

Chapter 480. Enforcement

Section 480.010 Responsibility for Enforcement

The Development Services Director is responsible for enforcing this Code, unless otherwise expressly stated.

Section 480.020 Types of Violations

Unless otherwise expressly allowed by this Code or by state, federal or local law, any violation of this Code will be subject to the remedies and penalties provided in this chapter. Violations include, but are not limited to the following:

- A. failure to comply with any provision of this Code;
- B. to engage in construction, development, subdivision of land or use of land or buildings in any way not consistent with the requirements of this Code;
- C. to engage in construction, development, subdivision of land or use of land or buildings without all of the required permits, approvals, certifications and other forms of authorization required by this Code;
- D. to engage in construction, development, subdivision of land or use of land or buildings in any way not consistent with the terms and conditions of any permit, approval, certificate or other form of authorization required by this Code, or any conditions placed by the Development Services Director, Planning and Zoning Commission, Board of Adjustment, Board of Appeals or City Council on such authorization;
- E. to occupy or use any building or structure prior to completion of final inspections or issuance of a certificate of occupancy as required by this Code;
- F. to reduce any lot area so that setbacks or other dimensional standards are smaller than required by this Code and any approved plats or plans;
- G. to increase the intensity of use of any land or structure in any way not consistent with the requirements of this Code;
- H. to install or use a sign in any way not consistent with the requirements of Chapter 435 or to fail to remove any sign that is not consistent with the requirements of this Code;
- I. to obscure, obstruct or destroy any notice required to be posted or otherwise given under this Code;
- J. to fail to comply with a Stop Work Order issued under the authority given by this Code;
- K. to alter, damage or remove any improvement required:
 - 1. by this Code;
 - 2. by the Planning and Zoning Commission as part of a site plan approval; or
 - 3. by the City Council as part of an approval granted under the requirements of this Code;
- L. to fail to comply with any condition of approval imposed by the Development Services Director, Planning and Zoning Commission, Board of Adjustment, Board of Appeals or City Council;
- M. to fail to remove any diseased or dead required landscaping and replace with landscaping materials in compliance with City code; and/or
- N. to continue any of the violations of this section. Each day that a violation continues will be considered a separate offense.

Section 480.030 Remedies and Enforcement Powers

The City of Raymore has all of the following remedies and enforcement powers:

A. Withholding of Permits

1. The City may withhold or deny all permits, certificates of occupancy and other approvals for any building or structure on land where there is an uncorrected violation of this Code or of a condition of any permit, certificate or other approval previously granted by the City. The City may also grant a permit or approval subject to the condition that the violation be corrected. This provision applies whether or not the current owner is responsible for the violation.
2. The City may also withhold or deny all permits, certificates and other approvals for other land or structures owned or built by a person who caused an uncorrected violation of this Code on another property in the City of Raymore.

B. Revocation of Permits

1. Any permit granted under this Code may be revoked when the Development Services Director determines:
 - a. there is a departure from the plans, specifications or other requirements of the terms of the permit;
 - b. the permit was obtained by false representation or was issued by mistake; or
 - c. any provisions of this Code are being violated.
2. Written notice of the permit revocation must be served on the owner, owner's agent or contractor or must be posted in a prominent location; thereafter, no further construction may proceed.

C. Revocation of Plans or Other Approvals *(Amendment 8 – Ordinance 2011-9 2.28.11) (Amendment 33 - Ordinance 2020-068 - 11.23.2020)*

1. When a violation of this Code involves a failure to comply with an approved plan or condition of approval of a site plan, the Planning and Zoning Commission may revoke any plan or approval or condition its continuance on strict compliance with this Code and all conditions of approval. The Development Services Director must provide notice to the person found to be in violation. The Planning and Zoning Commission shall hold a public hearing prior to the revocation of any site plan.
2. When a violation of this Code involves a failure to comply with a condition of approval of a Conditional Use Permit, the City Council may revoke the Conditional Use Permit. The Development Services Director must provide notice to the person found to be in violation. The City Council shall hold a public hearing prior to the revocation of any Conditional Use Permit.
3. When a violation of Code involves a failure to comply with a condition of approval of a Variance of Use, the Board of Adjustment may revoke the Variance of Use. The Development Services Director must provide notice to the person found to be in violation. The Board of Adjustment shall hold a public hearing prior to the revocation of any Variance of Use.

D. Stop Work Orders

The Development Services Director may issue a stop work order, with or without revocation of

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permits, for any building or structure on land where there is an uncorrected violation of this Code, any permit or other approval granted under this Code.

E. Citation

The Development Services Director may issue a citation to the property owner, tenant or person responsible for a violation of this Code.

F. Injunctive Relief

The city may seek an injunction or other equitable relief in court to stop any violation of this Code or of a permit, certificate or other form of authorization granted under this Code.

G. Abatement

The City may seek a court order in the nature of injunction, mandamus, abatement or other action to abate or remove a violation or to otherwise restore the premises in question to its condition prior to the violation.

H. Remedy of Sign Violations

1. The Development Services Director has the authority to order the removal and disposal of any temporary sign in violation of this chapter or any other sign that has remained in violation of this Code for more than 30 days after a judgment against the violator.
2. The City Council may impose a tax lien against the property of the violator to recover costs incurred by the City to remedy the situation including the costs of investigation, prosecution, removal and any other cost related to the violation.
3. The Code Enforcement Officer or his/her agent may remove snipe signs or other prohibited signs.
4. Any sign installed or placed in the right-of-way or on public property will be deemed an unlawful sign and will be subject to immediate removal and disposal by the City, without compensation to the owner. The owner or other person placing the sign will be subject to the penalty provisions of this chapter.

I. Penalties *(Amendment 24 – Ordinance 2017-04 2.13.17)*

A person, firm or corporation who violates any provision of the Unified Development Code will be guilty of a misdemeanor and upon conviction will be fined not more than \$200.00. Each day of violation constitutes a separate offense.

J. Other Remedies

The City will have such other remedies and enforcement powers as may be granted from time to time by Missouri law and the City Code.

Section 480.040 Remedies Cumulative

The remedies and enforcement powers established by this chapter are cumulative.

Section 480.050 Enforcement Procedures

A. Emergency Matters

When a violation of the Unified Development Code results in an emergency situation as a result of safety concerns or violations that will create increased problems or costs if not immediately remedied, the City may use the enforcement powers granted by this chapter without prior notice, but

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the Development Services Director must attempt to give notice to the property owner or person who is party to an agreement or relevant permit simultaneously with beginning enforcement action.

B. Non-Emergency Matters

1. When a violation of the Unified Development Code does not result in an emergency situation, the Development Services Director must give notice of the violation to the property owner, tenant or another person who is party to a relevant agreement or permit.
2. Notice must be given in person, by U.S. mail or by posting notice in a prominent location on the premises. Notice must state the nature of the violation and the time period for compliance, and may state what corrective steps are necessary and the nature of penalties and enforcement actions that may result if the situation is not corrected.
3. The persons receiving the notice will have 10 days to correct the violation before further enforcement action will be taken.
4. If the violation is not corrected within the allotted time, the Development Services Director may impose one or more of the remedies listed in Section 480.030.
5. Any sign placed within the right-of-way may be removed immediately, without notice, by the City.

Section 480.060 Private Agreements

Private covenants, deed restrictions or agreements imposing standards different than those in this Code shall not impose an enforcement obligation on the Development Services Director or the City.