

BILL NO. 2357

ORDINANCE NO. 2357

AN ORDINANCE MODIFYING CHAPTER 42 - GARBAGE AND TRASH AND CHAPTER 46 – HEALTH AND SANITATION OF THE LADUE CODE OF ORDINANCES OF THE CITY OF LADUE

WHEREAS, the Code of Ordinances outlines restrictions in Chapter 42 on what can be placed or deposited in various waterways in the City, but does not specifically include language regarding sinkholes; and

WHEREAS, the Code of Ordinances outlines nuisances affecting health in Chapter 46, but does not specifically include language regarding sinkholes; and

WHEREAS, the City of Ladue has dozens of designated sinkholes in the community, currently without these protections and restrictions; and

WHEREAS, the authority for adopting modifications to the Code of Ordinances with respect to police power regulations such as stormwater control are authorized including by Chapter 67 of the Missouri Revised Statutes and this ordinance is enacted to protect the general safety and welfare of Ladue residents; and

WHEREAS, City Council, after careful review, desires to and finds it in the best interests of the community to modify Section 42-2 and Section 46-29 of the Code of Ordinances; and

WHEREAS, a copy of this bill has been made available for public inspection prior to its consideration by the Council and read by title two times in an open meeting prior to passage.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1. The City of Ladue hereby modifies Section 42-2 and Section 46-29 of the Code of Ordinances, as shown on the attached Exhibit A, which is incorporated herein by reference, with proposed new language depicted in red font. All other provisions within Chapters 42 and 46 not modified by Exhibit A shall remain in full force and effect.

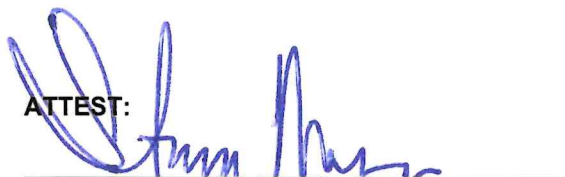
SECTION 2. This Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED THIS 13TH DAY OF NOVEMBER 2023.



Presiding Officer

ADOPTED AND APPROVED THIS 13TH DAY OF NOVEMBER 2023.

ATTEST:


Stacey Mann, City Clerk



Nancy Spewak, Mayor

Exhibit A

Sec. 42-2. - Same—In watercourses.

No person shall place, deposit or cause to be placed or deposited in any river, creek, stream, sinkhole or surface water drainage ditch or area in the city any garbage, sewage, refuse, tree limbs, leaves, grass cuttings, cans, paper or other waste materials, whether or not of a kind specified.

Sec. 46-29. - Same—Declared to be nuisances affecting health.

The following are declared to be nuisances affecting health:

- (1) All decayed or unwholesome food offered for sale to the public;
- (2) All diseased animals running at large;
- (3) Accumulations of manure, rubbish, garbage, refuse and human and industrial or noxious or offensive waste, except the normal storage on a farm of manure for agricultural purposes;
- (4) Privy vaults or garbage cans which are not fly-tight;
- (5) The pollution of any well, cistern, spring, underground water stream, lake, canal or body of water by sewage or industrial wastes, or other substance harmful to human beings;
- (6) Dense smoke, noxious fumes, gas, soot or cinders, in unreasonable quantities, or the presence of any gas, vapor, fume, smoke, dust or any other toxic substance on, in or emitted from the equipment of any premises in quantities sufficient to be toxic, harmful or injurious to the health of any employee or to any premises occupant, or to any other persons;
- (7) Common drinking cups, roller towels, combs, brushes or eating utensils in public or semipublic places not properly sanitized after use;
- (8) Any vehicle used for septic tank cleaning which does not meet the requirements of any provision of this Code or other ordinance regulating the same;
- (9) Any vehicle used for garbage and refuse disposal that does not meet the requirements of this Code or other ordinance;
- (10) All infestations of flies, fleas, roaches, lice, ticks, rats, mice, fly maggots, mosquito larvae and hookworm larvae;
- (11) Unlicensed dumps;

(12) The blockage of any creek, drainway, drain pipe, storm sewer, sinkhole, or drainage ditch that causes water to back up onto any adjacent property or to leave the natural drainage and divert onto another property;

(13) The failure to place and maintain erosion and siltation controls such that sediment flows from one's property to another property or to a street;

(14) All other acts, practices, conduct, business, occupations, callings, trades, uses of property and all other things detrimental or certain to be detrimental to the health of the inhabitants of the city.