



# City of Calverton Park

52 Young Dr.  
Calverton Park MO 63135  
Phone (314) 524-1212

June 26, 2023

Calverton Park Community,

Recently, a story broadcast on a local television station provided an unfair, biased report that was devoid of facts. The report concerned the towing of a vehicle from private property, with an administrative warrant, as part of the City's nuisance abatement efforts. The reporter contacted the city, requesting a meeting to clarify the reason for the tow. The city agreed, and Mayor Paunovich and Code Enforcement Lt. Gibbons met with him, conducting a thorough 45-minute interview, and explaining the ordinance, the procedure involved, and the costs associated with the endeavor. The detailed explanation provided by the city was edited out of the story completely; the report that was broadcast only showed a few seconds of edited clips which had no context.

Therefore, the city would like to give the appropriate context and explanation about the incident mentioned in the brief story.

The City's ordinances are available to the public online. The following ordinances have been adopted by the Board of Aldermen and have been in effect for several years.

## **Section 215.010. Nuisances Prohibited; Conditions and Acts Which Constitute A Nuisance.**

[Ord. No. 737, 3-28-2016]

- A. *It shall be unlawful for any owner, lessee or occupant or any agent, servant, representative or employee of any such owner, lessee or occupant having control of any occupied lot or land or any part thereof in the City of Calverton Park or within one-half (1/2) mile of the corporate limits of the City of Calverton Park, Missouri, to cause, permit or maintain a nuisance on any such lot or land. Additionally, it is unlawful for any person or his/her agent, servant, representative or employee to cause or maintain a nuisance on the land or property of another with or without permission. Each day that a nuisance shall be maintained is a separate offense.*
- B. *The following conditions, acts and business operations are hereby declared to be nuisances affecting public health:*

*28. Any partly dismantled, wrecked, dilapidated, abandoned, or non-operative automobile or other motor vehicle or parts thereof which are found upon any private property, and which are not housed in a garage, basement or other enclosed building. Any motor vehicle, automobile or other elements thereof found disassembled upon private property shall be considered to be dismantled, abandoned, wrecked or dilapidated for the purpose of this Chapter when such automobile or other vehicle is found lacking essential component parts which prevent it from being immediately operative under its own power or which has a deflated tire or tires, or which vehicle or automobile is not properly licensed and registered with a current license plate displayed on the vehicle and with a proper current vehicle registration in possession of the person in charge of the property upon which the vehicle or automobile is located.*

## **Section 215.080. Abatement Of Nuisances, Generally.**

[Ord. No. 737, 3-28-2016]

- A. *In addition to other remedies and enforcement procedures set forth in this Code, the City may proceed to abate the nuisance in accordance with the provisions of this Section.*
  1. *Nuisances caused by high grass, weeds, brush and vegetation may be abated in accordance with the separate procedure for such nuisance as set forth in this Chapter or in accordance with the provisions of this Section.*
  2. *Nuisances caused by an accumulation of trash, litter and debris may be abated in accordance with the specific procedure for such nuisance as set forth in this Chapter or in accordance with the provisions of this Section.*
  3. *For all other nuisances, the City shall proceed as follows:*
    - a. *The Code Official shall have issued a notice of the violation in accordance with the provisions of this Chapter and shall have included notice of hearing. Every person required to appear shall have at least ten (10) days' notice thereof.*
    - b. *The hearing shall be conducted by the Health Commissioner or his or her designee. If after hearing all the evidence, it is determined that a nuisance exists, the Health Commissioner shall order the person to abate the nuisance within twenty (20) days or within such other time as the Commissioner may deem reasonable. Such order shall be served in the manner*



## City of Calverton Park

52 Young Dr.  
Calverton Park MO 63135  
Phone (314) 524-1212

*provided in this Section for service of the notice of violation. The order may further provide that the appropriate City Official be directed to abate the nuisance if the order is not obeyed within the time period established, and that a special tax bill be issued for the costs of abating the nuisance.*

*c. The decision of the Health Commissioner may be appealed by filing an appeal, on such forms as prescribed by the City, with the Mayor within seven (7) days from the Commissioner's decision. The appeal form shall set forth, at a minimum, the detailed grounds for such appeal and such further information as requested on the appeal form. The Mayor shall review the decision of the Health Commissioner either within the Mayor's sole discretion upon the record previously made or upon a new hearing and shall issue a written decision to all parties; such decision may be subject to judicial review in the Circuit Court of St. Louis County by filing an appropriate Petition for Judicial Review within fifteen (15) days of the Mayor's decision.*

*d. If the nuisance has not been abated within the established time period, the appropriate City Official shall proceed to abate the nuisance in the manner provided by the order of the Commissioner or the Mayor, and the cost of same shall be assessed as a special tax against the property so improved or upon which such work was done and shall be a lien against said property. The City Clerk, or his or her designee, shall cause a special tax bill to be issued therefor against the owner thereof when known, and if not known then against the unknown persons, and the certified bills of such assessment shall describe therein the property upon which the work was done.*

*(1) The costs and expenses incurred by the City shall include the actual costs billed by third parties performing the abatement and paid by the City, costs billed by the City Attorney related to the abatement and paid by the City; costs of mailing or publication of notices; and costs related to time spent by City personnel in performing tasks related to the abatement and in preparation of the tax bill, lien, or other paperwork (these costs shall be based on the time spent in quarter of an hour increments multiplied by the hourly rate of pay for the employee).*

*(2) All City Departments shall determine and document the costs and expenses related to abatement of a nuisance which shall be provided to the City Clerk or his or her designee, for proper billing of such costs and expenses and for general oversight purposes.*

*e. If the bill is not paid within the time period established for payment, Notice of a Special Tax Lien shall be recorded with the Recorder of Deeds Office.*

*f. The cost of abating nuisances on private property shall be levied and assessed on each lot in proportion to the amount of work done and material used in abating the nuisance located on each such lot.*

These ordinances are in accordance with state law including Section 71.780 RSMo, Section 67.398 RSMo, and Section 79.370 RSMo.

Certain vehicles may not be stored on private property unless within an enclosed garage due to the adverse effects on the neighborhood. Once observed/reported, a warning notice is mailed to both the occupant at the residence and the owner. The notice provides 10 days to remedy the issue and a hearing date during which the violator may meet (in person or by phone) with the Health/Code Enforcement inspector. At that meeting, any person can present evidence as to the condition of the vehicle and may request additional time to comply with the ordinance. If the resident fails to comply with the ordinance and does not request an extension for compliance, the City may abate the nuisance as a last resort. In a case involving towing a vehicle, an Application for Administrative Warrant is completed. The Administrative Warrant is then served, towing the vehicle from the property. The costs associated with the abatement are then recorded and passed on to the owner of the property, to ensure taxpayers are not footing the bill for others, who are non-complaint.

The basis for this ordinance is to ensure the health and safety of our entire community, and the communities around us. Derelict vehicles stored outside often become harborage for animals, such as snakes and rodents, may have broken parts which could result in injury, and often leak harmful chemicals into the environment. It should be noted that vehicles that are not properly licensed have not passed the safety or emissions tests which are required by state law to protect the public health. Just because an unlicensed vehicle is driven on public streets, it does not mean that such vehicle is safe to operate and operating such vehicle is likely endangering others. Finally, the storage of inoperable, derelict and unlicensed vehicles on properties within residential areas adversely impacts the health, safety, welfare and quality of life of the residents, decreases property values within the neighborhood, and gives the impression that other, more serious criminal activity will also be



## City of Calverton Park

52 Young Dr.  
Calverton Park MO 63135  
Phone (314) 524-1212

ignored thereby leading to increased crime. These effects are directly contrary to the health and safety standards within our community.

The City of Calverton Park has always appreciated the support and cooperative efforts of all of its residents, and we feel it is our solemn duty to provide the very best possible place to live for them. Based on the reaction on social media and in person, we feel that the majority of our residents agree.

We thank you for the opportunity to provide the rest of the story and to serve the City of Calverton Park.

Respectfully,

A handwritten signature in black ink, appearing to read "James Paunovich".

James Paunovich  
Mayor