

FILED

NOV 22 2024

JANET HORINE, CIRCUIT CLERK
CARROLL CO., MO.

Christopher Michael Larsen
Plaintiff,

v.

Case No. _____

Town of Carrollton, Lonnie Sensenich (In his official
capacity as Fire Chief)
Defendants.

PETITION FOR INJUNCTIVE RELIEF

COMES NOW, Christopher Michael Larsen, Plaintiff, and petitions this Honorable Court for injunctive relief against the Defendants, and in support thereof states as follows:

INTRODUCTION

1. This action arises from repeated violations of local fire codes, negligence by responding authorities, and resultant harm to the Plaintiff's health, safety, and property.
 2. Plaintiff resides at 212 E. Benton Street, in a densely populated residential area within the town of Carrollton, where unauthorized fires have repeatedly occurred, causing hazardous conditions.
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PARTIES

3. Plaintiff: Christopher Michael Larsen, resident of Carrollton, Missouri.
 4. Defendants:
 - a. The Town of Carrollton
 - b. Lonnie Sensenich (In his official capacity as Fire Chief)
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JURISDICTION AND VENUE

5. This Court has jurisdiction over this matter because Plaintiff resides in the jurisdiction covered by this court, Defendants are located and carry-out their daily activities in their official capacities in the jurisdiction covered by this court.
 6. Venue is proper as the incidents occurred within the jurisdiction of this Court.
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FACTUAL ALLEGATIONS

7. On **November 15, 2024**, Plaintiff returned home and encountered the noxious smell of burning plastic emanating from a fire behind their residence.
 8. Plaintiff immediately reported the fire to **911**, specifying health concerns, code violations, and a request to remain anonymous for fear of retaliation.
 9. Fire personnel arrived without urgency and allowed the fire to continue with instructions merely to avoid adding more fuel. No attempt was made to extinguish the fire or verify its legality under local ordinances.
 10. The fire caused harmful smoke infiltration, exacerbating Plaintiff's health conditions and preventing them from unloading furniture.
 11. Plaintiff had previously reported a similar incident on **June 4, 2024**, under nearly identical circumstances, which also resulted in inaction by fire personnel.
 12. Plaintiff has since experienced intimidation and threats of retaliation from the individual responsible for the fires, including unsafe items placed near Plaintiff's property.
 13. The fire department and police failed to enforce the following ordinances:
 - **Section 235.010**: Prohibiting open fires during hours of darkness.
 - **Section 235.030**: Requiring permits for open burning.
 - **Section 235.040**: Permits must be requested by the landowner.
 - **Section 235.110**: Mandating the extinguishment of hazardous or objectionable fires.
 14. Despite Plaintiff's effort to address the matter directly with the city council and fire chief, a satisfactory resolution was not reached.
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CAUSES OF ACTION

Count I – Injunctive Relief

14. Defendants failed to enforce local fire codes and ordinances, creating a hazardous and objectionable condition.
15. Plaintiff has suffered and will continue to suffer irreparable harm, including health risks, emotional distress, and potential property damage, absent injunctive relief.
16. There is no adequate remedy at law to prevent further harm.

Count II – Negligence

17. Defendants breached their duty to enforce fire safety regulations and protect Plaintiff's health and safety.
 18. This breach directly resulted in Plaintiff's injuries and distress.
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PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

1. Issue a preliminary and permanent injunction compelling Defendants to:
 - a. Enforce all fire-related ordinances in compliance with the law.
 - b. Prohibit unauthorized fires in residential areas.
2. Order the fire department to provide proper training and oversight to prevent further occurrences.
3. Award any other relief deemed just and equitable by the Court.

Respectfully submitted,

By: *Christopher M. Larsen*
Christopher Michael Larsen (Pro Se Petitioner)
212 E. Benton Street
Carrollton, MO 64633
(760) 576-4610
christopher.larsen@yahoo.com

Dated: November 22, 2024