisions of law to the contrary,  
14 any boundary adjustment approved by the residential property  
15 owners and the governing bodies of the affected municipalities or  
16 the county, if involved, and any voluntary annexation approved by  
17 municipal ordinance provided that the municipality owns the area  
18 to be annexed, that the area is contiguous with the municipality,  
19 and that the area is utilized only for parks and recreation  
20 purposes, shall not be subject to commission review. Such a  
21 boundary adjustment or annexation is not prohibited by the  
22 existence of an established unincorporated area.

23           9. Any annexation of property or defined areas of  
24 properties approved by a majority of property owners residing  
25 thereon and by ordinance of any municipality that is a service  
26 provider for both the water and sanitary sewer within the  
27 municipality shall be effective as provided in the annexation  
28 ordinance and shall not be subject to commission review. Such

1 annexation shall not be prohibited by the existence of an  
2 established unincorporated area.

3 82.300. 1. Any city with a population of **[four]** one  
4 hundred thousand or more inhabitants **[which is located in more**  
5 **than one county]** may enact all needful ordinances for preserving  
6 order, securing persons or property from violence, danger and  
7 destruction, protecting public and private property and for  
8 promoting the general interests and ensuring the good government  
9 of the city, and for the protection, regulation and orderly  
10 government of parks, public grounds and other public property of  
11 the city, both within and beyond the corporate limits of such  
12 city; and to prescribe and impose, enforce and collect fines,  
13 forfeitures and penalties for the breach of any provisions of  
14 such ordinances and to punish the violation of such ordinances by  
15 fine or imprisonment, or by both fine and imprisonment; but no  
16 fine shall exceed one thousand dollars nor imprisonment exceed  
17 twelve months for any such offense, except as provided in  
18 subsection 2 of this section.

19 2. Any city with a population of **[four]** one hundred  
20 thousand or more inhabitants **[which is located in more than one**  
21 **county]** which operates a publicly owned treatment works in  
22 accordance with an approved pretreatment program pursuant to the  
23 federal Clean Water Act, 33 U.S.C. 1251, et seq. and chapter 644  
24 may enact all necessary ordinances which require compliance by an  
25 industrial user with any pretreatment standard or requirement.  
26 Such ordinances may authorize injunctive relief or the imposition  
27 of a fine of at least one thousand dollars but not more than five  
28 thousand dollars per violation for noncompliance with such

1 pretreatment standards or requirements. For any continuing  
2 violation, each day of the violation shall be considered a  
3 separate offense.

4 3. Any city with a population of more than ~~four~~ one  
5 hundred thousand inhabitants may enact all needful ordinances to  
6 protect public and private property from illegal and unauthorized  
7 dumping and littering, and to punish the violation of such  
8 ordinances by a fine not to exceed one thousand dollars or by  
9 imprisonment not to exceed twelve months for each offense, or by  
10 both such fine and imprisonment.

11 4. Any city with a population of more than ~~four~~ one  
12 hundred thousand inhabitants may enact all needful ordinances to  
13 protect public and private property from nuisance and property  
14 maintenance code violations, and to punish the violation of such  
15 ordinances by a fine not to exceed one thousand dollars or by  
16 imprisonment not to exceed twelve months for each offense, or by  
17 both such fine and imprisonment.

18 82.1025. 1. [In] This section applies to a nuisance  
19 located within the boundaries of any county of the first  
20 classification with a charter form of government and a population  
21 greater than nine hundred thousand, in any county of the first  
22 classification with more than one hundred ninety-eight thousand  
23 but fewer than one hundred ninety-nine thousand two hundred  
24 inhabitants, in any county of the first classification with more  
25 than seventy-three thousand seven hundred but fewer than  
26 seventy-three thousand eight hundred inhabitants, in any county  
27 of the first classification with more than ninety-three thousand  
28 eight hundred but fewer than ninety-three thousand nine hundred  
29 inhabitants, in any home rule city with more than one hundred

1 fifty-one thousand five hundred but fewer than one hundred  
2 fifty-one thousand six hundred inhabitants, in any city not  
3 within a county and in any city with at least three hundred fifty  
4 thousand inhabitants which is located in more than one county[.,].

5 2. A parcel of property is a nuisance, if such property  
6 adversely affects the property values of a neighborhood or the  
7 property value of any property within the neighborhood because  
8 the owner of such property allows the property to be in a  
9 deteriorated condition, due to neglect or failure to reasonably  
10 maintain, violation of a county or municipal building code [or],  
11 standard, or ordinance, abandonment, failure to repair after a  
12 fire, flood or some other damage to the property or because the  
13 owner or resident of the property allows clutter on the property  
14 such as abandoned automobiles, appliances or similar objects.  
15 Any property owner who owns property within [a reasonable  
16 distance to] one thousand two hundred feet of a parcel of  
17 property which is alleged to be a nuisance may bring a nuisance  
18 action against the offending property owner for the amount of  
19 damage created by such [property] nuisance to the value of the  
20 petitioner's property, including diminution in value of the  
21 petitioner's property, and court costs, provided that the owner  
22 of the property which is alleged to be a nuisance has received  
23 notification of the alleged nuisance and has had a reasonable  
24 opportunity, not to exceed forty-five days, to correct the  
25 alleged nuisance. This section is not intended to abrogate, and  
26 shall not be construed as abrogating, any remedy available under  
27 the common law of private nuisance.

28 [2. A nuisance] 3. An action for injunctive relief to  
29 abate a nuisance under this section may be brought by:

30 (1) Anyone who owns property within one thousand two

1 hundred feet to a property which is alleged to be a nuisance; or

2 (2) By a neighborhood organization, as defined in  
3 subdivision (2) of section [32.105] 82.1027, [representing] on  
4 behalf of any person or persons who own property within the  
5 boundaries of the neighborhood or neighborhoods described in the  
6 articles of incorporation or bylaws of the neighborhood  
7 organization and who could maintain a nuisance action under this  
8 section or under the common law of private nuisance, or on its  
9 own behalf with respect to a nuisance on property anywhere within  
10 the boundaries of the neighborhood or neighborhoods.

11 4. An action shall not be brought under this section until  
12 sixty days after the party who brings the action has sent written  
13 notice of intent to bring an action under this section, by  
14 certified mail, return receipt requested, postage prepaid, to:

15 (1) The tenant, if any, or to "occupant" if the identity of  
16 the tenant cannot be reasonably ascertained, at the property's  
17 address; and

18 (2) The property owner of record at the last known address  
19 of the property owner on file with the county or city, or, if the  
20 property owner is a corporation or other type of limited  
21 liability company, to the property owner's registered agent at  
22 the agent's address of record; that a nuisance exists and that  
23 legal action may be taken against the owner of the property. If  
24 the notice sent by certified mail is returned unclaimed or  
25 refused, designated by the post office to be undeliverable, or  
26 signed for by a person other than the addressee, then adequate  
27 and sufficient notice may be given to the tenant, if any, and the  
28 property owner of record by sending a copy of the notice by  
29 regular mail to the address of the property owner or registered  
30 agent and posting a copy of the notice on the property where the

1 nuisance allegedly is occurring. A sworn affidavit by the person  
2 who mailed or posted the notice describing the date and manner  
3 that notice was given shall be prima facie evidence of the giving  
4 of such notice. The notice shall specify:

5 (a) The act or condition that constitutes the nuisance;

6 (b) The date the nuisance was first discovered;

7 (c) The address of the property and location on the  
8 property where the act or condition that constitutes the nuisance  
9 is allegedly occurring or exists; and

10 (d) The relief sought in the action.

11 5. When a neighborhood organization files a suit under this  
12 section, an officer of the neighborhood organization or its  
13 counsel shall certify to the court:

14 (1) From personal knowledge, that the neighborhood  
15 organization has taken the required steps to satisfy the notice  
16 requirements under this section; and

17 (2) Based on reasonable inquiry, that each condition  
18 precedent to the filing of the action under this section has been  
19 met.

20 6. A neighborhood organization may not bring an action  
21 under this section if, at the time of filing suit, the  
22 neighborhood organization or any of its directors own real  
23 estate, or have an interest in a trust or a corporation or other  
24 limited liability company that owns real estate, in the city or  
25 county in which the nuisance is located with respect to which  
26 real property taxes are delinquent or a notice of violation of a  
27 city code or ordinance has been issued and served and is  
28 outstanding.

29 7. This section is not intended to abrogate, and shall not  
30 be construed as abrogating, any remedy available under the common

1 law of private nuisance.

2 82.1027. As used in sections 82.1027 to [82.1029] 82.1030,  
3 the following terms mean:

4 (1) "[Local] Code or ordinance violation", a violation  
5 under the provisions of a [local] municipal code [of general  
6 ordinances] or ordinance of any home rule city with more than  
7 four hundred thousand inhabitants and located in more than one  
8 county, or any city not within a county, which regulates fire  
9 prevention, animal control, noise control, property maintenance,  
10 building construction, health [and], safety, neighborhood  
11 detriment, sanitation, [and] or nuisances;

12 (2) "Neighborhood organization", [an organization defined  
13 in section 32.105] a Missouri not-for-profit corporation whose  
14 articles of incorporation or bylaws specify that one of the  
15 purposes for which the corporation is organized is the  
16 preservation and protection of residential and community property  
17 values in a neighborhood or neighborhoods with geographic  
18 boundaries that conform to the boundaries of not more than two  
19 adjoining neighborhoods recognized by the planning division of  
20 the city or county in which the neighborhood or neighborhoods are  
21 located provided that the corporation's articles of incorporation  
22 or bylaws provide that:

23 (a) The corporation has members;

24 (b) Membership shall be open to all persons who own  
25 residential real estate or who reside in the neighborhood or  
26 neighborhoods described in the corporation's articles of  
27 incorporation or bylaws subject to reasonable restrictions on  
28 membership to protect the integrity of the organization; however,  
29 membership may not be conditioned upon payment of monetary  
30 consideration in excess of twenty-five dollars per year; and

1        (c) Only members who own residential real estate or who  
2 reside in the neighborhood or neighborhoods described in the  
3 corporation's articles of incorporation or bylaws may elect  
4 directors or serve as a director;

5        (3) "Nuisance", within the boundaries of the [community  
6 represented by] neighborhood or neighborhoods described in the  
7 articles of incorporation or bylaws of the neighborhood  
8 organization, an act or condition knowingly created, performed,  
9 [or] maintained, or permitted to exist on private property that  
10 constitutes a [local] code or ordinance violation and that[:

11        [(a)] significantly affects the other residents of the  
12 neighborhood; and:

13        [(b)] (a) Diminishes the value of the neighboring  
14 property; [and] or

15        [(c)] (b) Is injurious to the public health, safety,  
16 security, or welfare of neighboring residents or [obstructs]  
17 businesses; or

18        (c) Impairs the reasonable use or peaceful enjoyment of  
19 other property in the neighborhood.

20        82.1028. Sections 82.1027 to [82.1029] 82.1030 apply to a  
21 nuisance located within the boundaries of any city not within a  
22 county and any home rule city with more than four hundred  
23 thousand inhabitants and located in more than one county.

24        82.1029. 1. A neighborhood organization [representing], on  
25 behalf of a person or persons [aggrieved by a local code  
26 violation] who own real estate or reside within one thousand two  
27 hundred feet of a property on which there is a condition or  
28 activity constituting a code or ordinance violation in the  
29 neighborhood or neighborhoods described in the articles of  
30 incorporation or the bylaws of the neighborhood organization, or

1 on its own behalf with respect to a code or ordinance violation  
2 on property anywhere within the boundaries of the neighborhood or  
3 neighborhoods, may seek injunctive and other equitable relief in  
4 the circuit court for abatement of a nuisance upon showing:

5 (1) The notice requirements of this [subsection] section  
6 have been satisfied; and

7 (2) The nuisance exists and has not been abated.

8 2. An action under this section shall not be brought until:

9 (1) [Until] Sixty days after the neighborhood organization  
10 sends written notice [of the violation and] by certified mail,  
11 return receipt requested, postage prepaid, to the appropriate  
12 municipal code enforcement agency of the neighborhood  
13 organization's intent to bring an action under this section, [by  
14 certified mail, return receipt requested, to the appropriate  
15 municipal code enforcement agency] together with a copy of the  
16 notice the neighborhood organization sent or attempted to send to  
17 the property owner in compliance with subdivision (2) of  
18 subsection 2 of this section; and

19 (2) [If the appropriate municipal code enforcement agency  
20 has filed an action for equitable relief from the nuisance;

21 (3) Until] Sixty days after the neighborhood organization  
22 sends notice by first class prepaid postage certified mail,  
23 return receipt requested, to:

24 (a) The tenant, if any, or to "occupant" if the identity of  
25 the tenant cannot be reasonably ascertained, at the property's  
26 address; and

27 (b) The property owner of record at the last known address  
28 of the property owner on file with the county or city, or, if the  
29 property owner is a corporation or other type of limited  
30 liability company, to the property owner's registered agent at

1 the registered agent's address of record;

2 that a nuisance exists and that legal action may be taken if the  
3 nuisance is not abated. If the notice sent by certified mail is  
4 returned unclaimed or refused, designated by the post office to  
5 be undeliverable, or signed for by a person other than the  
6 addressee, then adequate and sufficient notice may be given to  
7 the tenant, if any, and the property owner of record by sending a  
8 copy of the notice by regular mail to the address of the property  
9 owner or registered agent and posting a copy of notice on the  
10 property where the nuisance allegedly is occurring.

11 3. A sworn affidavit by the person who mailed or posted the  
12 notice describing the date and manner that notice was given shall  
13 be prima facie evidence of the giving of such notice.

14 4. The notice required by this section shall specify:

15 [(a)] (1) The [nature of the alleged] act or condition  
16 that constitutes the nuisance;

17 [(b)] (2) The date [and time of day] the nuisance was  
18 first discovered;

19 [(c)] (3) The address of the property and location on the  
20 property where the act or condition that constitutes the nuisance  
21 is allegedly occurring or exists; and

22 [(d)] (4) The relief sought in the action.

23 [3.] 5. In filing a suit under this section, an officer of  
24 the neighborhood organization or its counsel shall certify to the  
25 court:

26 (1) From personal knowledge, that the neighborhood  
27 organization has taken the required steps to satisfy the notice  
28 requirements under this [subsection] section; and

29 (2) Based on reasonable inquiry, that each condition  
30 precedent to the filing of the action under this section has been

1 met.

2 [4.] 6. An action [shall] may not be brought [against an  
3 owner of residential rental property unless, prior to giving  
4 notice under this section, a notice of violation relating to the  
5 nuisance first has been issued by an appropriate municipal code  
6 enforcement agency and remains outstanding after a period of  
7 forty-five days] under this section based on an alleged violation  
8 of a particular code provision or ordinance if there is then  
9 pending against the property or the owner of the property a  
10 notice of violation with respect to such code provision or  
11 ordinance issued by an appropriate municipal code enforcement  
12 agency unless such notice of violation has been pending for more  
13 than forty-five days and the condition or activity that gave rise  
14 to the violation has not been abated. This subsection shall not  
15 preclude an action under this section where the appropriate  
16 municipal code enforcement agency has declined to issue a notice  
17 of violation against the property or the property owner.

18 7. A neighborhood organization may not bring an action  
19 under this section if, at the time of filing suit, the  
20 neighborhood organization or any of its directors own real  
21 estate, or have an interest in a trust or a corporation or other  
22 limited liability company that owns real estate, in the city or  
23 county in which the nuisance is located with respect to which  
24 real property taxes are delinquent or a notice of violation of a  
25 city code or ordinance has been issued and served and is  
26 outstanding.

27 [5. (1) If a violation notice issued by an appropriate  
28 municipal code enforcement agency is an essential element of the  
29 municipal enforcement action, a copy of the notice signed by an  
30 official of the appropriate municipal code enforcement agency

1 shall be prima facie evidence of the facts contained in the  
2 notice.

3 (2) A notice of abatement issued by the appropriate  
4 municipal code enforcement agency in regard to the violation  
5 notice shall be prima facie evidence that the plaintiff is not  
6 entitled to the relief requested.]

7 8. A copy of the notice of citation issued by the city that  
8 shows the date the citation was issued shall be prima facie  
9 evidence of whether and for how long a citation has been pending  
10 against the property or the property owner.

11 [6.] 9. A proceeding under this section shall:

12 (1) Be heard at the earliest practicable date; and

13 (2) Be expedited in every way.

14 82.1030. 1. Subject to subsection 2 of this section,  
15 sections 82.1027 to 82.1029 shall not be construed as to abrogate  
16 any equitable or legal right or remedy otherwise available under  
17 the law to abate a nuisance.

18 2. Sections 82.1027 to 82.1029 shall not be construed as to  
19 grant standing for an action[:

20 (1)] challenging any zoning application or approval[;

21 (2) In which the alleged nuisance consists of an interior  
22 physical defect of a property; or

23 (3) Involving any violation of municipal alcoholic  
24 beverages law].

25 94.579. 1. The governing body of any home rule city with  
26 more than one hundred fifty-one thousand five hundred but fewer  
27 than one hundred fifty-one thousand six hundred inhabitants is  
28 hereby authorized to impose, by order or ordinance, a sales tax  
29 on all retail sales made within the city which are subject to  
30 sales tax under chapter 144. The tax authorized in this section

1 shall not exceed one percent, and shall be imposed solely for the  
2 purpose of providing revenues for the operation of public safety  
3 departments, including police and fire departments, and for  
4 pension programs, and health care for employees and pensioners of  
5 the public safety departments. The tax authorized in this  
6 section shall be in addition to all other sales taxes imposed by  
7 law, and shall be stated separately from all other charges and  
8 taxes. The order or ordinance shall not become effective unless  
9 the governing body of the city submits to the voters residing  
10 within the city at a state general, primary, or special election  
11 a proposal to authorize the governing body of the city to impose  
12 a tax under this section. If the tax authorized in this section  
13 is not approved by the voters, then the city shall have an  
14 additional year during which to meet its required contribution  
15 payment beyond the time period described in section 105.683. If  
16 the city meets its required contribution payment in this time,  
17 then, notwithstanding the provisions of section 105.683 to the  
18 contrary, the delinquency shall not constitute a lien on the  
19 funds of the political subdivision, the board of such plan shall  
20 not be authorized to compel payment by application for writ of  
21 mandamus, and the state treasurer and the director of the  
22 department of revenue shall not withhold twenty-five percent of  
23 the certified contribution deficiency from the total moneys due  
24 the political subdivision from the state. The one-year extension  
25 shall only be available to the city on a one-time basis.

26 2. The ballot of submission for the tax authorized in this  
27 section shall be in substantially the following form:

28 Shall ..... (insert the name of the city)  
29 impose a sales tax at a rate of ..... (up to one) percent,  
30 solely for the purpose of providing revenues for the operation of

1 public safety departments of the city?

2  YES  NO

3 If you are in favor of the question, place an "X" in the box  
4 opposite "YES". If you are opposed to the question, place an "X"  
5 in the box opposite "NO".

6 If a majority of the votes cast on the question by the qualified  
7 voters voting thereon are in favor of the question, then the tax  
8 shall become effective on the first day of the second calendar  
9 quarter immediately following notification to the department of  
10 revenue. If a majority of the votes cast on the question by the  
11 qualified voters voting thereon are opposed to the question, then  
12 the tax shall not become effective unless and until the question  
13 is resubmitted under this section to the qualified voters and  
14 such question is approved by a majority of the qualified voters  
15 voting on the question.

16 3. All revenue collected under this section by the director  
17 of the department of revenue on behalf of any city, except for  
18 one percent for the cost of collection which shall be deposited  
19 in the state's general revenue fund, shall be deposited in a  
20 special trust fund, which is hereby created and shall be known as  
21 the "Public Safety Protection Sales Tax Fund", and shall be used  
22 solely for the designated purposes. Moneys in the fund shall not  
23 be deemed to be state funds, and shall not be commingled with any  
24 funds of the state. The director may make refunds from the  
25 amounts in the trust fund and credited to the city for erroneous  
26 payments and overpayments made, and may redeem dishonored checks  
27 and drafts deposited to the credit of such city. Any funds in  
28 the special trust fund which are not needed for current  
29 expenditures shall be invested in the same manner as other funds  
30 are invested. Any interest and moneys earned on such investments

1 shall be credited to the fund. The director shall keep accurate  
2 records of the amounts in the fund, and such records shall be  
3 open to the inspection of the officers of such city and to the  
4 public. Not later than the tenth day of each month, the director  
5 shall distribute all moneys deposited in the fund during the  
6 preceding month to the city. Such funds shall be deposited with  
7 the treasurer of the city, and all expenditures of moneys from  
8 the fund shall be by an appropriation ordinance enacted by the  
9 governing body of the city.

10 4. On or after the effective date of the tax, the director  
11 of revenue shall be responsible for the administration,  
12 collection, enforcement, and operation of the tax, and sections  
13 32.085 and 32.087 shall apply. In order to permit sellers  
14 required to collect and report the sales tax to collect the  
15 amount required to be reported and remitted, but not to change  
16 the requirements of reporting or remitting the tax, or to serve  
17 as a levy of the tax, and in order to avoid fractions of pennies,  
18 the governing body of the city may authorize the use of a bracket  
19 system similar to that authorized in section 144.285, and  
20 notwithstanding the provisions of that section, this new bracket  
21 system shall be used where this tax is imposed and shall apply to  
22 all taxable transactions. Beginning with the effective date of  
23 the tax, every retailer in the city shall add the sales tax to  
24 the sale price, and this tax shall be a debt of the purchaser to  
25 the retailer until paid, and shall be recoverable at law in the  
26 same manner as the purchase price. For purposes of this section,  
27 all retail sales shall be deemed to be consummated at the place  
28 of business of the retailer.

29 5. All applicable provisions in sections 144.010 to 144.525  
30 governing the state sales tax, and section 32.057, the uniform

1 confidentiality provision, shall apply to the collection of the  
2 tax, and all exemptions granted to agencies of government,  
3 organizations, and persons under sections 144.010 to 144.525 are  
4 hereby made applicable to the imposition and collection of the  
5 tax. The same sales tax permit, exemption certificate, and  
6 retail certificate required by sections 144.010 to 144.525 for  
7 the administration and collection of the state sales tax shall  
8 satisfy the requirements of this section, and no additional  
9 permit or exemption certificate or retail certificate shall be  
10 required; except that, the director of revenue may prescribe a  
11 form of exemption certificate for an exemption from the tax. All  
12 discounts allowed the retailer under the state sales tax for the  
13 collection of and for payment of taxes are hereby allowed and  
14 made applicable to the tax. The penalties for violations  
15 provided in section 32.057 and sections 144.010 to 144.525 are  
16 hereby made applicable to violations of this section. If any  
17 person is delinquent in the payment of the amount required to be  
18 paid under this section, or in the event a determination has been  
19 made against the person for the tax and penalties under this  
20 section, the limitation for bringing suit for the collection of  
21 the delinquent tax and penalties shall be the same as that  
22 provided in sections 144.010 to 144.525.

23 6. The governing body of any city that has adopted the  
24 sales tax authorized in this section may submit the question of  
25 repeal of the tax to the voters on any date available for  
26 elections for the city. The ballot of submission shall be in  
27 substantially the following form:

28 Shall ..... (insert the  
29 name of the city) repeal the sales tax imposed at a rate of  
30 ..... (up to one) percent for the purpose of providing

1 revenues for the operation of public safety departments of the  
2 city?

3  YES  NO

4 If you are in favor of the question, place an "X" in the box  
5 opposite "YES". If you are opposed to the question, place an "X"  
6 in the box opposite "NO".

7 If a majority of the votes cast on the question by the qualified  
8 voters voting thereon are in favor of repeal, that repeal shall  
9 become effective on December thirty-first of the calendar year in  
10 which such repeal was approved.

11 If a majority of the votes cast on the question by the qualified  
12 voters voting thereon are opposed to the repeal, then the sales  
13 tax authorized in this section shall remain effective until the  
14 question is resubmitted under this section to the qualified  
15 voters and the repeal is approved by a majority of the qualified  
16 voters voting on the question.

17 7. The governing body of any city that has adopted the  
18 sales tax authorized in this section shall submit the question of  
19 **[repeal]** continuation of the tax to the voters every five years  
20 from the date of its inception on a date available for elections  
21 for the city. The ballot of submission shall be in substantially  
22 the following form:

23 Shall ..... (insert the  
24 name of the city) **[repeal the]** continue collecting a sales tax  
25 imposed at a rate of ..... (up to one) percent for the  
26 purpose of providing revenues for the operation of public safety  
27 departments of the city?

28  YES  NO

29 If you are in favor of the question, place an "X" in the box  
30 opposite "YES". If you are opposed to the question, place an "X"

1 in the box opposite "NO".

2 If a majority of the votes cast on the question by the qualified  
3 voters voting thereon are [in favor of repeal, that] opposed to  
4 continuation, repeal shall become effective on December  
5 thirty-first of the calendar year in which such [repeal was]  
6 continuation was failed to be approved. If a majority of the  
7 votes cast on the question by the qualified voters voting thereon  
8 are [opposed to the repeal] in favor of continuation, then the  
9 sales tax authorized in this section shall remain effective until  
10 the question is resubmitted under this section to the qualified  
11 voters and [the repeal is] continuation fails to be approved by a  
12 majority of the qualified voters voting on the question.

13 8. Whenever the governing body of any city that has adopted  
14 the sales tax authorized in this section receives a petition,  
15 signed by a number of registered voters of the city equal to at  
16 least two percent of the number of registered voters of the city  
17 voting in the last gubernatorial election, calling for an  
18 election to repeal the sales tax imposed under this section, the  
19 governing body shall submit to the voters of the city a proposal  
20 to repeal the tax. If a majority of the votes cast on the  
21 question by the qualified voters voting thereon are in favor of  
22 the repeal, the repeal shall become effective on December  
23 thirty-first of the calendar year in which such repeal was  
24 approved. If a majority of the votes cast on the question by the  
25 qualified voters voting thereon are opposed to the repeal, then  
26 the sales tax authorized in this section shall remain effective  
27 until the question is resubmitted under this section to the  
28 qualified voters and the repeal is approved by a majority of the  
29 qualified voters voting on the question.

30 9. If the tax is repealed or terminated by any means, all

1 funds remaining in the special trust fund shall continue to be  
2 used solely for the designated purposes, and the city shall  
3 notify the director of the department of revenue of the action at  
4 least ninety days before the effective date of the repeal and the  
5 director may order retention in the trust fund, for a period of  
6 one year, of two percent of the amount collected after receipt of  
7 such notice to cover possible refunds or overpayment of the tax  
8 and to redeem dishonored checks and drafts deposited to the  
9 credit of such accounts. After one year has elapsed after the  
10 effective date of abolition of the tax in such city, the director  
11 shall remit the balance in the account to the city and close the  
12 account of that city. The director shall notify each city of  
13 each instance of any amount refunded or any check redeemed from  
14 receipts due the city.

15 99.805. As used in sections 99.800 to 99.865, unless the  
16 context clearly requires otherwise, the following terms shall  
17 mean:

18 (1) "Blighted area", an area which, by reason of the  
19 predominance of defective or inadequate street layout, unsanitary  
20 or unsafe conditions, deterioration of site improvements,  
21 improper subdivision or obsolete platting, or the existence of  
22 conditions which endanger life or property by fire and other  
23 causes, or any combination of such factors, retards the provision  
24 of housing accommodations or constitutes an economic or social  
25 liability or a menace to the public health, safety, morals, or  
26 welfare in its present condition and use;

27 (2) "Collecting officer", the officer of the municipality  
28 responsible for receiving and processing payments in lieu of  
29 taxes or economic activity taxes from taxpayers or the department  
30 of revenue;

1           (3) "Conservation area", any improved area within the  
2 boundaries of a redevelopment area located within the territorial  
3 limits of a municipality in which fifty percent or more of the  
4 structures in the area have an age of thirty-five years or more.  
5 Such an area is not yet a blighted area but is detrimental to the  
6 public health, safety, morals, or welfare and may become a  
7 blighted area because of any one or more of the following  
8 factors: dilapidation; obsolescence; deterioration; illegal use  
9 of individual structures; presence of structures below minimum  
10 code standards; abandonment; excessive vacancies; overcrowding of  
11 structures and community facilities; lack of ventilation, light  
12 or sanitary facilities; inadequate utilities; excessive land  
13 coverage; deleterious land use or layout; depreciation of  
14 physical maintenance; and lack of community planning. A  
15 conservation area shall meet at least three of the factors  
16 provided in this subdivision for projects approved on or after  
17 December 23, 1997;

18           (4) "Economic activity taxes", the total additional revenue  
19 from taxes which are imposed by a municipality and other taxing  
20 districts, and which are generated by economic activities within  
21 a redevelopment area over the amount of such taxes generated by  
22 economic activities within such redevelopment area in the  
23 calendar year prior to the adoption of the ordinance designating  
24 such a redevelopment area, while tax increment financing remains  
25 in effect, but excluding personal property taxes, taxes imposed  
26 on sales or charges for sleeping rooms paid by transient guests  
27 of hotels and motels, licenses, fees or special assessments. For  
28 redevelopment projects or redevelopment plans approved after  
29 December 23, 1997, if a retail establishment relocates within one  
30 year from one facility to another facility within the same county

1 and the governing body of the municipality finds that the  
2 relocation is a direct beneficiary of tax increment financing,  
3 then for purposes of this definition, the economic activity taxes  
4 generated by the retail establishment shall equal the total  
5 additional revenues from economic activity taxes which are  
6 imposed by a municipality or other taxing district over the  
7 amount of economic activity taxes generated by the retail  
8 establishment in the calendar year prior to its relocation to the  
9 redevelopment area;

10 (5) "Economic development area", any area or portion of an  
11 area located within the territorial limits of a municipality,  
12 which does not meet the requirements of subdivisions (1) and (3)  
13 of this section, and in which the governing body of the  
14 municipality finds that redevelopment will not be solely used for  
15 development of commercial businesses which unfairly compete in  
16 the local economy and is in the public interest because it will:

17 (a) Discourage commerce, industry or manufacturing from  
18 moving their operations to another state; or

19 (b) Result in increased employment in the municipality; or

20 (c) Result in preservation or enhancement of the tax base  
21 of the municipality;

22 (6) "Gambling establishment", an excursion gambling boat as  
23 defined in section 313.800 and any related business facility  
24 including any real property improvements which are directly and  
25 solely related to such business facility, whose sole purpose is  
26 to provide goods or services to an excursion gambling boat and  
27 whose majority ownership interest is held by a person licensed to  
28 conduct gambling games on an excursion gambling boat or licensed  
29 to operate an excursion gambling boat as provided in sections  
30 313.800 to 313.850. This subdivision shall be applicable only to

1 a redevelopment area designated by ordinance adopted after  
2 December 23, 1997;

3 (7) "Greenfield area", any vacant, unimproved, or  
4 agricultural property that is located wholly outside the  
5 incorporated limits of a city, town, or village, or that is  
6 substantially surrounded by contiguous properties with  
7 agricultural zoning classifications or uses unless said property  
8 was annexed into the incorporated limits of a city, town, or  
9 village ten years prior to the adoption of the ordinance  
10 approving the redevelopment plan for such greenfield area;

11 (8) "Municipality", a city, village, or incorporated town  
12 or any county of this state. For redevelopment areas or projects  
13 approved on or after December 23, 1997, "municipality" applies  
14 only to cities, villages, incorporated towns or counties  
15 established for at least one year prior to such date;

16 (9) "Obligations", bonds, loans, debentures, notes, special  
17 certificates, or other evidences of indebtedness issued by a  
18 municipality to carry out a redevelopment project or to refund  
19 outstanding obligations;

20 (10) "Ordinance", an ordinance enacted by the governing  
21 body of a city, town, or village or a county or an order of the  
22 governing body of a county whose governing body is not authorized  
23 to enact ordinances;

24 (11) "Payment in lieu of taxes", those estimated revenues  
25 from real property in the area selected for a redevelopment  
26 project, which revenues according to the redevelopment project or  
27 plan are to be used for a private use, which taxing districts  
28 would have received had a municipality not adopted tax increment  
29 allocation financing, and which would result from levies made  
30 after the time of the adoption of tax increment allocation

1 financing during the time the current equalized value of real  
2 property in the area selected for the redevelopment project  
3 exceeds the total initial equalized value of real property in  
4 such area until the designation is terminated pursuant to  
5 subsection 2 of section 99.850;

6 (12) "Redevelopment area", an area designated by a  
7 municipality, in respect to which the municipality has made a  
8 finding that there exist conditions which cause the area to be  
9 classified as a blighted area, a conservation area, an economic  
10 development area, an enterprise zone pursuant to sections 135.200  
11 to 135.256, or a combination thereof, which area includes only  
12 those parcels of real property directly and substantially  
13 benefitted by the proposed redevelopment project;

14 (13) "Redevelopment plan", the comprehensive program of a  
15 municipality for redevelopment intended by the payment of  
16 redevelopment costs to reduce or eliminate those conditions, the  
17 existence of which qualified the redevelopment area as a blighted  
18 area, conservation area, economic development area, or  
19 combination thereof, and to thereby enhance the tax bases of the  
20 taxing districts which extend into the redevelopment area. Each  
21 redevelopment plan shall conform to the requirements of section  
22 99.810;

23 (14) "Redevelopment project", any development project  
24 within a redevelopment area in furtherance of the objectives of  
25 the redevelopment plan; any such redevelopment project shall  
26 include a legal description of the area selected for the  
27 redevelopment project;

28 (15) "Redevelopment project costs" include the sum total of  
29 all reasonable or necessary costs incurred or estimated to be  
30 incurred, and any such costs incidental to a redevelopment plan

1 or redevelopment project, as applicable. Such costs include, but  
2 are not limited to, the following:

3 (a) Costs of studies, surveys, plans, and specifications;

4 (b) Professional service costs, including, but not limited  
5 to, architectural, engineering, legal, marketing, financial,  
6 planning or special services. Except the reasonable costs  
7 incurred by the commission established in section 99.820 for the  
8 administration of sections 99.800 to 99.865, such costs shall be  
9 allowed only as an initial expense which, to be recoverable,  
10 shall be included in the costs of a redevelopment plan or  
11 project;

12 (c) Property assembly costs, including, but not limited  
13 to[, ]:

14 a. Acquisition of land and other property, real or  
15 personal, or rights or interests therein[, ] and

16 b. Demolition of buildings, and the clearing and grading of  
17 land;

18 (d) Costs of rehabilitation, reconstruction, or repair or  
19 remodeling of existing buildings and fixtures;

20 (e) Initial costs for an economic development area;

21 (f) Costs of construction of public works or improvements;

22 (g) Financing costs, including, but not limited to, all  
23 necessary and incidental expenses related to the issuance of  
24 obligations, and which may include payment of interest on any  
25 obligations issued pursuant to sections 99.800 to 99.865 accruing  
26 during the estimated period of construction of any redevelopment  
27 project for which such obligations are issued and for not more  
28 than eighteen months thereafter, and including reasonable  
29 reserves related thereto;

30 (h) All or a portion of a taxing district's capital costs

1 resulting from the redevelopment project necessarily incurred or  
2 to be incurred in furtherance of the objectives of the  
3 redevelopment plan and project, to the extent the municipality by  
4 written agreement accepts and approves such costs;

5 (i) Relocation costs to the extent that a municipality  
6 determines that relocation costs shall be paid or are required to  
7 be paid by federal or state law;

8 (j) Payments in lieu of taxes;

9 (16) "Special allocation fund", the fund of a municipality  
10 or its commission which contains at least two separate segregated  
11 accounts for each redevelopment plan, maintained by the treasurer  
12 of the municipality or the treasurer of the commission into which  
13 payments in lieu of taxes are deposited in one account, and  
14 economic activity taxes and other revenues are deposited in the  
15 other account;

16 (17) "Taxing districts", any political subdivision of this  
17 state having the power to levy taxes;

18 (18) "Taxing districts' capital costs", those costs of  
19 taxing districts for capital improvements that are found by the  
20 municipal governing bodies to be necessary and to directly result  
21 from the redevelopment project; and

22 (19) "Vacant land", any parcel or combination of parcels of  
23 real property not used for industrial, commercial, or residential  
24 buildings.

25 99.825. 1. Prior to the adoption of an ordinance proposing  
26 the designation of a redevelopment area, or approving a  
27 redevelopment plan or redevelopment project, the commission shall  
28 fix a time and place for a public hearing as required in  
29 subsection 4 of section 99.820 and notify each taxing district  
30 located wholly or partially within the boundaries of the proposed

1 redevelopment area, plan or project. At the public hearing any  
2 interested person or affected taxing district may file with the  
3 commission written objections to, or comments on, and may be  
4 heard orally in respect to, any issues embodied in the notice.  
5 The commission shall hear and consider all protests, objections,  
6 comments and other evidence presented at the hearing. The  
7 hearing may be continued to another date without further notice  
8 other than a motion to be entered upon the minutes fixing the  
9 time and place of the subsequent hearing; provided, if the  
10 commission is created under subsection 3 of section 99.820, the  
11 hearing shall not be continued for more than thirty days beyond  
12 the date on which it is originally opened unless such longer  
13 period is requested by the chief elected official of the  
14 municipality creating the commission and approved by a majority  
15 of the commission. Prior to the conclusion of the hearing,  
16 changes may be made in the redevelopment plan, redevelopment  
17 project, or redevelopment area, provided that each affected  
18 taxing district is given written notice of such changes at least  
19 seven days prior to the conclusion of the hearing. After the  
20 public hearing but prior to the adoption of an ordinance  
21 approving a redevelopment plan or redevelopment project, or  
22 designating a redevelopment area, changes may be made to the  
23 redevelopment plan, redevelopment projects or redevelopment areas  
24 without a further hearing, if such changes do not enlarge the  
25 exterior boundaries of the redevelopment area or areas, and do  
26 not substantially affect the general land uses established in the  
27 redevelopment plan or substantially change the nature of the  
28 redevelopment projects, provided that notice of such changes  
29 shall be given by mail to each affected taxing district and by  
30 publication in a newspaper of general circulation in the area of

1 the proposed redevelopment not less than ten days prior to the  
2 adoption of the changes by ordinance. After the adoption of an  
3 ordinance approving a redevelopment plan or redevelopment  
4 project, or designating a redevelopment area, no ordinance shall  
5 be adopted altering the exterior boundaries, affecting the  
6 general land uses established pursuant to the redevelopment plan  
7 or changing the nature of the redevelopment project without  
8 complying with the procedures provided in this section pertaining  
9 to the initial approval of a redevelopment plan or redevelopment  
10 project and designation of a redevelopment area. Hearings with  
11 regard to a redevelopment project, redevelopment area, or  
12 redevelopment plan may be held simultaneously.

13 2. [Effective January 1, 2008,] If, after concluding the  
14 hearing required under this section, the commission makes a  
15 recommendation under section 99.820 in opposition to a proposed  
16 redevelopment plan, redevelopment project, or designation of a  
17 redevelopment area, or any amendments thereto, a municipality  
18 desiring to approve such project, plan, designation, or  
19 amendments shall do so only upon a two-thirds majority vote of  
20 the governing body of such municipality. For plans, projects,  
21 designations, or amendments approved by a municipality over the  
22 recommendation in opposition by a commission located in any  
23 county of the first classification with more than one hundred  
24 fifty thousand but fewer than two hundred thousand inhabitants,  
25 the economic activity taxes and payments in lieu of taxes  
26 generated by such plan, project, designation, or amendment shall  
27 not exceed the costs associated with those contained in  
28 subparagraph b of paragraph (c) of subdivision (15) of section  
29 99.805 per redevelopment project.

30 3. Tax incremental financing projects within an economic

1 development area shall apply to and fund only the following  
2 infrastructure projects: highways, roads, streets, bridges,  
3 sewers, traffic control systems and devices, water distribution  
4 and supply systems, curbing, sidewalks and any other similar  
5 public improvements, but in no case shall it include buildings.

6 137.133. In any county with a charter form of government  
7 and with more than nine hundred fifty thousand inhabitants, any  
8 correspondence by the assessor with a taxpayer requesting  
9 information from the taxpayer shall include the following  
10 statement in bold, fourteen point font: "Disclosure of  
11 information requested on this document is voluntary and not  
12 required by law. Any information disclosed may become public  
13 record.". The provisions of this section shall not apply to  
14 requests for information required to be disclosed under sections  
15 137.092 and 137.155.

16 162.481. 1. Except as otherwise provided in this section,  
17 all elections of school directors in urban districts shall be  
18 held biennially at the same times and places as municipal  
19 elections.

20 2. In any urban district which includes all or the major  
21 part of a city which first obtained a population of more than  
22 seventy-five thousand inhabitants by reason of the 1960 federal  
23 decennial census, elections of directors shall be held on  
24 municipal election days of even-numbered years. The directors of  
25 the prior district shall continue as directors of the urban  
26 district until their successors are elected as herein provided.  
27 On the first Tuesday in April, 1964, four directors shall be  
28 elected, two for terms of two years to succeed the two directors  
29 of the prior district who were elected in 1960 and two for terms  
30 of six years to succeed the two directors of the prior district

1 who were elected in 1961. The successors of these directors  
2 shall be elected for terms of six years. On the first Tuesday in  
3 April, 1968, two directors shall be elected for terms to commence  
4 on November 5, 1968, and to terminate on the first Tuesday in  
5 April, 1974, when their successors shall be elected for terms of  
6 six years. No director shall serve more than two consecutive  
7 six-year terms after October 13, 1963.

8 3. Except as otherwise provided in subsections 4 and 5 of  
9 this section, hereafter when a seven-director district becomes an  
10 urban district, the directors of the prior seven-director  
11 district shall continue as directors of the urban district until  
12 the expiration of the terms for which they were elected and until  
13 their successors are elected as provided in this subsection. The  
14 first biennial school election for directors shall be held in the  
15 urban district at the time provided in subsection 1 which is on  
16 the date of or subsequent to the expiration of the terms of the  
17 directors of the prior district which are first to expire, and  
18 directors shall be elected to succeed the directors of the prior  
19 district whose terms have expired. If the terms of two directors  
20 only have expired, the directors elected at the first biennial  
21 school election in the urban district shall be elected for terms  
22 of six years. If the terms of four directors have expired, two  
23 directors shall be elected for terms of six years and two shall  
24 be elected for terms of four years. At the next succeeding  
25 biennial election held in the urban district, successors for the  
26 remaining directors of the prior seven-director district shall be  
27 elected. If only two directors are to be elected they shall be  
28 elected for terms of six years each. If four directors are to be  
29 elected, two shall be elected for terms of six years and two  
30 shall be elected for terms of two years. After seven directors

1 of the urban district have been elected under this subsection,  
2 their successors shall be elected for terms of six years.

3 4. In any school district in any [city with a population of  
4 one hundred thousand or more inhabitants which is located within  
5 a county of the first classification that adjoins no other county  
6 of the first classification] home rule city with more than one  
7 hundred fifty-five thousand but fewer than two hundred thousand  
8 inhabitants, or any school district which becomes an urban school  
9 district by reason of the 2000 federal decennial census,  
10 elections shall be held annually at the same times and places as  
11 general municipal elections for all years where one or more terms  
12 expire, and the terms shall be for three years and until their  
13 successors are duly elected and qualified for all directors  
14 elected on and after August 28, 1998.

15 5. In any school district in any county with a charter form  
16 of government and with more than three hundred thousand but fewer  
17 than four hundred fifty thousand inhabitants which becomes an  
18 urban school district by reason of the 2010 federal decennial  
19 census, elections shall be held annually at the same times and  
20 places as general municipal elections for all years where one or  
21 more terms expire, and the terms shall be for three years and  
22 until their successors are duly elected and qualified for all  
23 directors elected on and after April 2, 2012.

24 182.802. 1. (1) Any public library district located in  
25 any of the following counties may impose a tax as provided in  
26 this section:

27 (a) At least partially within any county of the third  
28 classification without a township form of government and with  
29 more than forty thousand eight hundred but fewer than forty  
30 thousand nine hundred inhabitants;

1 (b) Any county of the third classification without a  
2 township form of government and with more than thirteen thousand  
3 five hundred but fewer than thirteen thousand six hundred  
4 inhabitants;

5 (c) Any county of the third classification without a  
6 township form of government and with more than thirteen thousand  
7 two hundred but fewer than thirteen thousand three hundred  
8 inhabitants;

9 (d) Any county of the third classification with a township  
10 form of government and with more than twenty-nine thousand seven  
11 hundred but fewer than twenty-nine thousand eight hundred  
12 inhabitants;

13 (e) Any county of the second classification with more than  
14 nineteen thousand seven hundred but fewer than nineteen thousand  
15 eight hundred inhabitants;

16 (f) Any county of the third classification with a township  
17 form of government and with more than thirty-three thousand one  
18 hundred but fewer than thirty-three thousand two hundred  
19 inhabitants;

20 (g) Any county of the third classification without a  
21 township form of government and with more than eighteen thousand  
22 but fewer than twenty thousand inhabitants and with a city of the  
23 third classification with more than six thousand but fewer than  
24 seven thousand inhabitants as the county seat;

25 (h) Any county of the fourth classification with more than  
26 twenty thousand but fewer than thirty thousand inhabitants.

27 (2) Any public library district listed in subdivision (1)  
28 of this subsection may, by a majority vote of its board of  
29 directors, impose a tax not to exceed one-half of one cent on all  
30 retail sales subject to taxation under sections 144.010 to

1 144.525 for the purpose of funding the operation and maintenance  
2 of public libraries within the boundaries of such library  
3 district. The tax authorized by this subsection shall be in  
4 addition to all other taxes allowed by law. No tax under this  
5 subsection shall become effective unless the board of directors  
6 submits to the voters of the district, at a county or state  
7 general, primary or special election, a proposal to authorize the  
8 tax, and such tax shall become effective only after the majority  
9 of the voters voting on such tax approve such tax.

10 2. In the event the district seeks to impose a sales tax  
11 under this subsection, the question shall be submitted in  
12 substantially the following form:

13 Shall a ..... cent sales tax be levied on all retail  
14 sales within the district for the purpose of providing funding  
15 for ..... library district?

16  YES  NO

17 If a majority of the votes cast on the proposal by the qualified  
18 voters voting thereon are in favor of the proposal, then the tax  
19 shall become effective. If a majority of the votes cast by the  
20 qualified voters voting are opposed to the proposal, then the  
21 board of directors shall have no power to impose the tax unless  
22 and until another proposal to authorize the tax is submitted to  
23 the voters of the district and such proposal is approved by a  
24 majority of the qualified voters voting thereon. The provisions  
25 of sections 32.085 and 32.087 shall apply to any tax approved  
26 under this subsection.

27 3. As used in this section, "qualified voters" or "voters"  
28 means any individuals residing within the district who are  
29 eligible to be registered voters and who have registered to vote  
30 under chapter 115, or, if no individuals are eligible and

1 registered to vote reside within the proposed district, all of  
2 the owners of real property located within the proposed district  
3 who have unanimously petitioned for or consented to the adoption  
4 of an ordinance by the governing body imposing a tax authorized  
5 in this section. If the owner of the property within the  
6 proposed district is a political subdivision or corporation of  
7 the state, the governing body of such political subdivision or  
8 corporation shall be considered the owner for purposes of this  
9 section.

10 4. For purposes of this section the term "public library  
11 district" shall mean any city library district, county library  
12 district, city-county library district, municipal library  
13 district, consolidated library district, or urban library  
14 district.

15 349.045. 1. Except as provided in subsection 2 of this  
16 section, the corporation shall have a board of directors in which  
17 all the powers of the corporation shall be vested and which shall  
18 consist of any number of directors, not less than five, all of  
19 whom shall be duly qualified electors of and taxpayers in the  
20 county or municipality; except that, for any industrial  
21 development corporation formed by any municipality located wholly  
22 within any county of the second, third, or fourth classification  
23 or any county of the first classification with more than  
24 sixty-five thousand but fewer than seventy-five thousand  
25 inhabitants, directors may be qualified taxpayers in and  
26 registered voters of such county. The directors shall serve as  
27 such without compensation except that they shall be reimbursed  
28 for their actual expenses incurred in and about the performance  
29 of their duties hereunder. The directors shall be resident  
30 taxpayers for at least one year immediately prior to their

1 appointment. No director shall be an officer or employee of the  
2 county or municipality. All directors shall be appointed by the  
3 chief executive officer of the county or municipality with the  
4 advice and consent of a majority of the governing body of the  
5 county or municipality, and in all counties, other than a city  
6 not within a county and counties with a charter form of  
7 government, the appointments shall be made by the county  
8 commission and they shall be so appointed that they shall hold  
9 office for staggered terms. At the time of the appointment of  
10 the first board of directors the governing body of the  
11 municipality or county shall divide the directors into three  
12 groups containing as nearly equal whole numbers as may be  
13 possible. The first term of the directors included in the first  
14 group shall be two years, the first term of the directors  
15 included in the second group shall be four years, the first term  
16 of the directors in the third group shall be six years; provided,  
17 that if at the expiration of any term of office of any director a  
18 successor thereto shall not have been appointed, then the  
19 director whose term of office shall have expired shall continue  
20 to hold office until a successor shall be appointed by the chief  
21 executive officer of the county or municipality with the advice  
22 and consent of a majority of the governing body of the county or  
23 municipality. The successors shall be resident taxpayers for at  
24 least one year immediately prior to their appointment.

25 2. A corporation in a county of the third classification  
26 without a township form of government and with more than ten  
27 thousand four hundred but fewer than ten thousand five hundred  
28 inhabitants shall have a board of directors in which all the  
29 powers of the corporation shall be vested and which shall consist  
30 of a number of directors not less than the number of townships in

1 such county. All directors shall be duly qualified electors of  
2 and taxpayers in the county. Each township within the county  
3 shall elect one director to the board. Additional directors may  
4 be elected to the board to succeed directors appointed to the  
5 board as of the effective date of this section if the number of  
6 directors on the effective date of this section exceeds the  
7 number of townships in the county. The directors shall serve as  
8 such without compensation except that they shall be reimbursed  
9 for their actual expenses incurred in the performance of their  
10 duties. The directors shall be resident taxpayers for at least  
11 one year immediately prior to their election. No director shall  
12 be an officer or employee of the county. Upon the expiration of  
13 the term of office of any director appointed to the board prior  
14 to the effective date of this section, a director shall be  
15 elected to succeed him or her; provided that if at the expiration  
16 of any term of office of any director a successor thereto shall  
17 not have been elected, then the director whose term of office  
18 shall have expired shall continue to hold office until a  
19 successor shall be elected. The successors shall be resident  
20 taxpayers for at least one year immediately prior to their  
21 election.

22 483.140. It shall be the special duty of every judge of a  
23 court of record to examine into and superintend the manner in  
24 which the rolls and records of the court are made up and kept; to  
25 prescribe orders that will procure uniformity, regularity and  
26 accuracy in the transaction of the business of the court; to  
27 require that the records and files be properly maintained and  
28 entries be made at the proper times as required by law or supreme  
29 court rule, and that the duties of the clerks be performed  
30 according to law and supreme court rule; and if any clerk fail to

1 comply with the law, the court shall proceed against him as for a  
2 misdemeanor. The provisions of this section shall not be  
3 construed to permit the adoption of any local court rule that  
4 grants a judge the discretion to remove or direct the removal of  
5 any pleading, file, or communication from a court file or record  
6 without notification to the parties and providing the parties an  
7 opportunity to respond.

8 Section 1. No action shall be brought under section 82.1025  
9 or sections 82.1027 to 82.1030 if the owner of the property that  
10 is the subject of the action is in good faith compliance with any  
11 order issued by the department of natural resources, the United  
12 States Environmental Protection Agency, or the office of attorney  
13 general.

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