

Chapter 44 – Relocation Policy

44.010. Relocation policy.

Section 1.The following Relocation Policy shall apply to any plan, project, or area for redevelopment under the operation of Chapter 99 R.S.Mo., Chapter 100 R.S.Mo., Chapter 353 R.S.Mo., which was filed for approval, approved or amended on or after August 31, 1991 and which proposes or includes within its provisions or necessitates displacement of persons, when such displacement is not subject to the provisions of the Federal Uniform Relocation and Real Property Acquisition Policies Act of 1970 (42 U.S.C. Sections 4601 to 4655, as amended) or to subsection 1 of Section 523.205 R.S.Mo.:

1. As used herein, the following terms shall mean:

"Business", any lawful activity which is conducted:

- (a) Primarily for the purchase, sale or use of personal or real property or for the manufacture, processing or marketing of products or commodities; or
- (b) Primarily for the sale of services to the public;

"Decent, safe and sanitary dwelling", a dwelling which meets applicable housing and occupancy codes. The dwelling shall:

- (a) Be structurally sound, weathertight and in good repair;
- (b) Contain a safe electrical wiring system;
- (c) Contain an adequate heating system;
- (d) Be adequate in size with respect to the number of rooms needed to accommodate the displaced person; and
- (e) For a handicapped person, be free of barriers which would preclude reasonable ingress, egress or use of the dwelling;

"Displaced person", any person that moves from the real property or moves his personal property from the real property permanently and voluntarily as a direct result of the acquisition, rehabilitation or demolition of, or the written notice of intent to acquire such real property, in whole or in part, for a public purpose;

"Handicapped person", any person who is deaf, legally blind or orthopedically disabled to the extent that acquisition of another residence presents a greater burden than other persons would encounter or to the extent that modifications to the replacement residence would be necessary;

"Initiation of negotiations", the delivery of the initial written offer of just compensation by the acquiring entity, to the owner of the real property, to

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purchase such real property for the project, or the notice to the person that he will be displaced by rehabilitation or demolition;

"**Person**", any individual, family, partnership, corporation, or association;

"**Urban redevelopment corporation**", as defined in Section 353.020 R.S.Mo.

2. Every urban redevelopment corporation acquiring property within a redevelopment area shall submit a relocation plan as part of the redevelopment plan. The relocation plan shall comply with all applicable provisions of this Relocation Policy.
3. Unless the property acquisition under any plan, project, or area for redevelopment approved under the operation of Chapter 99 R.S.Mo., Chapter 100 R.S.Mo., or Chapter 353 R.S.Mo., is subject to federal relocation standards or subsection 1 of Section 523.205 R.S.Mo., any such plan approved in connection with such property acquisition shall include a relocation plan which shall, either by incorporation of this Relocation Policy or by express provision therein, provide for the following:
 - (a) Payments to all eligible displaced persons who occupied property to be acquired for not less than 90 days prior to the initiation of negotiations who are required to vacate the premises;
 - (b) A program for identifying special needs of displaced persons with specific consideration given to income, age, size of family, nature of business, availability of suitable replacement facilities and vacancy rates of affordable facilities;
 - (c) A program of referrals of displaced persons with provisions for a minimum of three decent, safe and sanitary housing referrals for residential persons or suitable referral sites for displaced businesses, a minimum of ninety days' notice of referral sites for handicapped displaced persons and sixty days' notice of referral sites of all other displaced persons prior to the date such displaced persons are required to vacate the premises and arrangements for transportation to inspect referral sites; and
 - (d) Every displaced person shall be given a 90-day notice to vacate, prior to the date such displaced person is required to vacate the premises.
4. All displaced residential persons eligible for payments shall be provided with relocation payments based upon one of the following, at the option of the person:
 - (a) A \$500 fixed payment; or
 - (b) Actual reasonable costs of relocation including actual moving costs, utility deposits, key deposits, storage of personal property up to one

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month, utility transfer and connection fees and other initial rehousing deposits including first and last month's rent and security deposit.

5. All displaced businesses eligible for payments shall be provided with relocation payments based upon the following, at the option of the business:
 - (a) A \$1,500 fixed payment; or
 - (b) Actual costs of moving including costs for packing, crating, disconnection, dismantling, reassembling and installing all personal equipment and costs for relettering similar signs and similar replacement stationery.
6. If a displaced person demonstrates the need for an advance relocation payment, in order to avoid or reduce a hardship, the developer or the City shall issue the payment subject to such safeguards as are appropriate to ensure that the objective of the payment is accomplished. Payment for a satisfactory claim shall be made within 30 days following receipt of sufficient documentation to support the claim. All claims shall be filed with the displacing agency within six months after:
 - (a) For tenants, the date of displacement;
 - (b) For owners, the date of displacement or the final payment for the acquisition of the real property, whichever is later.
7. Any displaced person, who is also the owner of the premises, may waive relocation payments as part of negotiations for acquisition of the interest held by such person. Such waiver shall be in writing, shall disclose the person's knowledge of the provisions of Section 523.205, R.S.Mo. and his entitlement to payment and shall be filed with the acquiring public agency.
8. All persons eligible for relocation benefits shall be notified in writing of the availability of such relocation payments and assistance concurrent with the notice of referral sites a required in subdivision (3) of subsection 5 of Section 523.205 R.S.Mo.
9. Any urban redevelopment corporation, its assigns or transferees, which has been provided any assistance under the operation of Chapter 99 R.S.Mo., Chapter 100 R.S.Mo., Chapter 353 R.S.Mo., or Chapter 523 R.S.Mo., with land acquisition by the City, shall be required to make a report to the Board of Aldermen or appropriate public agency which shall include, but not be limited to, the addresses of all occupied residential building and structures within the redevelopment area and the names and addresses of persons displaced by the redeveloper and specific relocation benefits provided to each person, as well as a sample notice provided to each person.
10. An urban redevelopment corporation which fails to comply with the relocation requirements provided in Section 523.205 R.S.Mo., shall not be eligible for

tax abatement as provided for in Chapter 353 R.S.Mo.

11. The requirements set out herein shall be considered minimum standards. In reviewing any proposed relocation plan under the operation of Chapter 99 R.S.Mo., Chapter 100 R.S.Mo., or Chapter 353 R.S.Mo., the Board of Aldermen or public agency shall determine the adequacy of the proposal and may require additional elements to be provided.
12. Relocation assistance shall not be provided to any person who purposely resides or located his business in a redevelopment area solely for the purpose of obtaining relocation benefits.
13. The provisions of Section 523.200 and 523.205 R.S.Mo. shall apply to land acquisitions under the operation of Chapter 99 R.S.Mo., Chapter 100 R.S.Mo., or Chapter 353 R.S.Mo., filed for approval, approved or amended on or after August 31, 1991.

Section 2. The Relocation Policy shall apply to any plan, project, or area for redevelopment under the operation of Chapter 99, Chapter 100, or Chapter 353 of the Revised Statutes of Missouri, as amended, which is hereafter filed for approval, approved, or amended.

Section 3. The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this Ordinance are valid, unless the court finds the valid sections of this Ordinance are so essential and inseparably connected with and dependent upon the void section that it cannot be presumed that the Board of Aldermen would have enacted the valid sections without the invalid ones, or unless the court finds that the valid sections standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

Adopted by Ordinance #208, 8/11/03.