

## The Complaint Process

A case is initiated when a complaint is registered against a property either on line at [www.independencemo.org](http://www.independencemo.org); by calling (816) 325-7193; in person at the Health Department, 515 S. Liberty St.; or by one of the department's proactive programs. Complaints must include the address of the property and a description of the violations. For properties with unknown addresses, please include the addresses of both adjacent properties.

The case is then assigned to a Code Compliance Officer, who schedules an inspection based on priority. Complaints that pose a direct risk to public health and safety get top priority.

The Code Compliance Officer then conducts an on-site inspection, taking photographs and noting any violations of the Property Maintenance Code. The responsible parties are then notified and voluntary compliance is requested. Notice is issued in person or by posting a notice on the property while on site, and by sending a notice via US mail.

The notice lists the violations observed and provides the dates for an administrative hearing and the correction deadline. Hearings are held 10 business days after the initial inspection, and the correction date is five business days after the hearing. The purpose of the hearing is to provide an opportunity for the citizen to discuss the violations and to request an extension for the correction date. An extension of up to two weeks may be granted without attending the hearing.

Properties found to be in violation for weeds and/or trash a second time in a calendar year are considered repeat offenders. These violations are required to be corrected within seven days. Repeat offenders are ineligible for a hearing or an extension. Properties cited for a third and subsequent weed and/or trash offense, during a calendar year, are not provided notice, and corrective action is taken immediately by the City as described below.

Upon or shortly after the correction date, the Code Compliance Officer conducts a visual recheck and takes photographs of the property. In most cases, compliance has been met and the case is closed. If compliance has not been met, corrective action is started. If the violation is trash, weeds, or non-operable vehicle, a City contractor may be ordered to correct these violations at the property owner's expense. Municipal Court charges are filed against the occupant/owner for each violation not in compliance which requires they appear in court to answer the charges filed against them. Guilty verdicts result in fines from \$150 to \$500. Failure to appear in court will result in a bench warrant being issued by the judge.

## IF YOU RECEIVE A NOTICE OF VIOLATION...

Correct the violations listed on the notice and do so promptly. If unsure about a violation or you need a few more days, contact the Code Compliance Officer assigned to your case. The officer's name and telephone number will be printed at the bottom left portion of the notice. An additional two weeks may be requested before the hearing date, provided you are making progress on correcting the violations. If a violation is determined to be a risk to public health, correction cannot be delayed. In some circumstances, financial assistance may be available through other City Programs. For additional information, contact NWCDC at (816) 833-3072.

Code officers are authorized to enter exterior property areas to make an inspection or to bring property into compliance. **Code officers will not enter buildings without the owner/tenant's permission or other legal authorization.**

**For further information, call the Code Compliance Division at (816) 325-7193.**

*City of Independence*  
*Health Department*  
*515 South Liberty Street*  
*Independence, MO 64050*



*City of Independence*

**Health Department**  
Code Compliance Division

## **Health and Safety: Everyone's Concern**

The Code Compliance Division of the Health Department is responsible for enforcing City codes regarding property maintenance. The purpose of these codes is to promote the health, safety, and welfare of the citizens of the City of Independence. When property is maintained, homeowners benefit with higher property values.

The best method to achieving this goal is voluntary compliance. The information provided in this brochure will help you understand the property maintenance code requirements.

**Please review this brochure and take the necessary steps to ensure your property is "up to code."**



**1. GRASS AND WEEDS**

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



**2. OPEN STORAGE PROHIBITED**

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



**3. NUISANCE VEHICLES**

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



**4. FENCES/SWIMMING POOL FENCES**

All fences on the premises shall be structurally sound and constructed of customary or normal fencing material. Swimming pools which contain 12 inches or more of water at any point must be completely enclosed by a 6-foot fence or other 6-foot high structure. Gates enclosing swimming pools must be self-latching and inaccessible from the outside.



**5. REFUSE, RUBBISH, AND GARBAGE**

All exterior property and premises shall be free from any accumulation of refuse, rubbish and garbage. All refuse shall be disposed of properly. All refuse containers shall be made of a rodent/insect proof material with tight fitting lids and stored inside or behind the front building line of the structure. Refuse shall not be placed at the curb more than 16 hours prior to the time of scheduled pick-up and refuse containers must be removed from the curb the same day. Single family dwellings and duplexes shall not use refuse containers in excess of 90 gallon capacity.



**6. RODENTS/INSECTS**

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



**7. LANDLORD/TENANT**

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

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



**8. BUILDING MAINTENANCE**

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



**9. PAINT/WATERPROOFING**

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



**10. DEPARTMENTAL CONTACT INFORMATION FOR RELATED COMPLAINTS**

- Animal Services: 325-7205 (odor from animals; too many animals; animal abuse)
- Building Inspections: 325-7401 (construction inspections; building permits)
- City Clerk: 325-7010 (copies of City codes)
- Police: 325-7300 (graffiti; vehicles parked in street; garage sales)
- Power & Light: 325-7500 (power outages; lines down)
- Public Works: 325-7600 (roadside dumping; driveway construction; septic tanks; site obstruction; public sidewalks; dangerous trees)
- Water Pollution Control: 325-7727 (storm water or sewer problems; flooding; leaves/grass clippings being deposited in the street)
- Zoning: 325-7425 (vehicles parked on grass; trailers, commercial or recreational vehicles in residential areas; business in residential areas; commercial screening)

