



CITY OF BALLWIN

14811 Manchester Road, Ballwin, MO 63011

BILL NO. 3874

ORDINANCE NO. _____

INTRODUCED BY

ALDERMEN TERBROCK, FINLEY, STALLMANN, SCHWENT, FLEMING, LEAHY, KERLAGON, BOLAND

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BALLWIN
WITH REGARD TO ADMINISTRATIVE SEARCH WARRANTS.**

WHEREAS, the Board of Aldermen has determined that tall grass and weeds are a public safety hazard and that Administrative Search Warrants under certain limited circumstances should be authorized.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Chapter 29 of the Code of Ordinances of the City of Ballwin shall be amended by adding a new Section 29-7 thereto as follows:

A. Search Warrant Defined—Who May Issue, Execute.

1. An administrative search warrant is a written order of the Municipal Judge permitting the entry of City Officials on or into private property, structure or improvement to enforce the City's housing, zoning, health and safety regulations when government entry on or into such property is otherwise authorized by Missouri law. A warrant may issue only in conformance with this Section and only for the enforcement of the City's housing, zoning, health and safety regulations, specifically, to abate tall grass and weed violations.

2. The Municipal Judge having original and exclusive jurisdiction to determine violations against the ordinances of the municipality may issue an administrative warrant when:

- a. The property to be entered is located within the City, and
- b. The owner or occupant of the property or place to be entered:
 - (1) Has refused to allow same after official request by the City, or
 - (2) Is not available, after reasonable investigation and effort, to consent to such search or inspection.

3. Any such warrant shall be directed to the Chief of Police or any other Police Officer of the City and shall be executed by the Chief of Police or said Police Officer in conjunction with the Code Enforcement Officer or other appropriate City Official within the City limits and not elsewhere.

Section 2. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this _____ day of _____, 2015. _____
TIM POGUE, MAYOR

APPROVED this _____ day of _____, 2015. _____
TIM POGUE, MAYOR

ATTEST: _____
ROBERT KUNTZ, CITY ADMINISTRATOR