

What are some indicators that nuisance or illegal activities are occurring at a property?

- Frequent loud partying.
- Excessive traffic to and from the property.
- Loitering in or around the property.
- Frequent, unusual traffic patterns. Stop, enter, and leave.
- Frequent traffic stops outside the property, a resident goes out to speak with the person in the car, and the car leaves.
- Gang activity in the neighborhood.
- Sudden increase in criminal activity.
- Sudden deterioration of the property
- Accumulation of inoperable vehicles, trash, and junk.

If you have additional questions or would like to report a suspicious property, please contact one of these agencies:

*Cape Girardeau Police Department
40 South Sprigg Street
Cape Girardeau, MO 63703
Phone (573) 335-6621
police@cityofcapegirardeau.org*

*Cape Girardeau Inspections
401 Independence Street
Cape Girardeau, MO 63703
Phone (573) 339-6327
inspections@cityofcapegirardeau.org*

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**CITY *of* CAPE
G I R A R D E A U**

Chronic Nuisance Property



***Keeping nuisance and
illegal activity out of
your neighborhood!***

Why does Cape Girardeau need a chronic nuisance property ordinance?

The Chronic Nuisance Property Ordinance is a tool the City of Cape Girardeau can use to correct nuisance activity that is occurring on residential and/or commercial properties. The ordinance places the responsibility for correcting the nuisance activity on the property owner and holds the owner accountable for what happens on, or in association with the owner's property.

What are the basic facts of the ordinance?

The ordinance allows the City to declare a property a chronic public nuisance if it has a threshold number of nuisance activities occurring on, or in association with the property. If the property is declared a chronic nuisance, the City may recover the costs of Police and/or Inspections responding to repeated occurrences of nuisance activities at the property. The ordinance also penalizes a property owner who fails to respond to the chronic public nuisance notice and/or fail to, in good faith, correct the nuisance activity. If the owner fails to correct the nuisance activity, the property may be ordered vacated for a period of time up to 12-months.

What are Nuisance Activities?

- Illegal manufacturing, possession, delivery, distribution, or use, of drugs or drug paraphernalia.
- Illegal possession, use or sale of firearms or weapons.
- Prostitution or patronizing prostitution.
- Consumption or possession of alcoholic beverages in public places in violation of Sec.-14 of City ordinance.
- Offenses against the public order in violation of Chapter 17, Article VII of City ordinance ; which include peace disturbance, unlawful assembly, rioting, refusal to disperse, loitering, and violating curfew.

How is a property declared a chronic nuisance property?

- If the police has filed an incident report for responding to three (3) or more nuisance activities occurring on or in association with a property.
- If the police has filed an incident report for responding to one (1) nuisance activity regarding the illegal manufacturing, delivery or distribution of drugs.

How is the owner informed the property has been declared a chronic nuisance?

The City Attorney provides the property owner a written notice declaring the property to be a chronic nuisance property.

The property owner is given 15-days to contact the City Attorney and correct the nuisance activity occurring on the property.

What if the owner does not correct the nuisance activity within the 15-day time period?

If the owner does not correct the nuisance activity within the 15-day time period, the City Attorney will refer the owner to the Abatement Hearing Officer.

The officer will hold a hearing to determine whether a property is a chronic nuisance property. Each interested party attending the hearing will be given an opportunity to present evidence and may be questioned by the officer.

At the conclusion of the hearing, the officer will issue a final written determination. If the property is determined to be a chronic nuisance, the property may be ordered vacated for a period of time up to twelve (12) months.