

# City Of Dixon Ordinances

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77	3 July 1950	Oiling Of Certain Streets
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<u><b>Ordinance</b></u>	<u><b>Date</b></u>	<u><b>Title</b></u>
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100	2 April 1956	Extension Of The City Limits Of The City Of Dixon, Missouri
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131	2 May 1966	Tax Levy For The Year Of 1966
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134	17 March 1969	Authorizing A Contract For Garbage And Trash Collection
135		Tax Levy For The Year Of 1969
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149	7 May 1974	Providing For A Sewer And Water Connection Fee
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151	7 May 1974	Pertaining To The Sewer And Water Systems; <b>Modified By Ord. 257,262 And 457</b>
152	8 August 1974	Regulating Solid Waste Management; <b>Modified By Ord. 158</b>
153	3 September 1974	Establishing City Park Board: <b>Repealed By Ord. 185</b>
154	7 October 1974	Vacating That part Of Oak Street Extending Across Railroad Right-Of-Way <b>Repealed By Ordinance 168</b>
155	7 October 1974	Erection And Maintenance Of Electric Flashing Signals At Railroad Crossing On Elm Street <b>Repealed By Ordinance 168</b>
156	7 October 1974	Regulating The Speed Of Locomotives And Trains <b>Repealed By Ordinance 168</b>
157	26 March 1975	Relating To Disaster Preparedness
158	5 May 1975	Change Monthly Service Charge for Solid Waste And Delete Last Paragraph of Ordinance 152
159	5 May 1975	Employing Attorneys For The City
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<u><b>Ordinance</b></u>	<u><b>Date</b></u>	<u><b>Title</b></u>
165	2 June 1975	Prohibiting The Stealing of Property
166	19 June 1975	Relating To Narcotic Drugs
167	7 July 1975	Vacating A Certain Alleyway
168	4 August 1975	Repealing Ordinances 154, 155 And 156 Concerning Railroad Operations
169	4 August 1975	Imposing A Tax For General Revenue Purposes On All Sellers
170	3 November 1975	Authorizing The Issuance Of One General Obligation Bond <b>Repealed By Ordinance 171</b>
171	1 December 1975	Repealing Ordinance 170 For Issuance Of General Obligation Bonds
172	11 December 1975	Providing A Budget For FY-77
173	5 January 1976	Governing The Operation Of A Motor Vehicle While Under The Influence Of Alcohol <b>Repealed By Ordinance 174 And 453</b>
174	1 March 1976	Governing The Operation Of A Motor Vehicle While Under The Influence Of Alcohol; <b>Repealed By Ord. 452</b>
	3 May 1976	Resolution Setting Aside Park Land
175	13 September 1976	Prohibiting The Making, Drawing Or Uttering Insufficient Funds Checks
176	9 February 1977	Authorizing The Borrowing Of Money
177	9 February 1977	Vacating A Portion of Street in Shelton-Elkins Addition to the City of Dixon, Missouri
178	7 March 1977	Authorizing The Execution Of An Agreement For Engineering Services For A Sewer Project
179	7 March 1977	Enacting A New Ordinance Providing For Business Licenses
180	6 June 1977	Authorizing The Transfer Of Certain Funds
181	6 June 1977	Governing The Operation Of A Motor Vehicle
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183	12 July 1977	Authorizing Entering Into An Agreement For Collection And Disposal Of Solid Waste
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185	6 December 1977	Establishing A City Park Board; <b>Amended Ord. 393</b>
186	6 December 1977	Establishing A Library Board
187	6 December 1977	Authorizing The Borrowing Of Funds For The Park Board
188	6 December 1977	Employing Accountants For The City
189	6 December 1977	Employing An Attorney For The City; Waiver Of Notice For Special Meeting
190	6 December 1977	Providing A Budget For FY-78
191	6 March 1978	Authorizing The Employment Of The City Attorney
192	1 May 1978	Establishing A Personnel Policy; <b>Repealed By Ord. 249</b>
193	7 August 1978	Relating To Animal Control
194	5 September 1978	Tax Levy For The Year of 1978
195	4 October 1978	Annexing Property To The City Of Dixon, Missouri (Shepherd Park)
196	25 October 1978	Amending Section 3 Of Ordinance 141 Dated 19 March 1971
197	26 Dec 1978	Establishing The City Police Court
198	13 March 1979	Relating To Enumeration Of Nuisances
199	10 April 1979	Calling For A Special Election To Fill The Vacancy Of Alderman Of The Second Ward
200	19 April 1979	Annexing Property To The City Of Dixon, Missouri
201	19 April 1979	Relating To Personnel Policy <b>Repealed By Ord. 249</b>
202	2 May 1979	Special Election For Alderman
203	8 May 1979	Relating To Reimbursement For Travel Expenses For Elected Officials
204	12 June 1979	Annexing Property To The City Of Dixon, Missouri
205	12 June 1979	Annexing Property To The City Of Dixon, Missouri
206	12 June 1979	Annexing Property To The City Of Dixon, Missouri
207	12 June 1979	Annexing Property To The City Of Dixon, Missouri
208	12 June 1979	Annexing Property To The City Of Dixon, Missouri
209	10 July 1979	Annexing Property To The City Of Dixon, Missouri
210	10 July 1979	Annexing Property To The City Of Dixon, Missouri
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212	11 September 1979	Calling For A Special Election To Issue General Obligation Bonds And Revenue Bonds
213	9 October 1979	Execute An Agreement For The Collection And Disposal Of Solid Waste; <b>Repealed By Ord. 246</b>
214	9 October 1979	Reimposing The City Sales Tax On Residential Utility Service Provided Within The Municipality
215	20 November 1979	Result Of The Special Bond Election Held On 6 November 1979
216	11 December 1979	Annexing Property To The City Of Dixon, Missouri
217	11 December 1979	Annexing Property To The City Of Dixon, Missouri
218	11 December 1979	Annexing Property To The City Of Dixon, Missouri
219	11 December 1979	Annexing Property To The City Of Dixon, Missouri
221		Relating To Snow Removal From City Streets
222	25 March 1980	Fixing The Salary For The City Clerk
223	8 April 1980	Establishing Personnel Policy For The City Of Dixon, Missouri <b>Repealed By Ordinance 249</b>
224	12 May 1980	Relating To The offense Of Interfering With A Police Officer In The Discharge Of His Official Duties
225	10 June 1980	Annexing Property To The City Of Dixon, Missouri
226	10 June 1980	Annexing Property To The City Of Dixon, Missouri
227	10 June 1980	Annexing Property To The City Of Dixon, Missouri
228	10 June 1980	Annexing Property To The City Of Dixon, Missouri
229	10 June 1980	Annexing Property To The City Of Dixon, Missouri
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231	19 August 1980	General Obligation Combined Waterworks And Sewerage System Bonds Series 1980
232	19 August 1980	Combined Waterworks And Sewerage System Refunding And Improvement Bonds Series 1980 <b>Amended By Ord. 457</b>
233	9 September 1980	Relating To Loitering In Public Places
234	16 December 1980	Pertaining To Fair Housing Regulations
235	13 January 1981	Authorizing The Mayor To Execute An Agreement For The Collection And Disposal Of Solid Waste
236	10 December 1980	A Comprehensive Business License Ordinance For The City Of Dixon, Missouri (Letter Size)
237	10 March 1981	Relating To Peace Disturbance
238	13 January 1980	A Comprehensive Stop Sign Ordinance
239	8 September 1981	Tax Levy For The Year of 1981
240	3 August 1981	Returning The Office Of City Clerk To A Hired Position
241		Establish A User Charge System For Sewerage System
242		Sewer Use
243	5 October 1981	Annexing Property To The City Of Dixon, Missouri
244	5 October 1981	Annexing Property To The City Of Dixon, Missouri
245	7 December 1981	Authorizing The Payment Of Certain Wages And Salaries Of Waterworks, Sewage System And Maintenance
246	13 February 1982	Authorizing An Agreement With M&M Sanitation For Collection And Disposal Of Solid Waste
247	19 April 1982	Defining Food And Drink Place Of Business, Regulatory Authority; <b>Repealed by Ord. 443</b>

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<u>Ordinance</u>	<u>Date</u>	<u>Title</u>
248	19 April 1982	Regulating The Maintenance And Operation Of An Ambulance Service
249	19 April 1982	Establishing A Uniform Personnel Policy For City Employees <b>Amended By Ordinance 463 &amp; 475</b>
250	2 August 1982	For Installation Of Railroad Crossing Signals At The Intersection Of Elm St. And The Railroad Grade Crossing
251	2 August 1982	Tax Levy For The Year of 1982
252	7 September 1982	Relating To Animal Control; <b>Repealed By Ord. 408</b>
253	4 October 1982	Legislation To Revise And Update Current Statutes Relating To Municipal Laws
254	1 November 1982	Hiring And Fixing The Salary For The City Clerk For A Period Of One (1) Year
255		Establishing A User Charge System For Wastewater Treatment Works; <b>Repealed By Ord. 257</b>
256	10 December 1982	National Drunk And Drugged Driving Awareness Week City Of Dixon Proclamation
257	7 March 1983	Establishing A User Charge System For Waste Water Treatment Works <b>Amended By Ord. 457</b>
258	7 March 1983	Fixing The Salary Of The City Marshal
259	7 March 1983	Fixing The Salary Of The Municipal Court Judge; <b>Amended Ord. 404</b>
260	4 April 1983	Fixing The Salary Of The Mayor <b>Amended By Ord. 519</b>
261	4 April 1983	Fixing The Salary Of The Board Of Alderman <b>Amended By Ord. 520</b>
262	6 June 1983	Amending The Water Rate And Charge System In Effect As Reflected In Ordinance 151; <b>Amended Ord. 399</b>
263	6 May 1983	Apply For Outdoor Recreation Assistance Program For Park Improvements
264	6 June 1983	Resolution Stating The Support For The Pulaski County Community Development Block Grant
265	28 June 1983	Regulating The Use Of Public And Private Sewers And Drains
266	8 August 1983	Tax Levy For The Year of 1983
267	10 October 1983	Annexing Property To The City Of Dixon, Missouri
268	7 November 1983	Hiring And Fixing The Salary The Position Of City Clerk
269	5 December 1983	Pertaining To The Subject Matter Of Operators Licenses And Vehicle License Plates
270	19 April 1984	Pertaining To The Subject Of Nuisances
271	22 June 1984	Annexing Property To The City Of Dixon, Missouri
272	31 July 1984	Providing For The Mandatory Collection, Transportation, Storage, Processing And Disposal Of Solid Waste
273	6 August 1984	Tax Levy For The Year of 1984
274	4 March 1984	Execute An Agreement For Collection And Disposal Of Solid Waste <b>Repealed By Ord. 426</b>
275	4 March 1986	Adopting And Enacting A Code Of Ordinances Of The City Of Dixon, Missouri
276	14 June 1985	Authorizing Granting Of Easement
277	1 July 1985	Requiring The Display Of Street Numbers On Dwellings Or Structures
278	15 August 1985	Tax Levy For The Year of 1985
279	5 September 1985	Establishing Opening And Closing Hours For Certain Businesses Serving Alcoholic Beverages
280	7 October 1985	Providing For The Sale Of Water To Public Water Supply District Number 3
281	7 October 1985	Annexing Property To The City Of Dixon, Missouri
282	2 December 1985	Hiring And Fixing The Salary For The City Clerk For A Period Of One (1) Year
283	6 January 1986	Authorizing The Mayor To Execute An Agreement For The Collection And Disposal Of Solid Waste
284	3 February 1986	Annexing Property To The City Of Dixon, Missouri
285	3 February 1986	Authorizing The Mayor To Enter Into An Agreement With The Missouri Division Of Highway Safety
286	12 February 1986	Authorizing The Mayor And City Clerk To Enter Into A Loan Agreement With Cord Moving And Storage Co. Inc.
287	2 June 1986	Vacating A Portion Of Streets And Alleys In Santee's Addition
288	25 August 1986	Tax Levy For The Year of 1986
289	8 September 1986	Establishing Penalties For Delinquent Property Taxes Within The City Of Dixon, Missouri
290	8 September 1986	Providing For Court Costs in Municipal Ordinance Violation Cases
291	22 September 1986	Annexing Property To The City Of Dixon, Missouri
292	3 November 1986	Annexing Property To The City Of Dixon, Missouri
293	1 December 1986	Annexing Property To The City Of Dixon, Missouri
294	23 November 1986	Hiring And Fixing The Salary Of The City Clerk For A Period Of Two Years
295	10 December 1986	Annexing Property To The City Of Dixon, Missouri
296	5 January 1987	Authorizing the Mayor to Execute on Behalf of City of Dixon that Certain Agreement for the Collection and Disposal of Solid Waste
297	20 July 1987	Establishing Penalties For Possession Of Intoxicants By A Minor
298	3 August 1987	Tax Levy For The Year of 1987
300	3 August 1987	Establishing Penalties For Operating An Unlicensed Motor Vehicle
301	26 October 1987	Adapting A Solid Waste Management Plan
302	7 December 1987	Establish A Water Meter Installation Fee
303	7 December 1987	Authorizing The Mayor To Execute An Agreement For The Collection And Disposal Of Solid Waste
304	4 January 1988	Providing For Renewal Of A Franchise Granted To Gascoage Electric Cooperative <b>Amended By Ord. 400</b>
305	5 July 1989	Abandon Certain Easements Across Real Property And Enter Into A Lease With Dixon Senior Center
306	21 August 1989	Tax Levy For The Year of 1989
307	14 September 1989	Vacating A Portion Of Elm Street
308	6 November 1989	Annexing Property To The City Of Dixon, Missouri <b>Repealed By Ord. 472</b>
309	4 December 1989	Annexing Property To The City Of Dixon, Missouri
310	6 February 1990	Establish A One-Half Of One Percent Sales Tax For Capital Improvements And Put It Before The Voters For Approval
311	27 March 1990	Authorizing The Mayor To Execute Documents Necessary To Join The Missouri Intergovernmental Risk Management Association
312	5 April 1990	Adopting Rules And Regulations For The Establishment And Operation Of The Dixon Police Department <b>Amended By Ord. 325</b>
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314	21 June 1990	Establishing The Control, Registration And Disposition Of Animals Running At Large Within City Limits
315	2 July 1990	Establishing Penalties For Operating A Motor Vehicle Without Using A Restraining Device <b>Repealed By Ord. 412</b>
316	2 July 1990	Establishing Penalties For Trespass In The First Degree
317	2 July 1990	Establishing Penalties For Trespass In The Second Degree
318	2 July 1990	Establishing An Increase In Court Costs For The Law Enforcement Officers Training Fund
319	2 July 1990	Authorizing The Municipal Court To Enter A Judgment For The Crime Victim's Compensation Fund <b>Repealed By Ord. 454</b>
320	27 August 1990	Tax Levy For The Year of 1990
321	12 September 1990	Establishing Penalties For Possession Of Open Container Of Intoxicants
322	10 December 1990	Authorizing The Mayor To Execute An Agreement For The Collection And Disposal Of Solid Waste
323	6 May 1991	Authorizing The Mayor To Execute An Amendment To The Agreement For The Collection And Disposal Of Solid Waste
324	6 May 1991	Establishing Penalties For Failure To Procure Annual City Business License
325	6 May 1991	Amending Ordinance 312, To Provide For Written Disciplinary Action Against Patrolmen
326	6 May 1991	Prohibiting The Smoking Of Tobacco Products In City Hall
327	13 May 1991	Annexing Property To The City Of Dixon, Missouri (Country Club Estates)
328	3 June 1991	Annexing Property To The City Of Dixon, Missouri
329	3 June 1991	Designating East Chestnut Street As One-Way
330	3 June 1991	Establish The Name Or Names Of Certain Street (Ash Street)
331	4 June 1991	Vacating A Portion Of Hilltop Street
332	3 June 1991	To Submit The Question Of A Tax Levy Of Seventy One Cents On The One Hundred Dollars Assessed Valuation



## City Of Dixon Ordinances

<u>Ordinance</u>	<u>Date</u>	<u>Title</u>
333	20 August 1991	Tax Levy For The Year of 1991
334	19 August 1991	Providing For The Appointment Rather, Rather Than The Election, Of A Chief Of Police, <b>Amended By Ord. 337</b>
335	19 August 1991	Annexing Property To The City Of Dixon, Missouri
336	9 September 1991	Prohibiting The Maintenance Of Nuisances, Providing For Abatement And Penalties For Nuisances
337	7 October 1991	Establishing A New Date For Submission Of The Question Posed By Ordinance 334, Providing For An Appointed Chief Of Police
	11 Jaauy 1992	Grant Of Easement For A Sewer Line
338	3 February 1992	Authorizing The Holding Of A Special Election To Fill The Unexpired Four Year Term Of City Marshal, One Year Remains
339	16 March 1992	Providing For The Appointment, Rather Than The Election, Of A Chief Of Police
340	4 May 1992	Vacating A Portion Of Pearl Street In Murphy's Addition
341	24 August 1992	Tax Levy For The Year of 1992
342	5 October 1992	Amending Section 1 Of Ordinance 341, Tax Levy For The Year of 1992
343	2 November 1992	To Enter Into A Legal Service Contract With Williams, Robinson, Turley & White, P.C.
344	7 December 1992	Authorizing The Mayor To Enter Into An Obligation With The Sate Bank Of Dixon For Purchasing A City Computer System
345	7 June 1993	Establish A Water Meter Installation Fee ( <b>NEED BETTER COPY</b> )
346	7 June 1993	Fixing The Salary Of The City Marshal <b>Amended By Ord. 405 &amp; 498</b>
347	7 June 1993	Fair Housing Defining Discriminatory Practices And Creating A Fair Housing Committee ( <b>NEED A BETTER COPY</b> )
348	7 June 1993	Establishing Housing Rehabilitation Grant Guidelines Under The Community Block Grant No. 93-ND-04 ( <b>NEED BETTER COPY</b> )
349	12 July 1993	Accepting The Ozark Rivers Solid Waste Management Plan
350	25 August 1993	Tax Levy For The Year of 1993
351	4 October 1993	Enable City police Officers To Act In An Emergency Situation Outside City Limits
352	1 November 1993	Enter Into A Legal Services Contract With Williams, Robinson, Turley, & White, P.C.
353	1 December 1993	Authorizing The Conveyance Of A Special Warranty Deed To Brown Shoe Group, Inc.
354	3 January 1994	Authorizing the Mayor to Execute on Behalf of City of Dixon an Extension to the Agreement for the Collection and Disposal of Solid Waste, For One Year
355	24 March 1994	Annexing Property To The City Of Dixon, Missouri
356	4 April 1994	Vacating A Ten Foot Wide Strip Running Along The West Side Of Pine Street
357		
358	11 July 1994	Execute An Agreement For The Collection And Disposal Of Solid Waste <b>Amended By Ord. 385, Repealed By Ord. 426</b>
359	11 July 1994	Changing The Name Of Brown Street 1 & 2 To Paramount Street 1 & 2
360	11 July 1994	Execute An Agreement For The Operation Of The Rural Fire Department Within The City Limits
361	19 August 1994	Calling For A Special Election On Imposing A Sales Tax For Transportation Purposes ( <b>NO ATTACHMENTS</b> )
362	19 August 1994	Vacating A Portion Of Sixth Street And Ellen Street
363A	29 August 1994	Tax Levy For The Year of 1994
363B	7 November 1994	Changing Street Names For Emergency 911 Purposes (Spruce, Dogwood, Redbud And Andrews Drive)
364A	7 November 1994	Dedicating Streets For Emergency 911 Purposes
365	21 November 1994	Vacating A Portion Of Fifth Street
366	5 December 1994	Imposing A Tax For Transportation Purposes
367	5 December 1994	Prohibiting Transport Of A Child Without A Child Safety Restraint <b>Repealed By Ord. 412</b>
368	24 January 1995	Dedicating And Naming An Alley For Emergency 911 Purposes (Pecan Alley)
369	5 December 1994	Changing The Name Of The City Park To Dixon Lion's Club Park
370	24 January 1995	Pertaining To Fair Housing, Discriminatory Housing Practices
371	24 January 1995	Enter Into A Legal Services Contract With Williams, Robinson, Turley, & White, P.C.
372	6 February 1995	Amending Ordinance 370 Pertaining To Fair Housing, Discriminatory Housing Practices
373	6 March 1995	Amending The Water Rate And Charges, And The Waste Water User Charges <b>Amended By Ord. 457</b>
374	13 March 1995	Enter Into A Lease Purchase Agreement With The State Bank Of Dixon For Financing Equipment ( <b>NO EXHIBIT ATTACHED</b> )
375	3 April 1995	Authorizing the Mayor to Accept a Promissory Note and Second Deed of Trust from Universal Mfg and Equip Co for the Refinancing of an Existing Industrial Development Loan from City of Dixon
376	1 May 1995	Dedicating And Naming An Alley For 911 Purposes (Plum Alley)
377	5 June 1995	Authorizing The Conveyance Of A Special Warranty Deed To Dixon R-1 School District
378	10 July 1995	Enter Into A Lease Purchase Agreement With The State Bank Of Dixon For Financing Equipment
379	26 July 1995	Establishing Rules And Procedures For The Removal Of Officers Of The City And Veto Override
380	7 August 1995	Vacating a Portion of a Street Known as Walnut Street Lying South of Chestnut Street in Santee's Addition in Dixon
381	21 August 1995	Tax Levy For The Year of 1995 ( <b>NEED BETTER COPY</b> )
382	2 October 1995	Authorizing The Mayor To Enter Into A Contract With Stack & Associates, Inc. To Provide Engineering Consultant Services
383	2 October 1995	Vacating A Portion Of An Alley In Murphy's Addition
384	6 November 1995	Designating Truck Routes And Regulating Parking Of Vehicles Over 24,000 Pounds Gross Weight
385	21 November 1995	Amending Ordinance 358, To Execute An Agreement For Collection And Disposal Of Solid Waste <b>Repealed By Ord. 426</b>
386	5 February 1996	Enter Into A Legal Services Contract With Williams, Robinson, Turley, White & Rigler, P.C.
387	4 March 1996	Provide For The Collection Of Court Costs To Be Used For Police Officer Training Fund
388	14 March 1996	Providing For Police Training Requirements
389	14 March 1996	Provide For The Collection Of Court Costs To Be Used For Police Officer Training Fund
390	19 March 1996	Granting A Renewal Franchise To Cable America Corporation
391	6 May 1996	Changing The Name Of The City Park To John Sheppard Park
392	23 May 1996	Authorizing Participation In An Economic Adjustment Program
393	1 June 1996	Amending Ordinance 185, Establishing A City Park Board
394	5 August 1996	Establishing A Fee For Collection And Removal Of Solid Waste <b>Amended By Ord. 406, Repealed By Ord. 426</b>
395	5 August 1996	Authorizing The Mayor To Amend The Contract With Wat-Park Sanitation Service
396	12 August 1996	Calling For A Special Election On A General Obligation Bond Question
397	28 August 1996	Tax Levy For The Year of 1996
398	7 October 1996	Amending Ordinance 2, Designating Wards For The City
399	4 November 1996	Amending Ordinance 262, Pertaining To Water Rate And Charge System
400	2 December 1996	Amending Ordinance 304 And 161, Pertaining To Gascoage Electric Cooperative
401	2 December 1996	Renewal Of Franchise Granted To Gacospace Electric Cooperative
402	2 December 1997	Providing For Appointment Rather Than Election Of A Chief Of Police, Election On 1 April 1997 ( <b>NOT SIGNED OR DATED</b> )
403	2 December 1996	Authorizing General Obligation Street Bonds Series 1996
404	16 December 1996	Amending Ordinance 259, Fixing The Salary Of The Municipal Judge <b>Amended By Ord. 518</b>
405	16 December 1996	Amending Ordinance 346, An Ordinance Fixing The Salary Of The City Marshal <b>Amended By Ord. 498</b>
406	6 January 1997	Amending Ordinance 394 Establishing A Fee For The Collection And Removal Of Solid Waste
407	6 January 1997	Fixing The Terms And Conditions Under Which The City Will Supply Utilities Outside Of The City Limits
	14 June 1997	Proclamation For National Flag Day
408	11 August 1997	Repealing Ordinances 43 And 252 And Establishing Regulations Regarding Animals Within The City Limits
409	11 August 1997	Amending Ordinance 4 Providing For Elections
410	26 August 1997	Tax Levy For The Year of 1997
411	8 September 1997	Annexing Property To The City Of Dixon, Missouri A Proclamation For The Sale Of Buddy Poppies By The Veterans Of Foreign Wars 1997
412	8 September 1997	Repealing General Ordinances Nos 315 and 367 and Establishing Regulations Concerning the Use of Seatbelts in a Motor Vehicle and Passengers in Truck Beds within City Limits

**City Of Dixon Ordinances**

<u><b>Ordinance</b></u>	<u><b>Date</b></u>	<u><b>Title</b></u>
413	1 December 1997	Regulating CABO One And Two Family Dwellings (NO ATTACHMENTS) Repealed By Ord. 459
414	3 March 1998	Naming An Alley For 911 Purposes As Tyson Alley
415	2 March 1998	Designating Tyson Alley As One-Way
	7 April 1998	Ballot Language And Proclamation By Mayor
	1 May 1998	Loyal Day Proclamation
416	4 May 1998	Regulating Mobile Homes And Mobile Home Parks Repealed By Ord. 448
417	4 May 1998	Authorizing The Mayor To Execute A Petition Requesting Annexation (NO EXHIBIT A ATTACHED)
418	4 May 1998	Vacating A Twenty Foot Alley Along East Side Of Block Six Of Murphy's Addition
419	14 May 1998	Annexing Property To The City Of Dixon, Missouri (Roberson)
420	14 May 1998	Annexing Property To The City Of Dixon, Missouri (Luebbert)
421	3 August 1998	Vacating All Streets And Easements Shown On The Plat For Heritage Village
422	3 August 1998	Repealing Ordinance 50 And Establishing Regulations Governing The Presence Of Minors
423	14 September 1998	Annexing Property To The City Of Dixon, Missouri (NEED BETTER COPY)
424	14 September 1998	Tax Levy For The Year of 1998 (NEED BETTER COPY)
425	14 September 1998	Amending The Water Rates And Charges And The Waste Water User Charges System (NEED BETTER COPY)
426	28 September 1998	Repealing Ordinances 274, 358, 385 And 394, And Establishing Regulations For Collection And Removal Of Solid Waste A Proclamation For The Sale Of Buddy Poppies By The Veterans Of Foreign Wars 1998
427	7 December 1998	Enter Into A Lease Purchase Agreement For Financing Equipment (Truck) (NO EXHIBIT 1 ATTACHED)
428	7 December 1998	Enter Into A Lease Purchase Agreement For Financing Equipment (Dumpster) (NO EXHIBIT 1 ATTACHED)
429	4 January 1999	Authorizing The Mayor To Enter Into A Lease Agreement With The Dixon Rural Volunteer Fire Protection District
	1 May 1999	Loyalty Day Proclamation
	3 May 1999	Missouri Community Assessment Program Resolution
430	30 August 1999	Authorizing The Mayor To Enter Into A Contract For Legal Services With Williams, Robinson, White, Rigler & Parker, P. C.
431	13 September 1999	Authorizing The Mayor To Enter Into A Contract With The Ft. Leonard Wood Regional Commerce And Growth Association
432	13 September 1999	Authorizing The Mayor To Enter Into A Contract With Municipal Tax Consulting And Management A Proclamation For The Sale Of Buddy Poppies By The Veterans Of Foreign Wars 1999
433	15 November 1999	Authorizing The Mayor To Enter Into A Contract For Jailer/Dispatcher Duties (NO EXHIBIT A ATTACHED)
434	6 December 1999	Annexing Property To The City Of Dixon, Missouri (101 Davis Street)
435	3 January 2000	Calling For A Special Election To Authorize One-Half Of One Percent Sales Tax (Check Against Original and Ord. 442)
436	7 February 2000	Authorizing The Conveyance Of A Special Warranty Deed To Dixon Senior Center, Inc (NO EXHIBIT A ATTACHED)
437	7 February 2000	Authorizing The Mayor To Enter Into A Contract To Purchase Two Acres Of Land (NO EXHIBIT A ATTACHED)
438	20 April 2000	Authorizing The Mayor To Enter Into A Contract For Sale To Town & Country Supermarkets (NO EXHIBIT A ATTACHED)
439	20 April 2000	Authorizing The Mayor To Execute A Deed Of Release Releasing A Deed Of Trust (NO EXHIBIT A ATTACHED)
440	5 June 2000	Annexing Property To The City Of Dixon, Missouri (202 N. Doyel Street)
441	5 June 2000	Annexing Property To The City Of Dixon, Missouri (303 N. High Street)
443	7 August 2000	Repealing Ordinance 247 Defining Food And Drink Place Of Businesses, Regulatory Authority
444	21 August 2000	Tax Levy For The Year of 2000
	11 September 2000	Resolution To Endorse Dixon Area Development Committee
445	6 November 2000	City Provides Retirement Coverage To Eligible Employees
446	5 February 2001	Authorizing The Mayor To Enter Into A Contract With Archer Engineering (NO EXHIBIT A ATTACHED)
447	5 March 2001	Authorizing The Mayor To Enter Into A Contract With Flynn Drilling to Provide Well Drilling Services to the City
448	2 April 2001	Repealing Ordinance 416 Regulating Mobile Homes And Mobile Home Parks
449	2 April 2001	Repealing Ordinance 145 And Adapting Chapter 300 RsoM, Known As The Model Traffic Ordinance
450	4 June 2001	Authorizing The Mayor To Enter Into A Contract With The Ft. Leonard Wood Regional Commerce And Growth Association
451	30 August 2001	Tax Levy For The Year of 2001
452	1 October 2001	Repealing Ordinance 174 And Establishing Regulations Governing Driving While Intoxicated
453	1 October 2001	Repealing Ordinance 173 And Establishing Regulations Governing Driving With Excessive Blood Alcohol Content
454	1 October 2001	Authorizing The Municipal Court To Enter A Judgment For The Crime Victim's Compensation Fund
	23 October 2001	Proclamation 50 <sup>th</sup> Anniversary Of The Korean War Proclamation For Sale Of Buddy Poppies
455	4 February 2002	Annexing Property To The City Of Dixon, Missouri (300 N. Doyle Street)
456	4 February 2002	Annexing Property To The City Of Dixon, Missouri (103 N. High Street) (INCOMPLETE COPY)
457	4 February 2002	Amending Ordinance 151, 257 And 373 The Water Rate And Charges And The Waste Water User Charges System
458	6 May 2002	Annexing to the City, An Unincorporated Area Contiguous and Compact to the Existing Corporate Limits Upon Request of all Property Owners in the Area after Public Hearing
459	6 May 2002	Repealing Ordinance 413 Regulating CABO One And Two Family Dwellings
460	6 May 2002	Amending Ordinance 4 Providing For Elections Within The City
461	3 June 2002	Enter Into A Contract With Ft. Leonard Wood Regional Commerce And Growth Association
462	1 July 2002	Naming A Street For Emergency 911 Purposes (Katie Lane)
463	1 July 2002	Amending Ordinance 249 Establishing A Uniform Personnel Policy
464	5 August 2002	Annexing Property To The City Of Dixon, Missouri (400 E. 5 <sup>th</sup> Street)
465	5 August 2002	Annexing Property To The City Of Dixon, Missouri (201 N. High Street)
466	12 August 2002	Tax Levy For The Year of 2002
467	12 August 2002	Enter Into A Contract With Utility Services Communication Co.
468	7 October 2002	Establishing The Betty Crews Memorial Walking Trail
469	2 December 2002	Establish A Drug And Alcohol Policy For The City (NEED BETTER COPY)
470	6 January 2003	Publish Names Of Citizens Who Are Delinquent Paying Taxes
	21 January 2003	Resolution Requesting The Establishment Of An Enterprise Zone
471	7 July 2003	Authorizing \$734,999.70 In General Obligation Refunding Bonds Series 2003
472	4 August 2003	Repealing Ordinance 308
473	18 August 2003	Tax Levy For The Year 2003
474	8 September 2003	To Opt Out Of The State Imposed Sales Tax Holiday
475	5 January 2004	Amending Ordinance 249 Establishing A Uniform Personnel Policy
476	1 March 2004	Annexing Property To The City Of Dixon, Missouri (Lots 1 & 2 in Gilbert & Sease)
477	15 March 2004	Enter Into A Legal Services Contract With Williams, Robinson, White & Rigler, P. C.
478	17 May 2004	Pertaining To Firearms In City Buildings
479	16 August 2004	Tax Levy For The Year of 2004
480	13 September 2004	Enter Into A Contract With Pitney Bowes Co. To Provide Postage Machine And Service
481	18 October 2004	Enter Into An Agreement For Water Meters With Midwest Meter And Determining A Water Rate Increase
482	6 December 2004	Vacating A Portion Of The Alley Running North And South Between Blocks 2 And 3 of Shelton-Elkins Addition
483	11 April 2005	Vacating A Portion Of 6 <sup>th</sup> Street Between Pine Street And Walnut Street
484	22 August 2005	Tax Levy For The Year of 2005
485	12 October 2005	Authorizing The Mayor To Enter Into A Contract For The Purchase Of Real Estate (NO EXHIBIT ATTACHED)
486	5 December 2005	Dixon Public Library Petition And Ballot Proposal
487	9 January 2006	Providing For The Holding Of A Special Election For The Appointment Of The Collector

## City Of Dixon Ordinances

<u>Ordinance</u>	<u>Date</u>	<u>Title</u>
488	20 March 2006	Authorizing The Mayor To Enter Into A Contract With Flynn Drilling Co.
489	1 May 2006	Changing The Position Of Collector From An Elected To An Appointed Position
490	10 July 2006	Dixon Public Library Petition And Ballot Proposal
491	10 July 2006	Adopting And Enacting A New Code Of Ordinances Of The City
492	14 August 2006	Tax Levy For The Year of 2006
493	4 December 2006	Establishing A Method For The Repairing, Vacation Or Demolition Of Dangerous Buildings
	13 December 2006	Petition To Vacate Richard Street
494	8 January 2007	Abandoning, Discontinuing, Closing And Vacating Richard Street As A Public Street
495	5 February 2007	Annexing Property To The City Of Dixon, Missouri (103 N. Oak Lane)
496	9 April 2007	Repeal Sub-paragraph 6 Of Section 125.260 Of The City Code And Enacting A New Section Relating To Jail Fees
497	20 August 2007	Enter Into A Contract With Outreach Consulting & Counseling Services To Provide Probation And Monitoring Services
498	20 August 2007	Fixing The Salary Of The City Marshal
499	20 August 2007	Tax Levy For The Year of 2007
500	20 August 2007	Authorizing The Mayor To Enter Into A Contract With Jeff Rujawitz To Provide Cleaning Services
501	18 September 2007	Repeal Section 340.110 Of The City Code Relating To The Operation Of All-Terrain Vehicles <b>Repealed By Ord. 539</b>
502	4 December 2007	To Establish A Procedure To Disclose Potential Conflicts Of Interest And Substantial Interests For Certain Officials
503	4 April 2008	Resolution Relating To Meeting, Records And Votes Of Governmental Bodies
504	4 August 2008	Establish A Procedure to a Lead Ban in Public and Private Drinking Water Plumbing
505	28 August 2008	Tax Levy For The Year of 2008
506	23 February 2009	To Enter Into A Lease Purchase Agreement With Maries County Bank To Purchase A Refuse Truck <b>(NO COPY OF LEASE)</b>
507	9 September 2009	Tax Levy For The Year of 2009 <b>(NOT SIGNED, NO RECORDED VOTE)</b>
508	1 January 2010	Notice Of Election To Raise Library Tax Levy <b>(NO RECORDED VOTE, NOT SIGNED, NOT DATED)</b>
509	1 February 2010	Establishing The Eligible Enhanced Enterprise Zone
510	12 April 2010	Authorizing The Sale Of Property At 704 W. 5 <sup>th</sup> Street To B. E. E. Investments, LLC (Brown Shoe Factory) <b>(NOT SIGNED)</b>
511	3 May 2010	Amend Section 700.120: Right To Turn On Water Into Service Pipes, Of The Dixon City Code <b>(Ref. Council Minutes 3 May 2010)</b>
512	3 May 2010	Amend Chapter 215.040: Nuisances Of The Code Of The City Of Dixon, Missouri Abatement of Nuisances <b>(Ref. Council Minutes dated 3 May 2010)</b>
513	3 May 2010	Amend Chapter 215.027: Nuisances Of The Code Of The City Of Dixon, Missouri Debris on Property <b>(Ref. Council Minutes 3 May 2010)</b>
514	12 July 2010	Combining The Existing Waterworks System And The Existing Sewerage System
515	12 July 2010	Calling A Special Election On A Revenue Bond \$3.5 Million For The Combined Waterworks And Sewerage Systems
516	30 August 2010	Tax Levy For The Year of 2010
517		Cross Connection Control - General Policy <b>(NO RECORD IN COUNCIL MINUTES ON THIS ORDINANCE)</b>
518	1 March 2011	Amending Ordinance 404, Fixing The Salary Of The Municipal Judge <b>(Ref. 1 Mar 2011 Minutes)</b>
519	1 March 2011	Amending Ordinance 260, Fixing The Salary Of The Mayor <b>(Ref. 1 Mar 2011 Minutes)</b>
520	1 March 2011	Amending Ordinance 261, Fixing The Salary Of The Board Of Alderman <b>(Ref. 1 March 2011 and 19 Apr 2011 Minutes)</b>
521	22 August 2011	Tax Levy For The Year of 2011 <b>(Ref. 22 Aug 2011 Minutes)</b>
522	14 September 2011	Concerning Acceptance And Compliance Requirements For USDA Rural Development Assistance <b>(Ref. 14 Sept 2011 Minutes)</b>
523	17 October 2011	Employment Of Attorney Mel L. Gilbert To Assist The City Of Dixon <b>(Ref. 17 Oct 2011 Minutes)</b>
524	10 September 2012	Tax Levy For The Year of 2011
525	5 November 2012	Accepting The Resignation Of Mayor Ben Copeland
526	5 November 2012	Electing Jeff Clark As Acting President Of The Board Of Alderman
527	5 November 2012	Acting President To Act On All Accounts And Authorizing Other Signatures <b>Repealed By Ord. 528</b>
528	13 February 2013	Repeal Of Ordinance 527 Relating To Accounts With Financial Institutions
529	13 February 2013	Vacating A Portion Of The Alley Between Blocks 2 And 3 Of Shelton-Elkins Addition
530	9 September 2013	Authorizing The Execution Of An Intergovernmental Cooperative Agreement With Pulaski County
531	14 August 2013	Authorizing An Agreement With Pulaski County To Collect Personal Property And Real Estate Taxes
532	22 August 2013	Tax Levy For The Year of 2013
533	4 November 2013	To Repeal Section 210.030 Of The Code Of Laws And Enacting A New Section Relating To Harassment
534	4 November 2013	Establishing The Acts Necessary To Commit The Offense Of Disorderly Conduct
535	4 November 2013	To Regulate Manufactured And Mobile Homes For Safety, Health And General Welfare Of The Public
536	23 January 2014	To Repeal Section 110.170 Of The Code Of Laws Of The City Of Dixon, Missouri And Enacting A New Section
537	21 April 2014	Authorizing \$915,00 Combined Waterworks And Sewage System Revenue Bonds Series 2014 <b>(NEED BETTER COPY)</b>
538	2 June 2014	Authorizing An Agreement With The Dixon Senior Center For City Water
539	23 June 2014	Permitting The Use Of All-Terrain Vehicles On City Streets
540	4 September 2014	Tax Levy For The Year of 2014
541	5 January 2015	Limitation of The Number of Liquor Licenses
542	25 August 2015	Tax Levy For The Year of 2015
543	21 September 2015	To Repeal Section 605.110 Of The Code Of Laws Relating To Juke Boxes And Pinball machines
544	21 September 2015	To Repeal Section 605.120 Of The Code Relating To Billiard And Pool Tables
545		
546	11 January 2016	Enacting A New Section of Chapter of the Municipal Code: Management of Cat Population; Permitted Acts
547	11 January 2016	Amendment To Ordinance 405 Fixing The Salary of The City Marshal
	1 February 2016	Amendment To Ordinance 536 Relating To Meetings Of The Board Of Alderman <b>(Bill 2016-01)</b>
548	1 November 2016	A Resolution To Adapt Pulaski County Natural Hazards Mitigation Plan
549	February 1, 2016	\$970,000 General Obligation Street Bonds Series 2016
550	31 August 2016	Tax Levy For The Year of 2016
551	6 September 2016	Intergovernmental Agreement Between County of Pulaski and City of Dixon to House Prisoners in Dixon City Jail <b>(Not Signed by Presiding Commissioner, Sheriff or County Clerk)</b>
	9 September 2016	Agreement To House Pulaski County Prisoners In Dixon City jail
552	20 September 2016	Authorizing The Mayor To Enter Into A Contract With Lou Fusz Automotive For Dixon Police Department Vehicles
553	20 September 2016	Authorizing The Mayor To Enter Into A Contract With Lou Fusz Automotive For Maintenance Department Vehicles
554	12 December 2016	Renewing A Contract With Gascoage Electric Cooperative For Street Lighting And Electric Service For Twenty (20) Years
554A	12 December 2016	Renewing A Contract With Gascoage Electric Cooperative For Easements For Twenty (20) Years
555	6 February 2017	Enacting A New Section 205.190 Of Chapter 205 Of The Municipal Code <b>(Duplicate to 558)</b>
556	8 May 2017	A Standard For Installation And Replacement Of Driveway Culverts
557	5 June 2017	Amending Certain Provisions Of The Municipal Code To Conform To Senate Bill Number 572
558	9 May 2107	Enacting A New Section 205.190 Of Chapter 205 Of The Municipal Code <b>(Duplicate to 555)</b>
559	8 May 2017	Authorizing The Mayor To Enter Into A Contract With Court Money
560	9 May 2017	Regulating The Use Of Public And Private Sewers And Drains
561	11 September 2017	Tax Levy For The Year 2017
562	17 August 2018	Resolution For Council On City's Finances
563	21 August 2018	Amendment to Ordinance 336, Nuisances
564	30 August 2018	Tax Levy 2018 <b>(NO COPY)</b>
565	20 September 2018	WCA Contract for Trash Service
566	5 November 2018	Law Enforcement Sales Tax, Ballot Issue <b>(NO COPY)</b>
567	17 January 2019	Water and Sewer Rate Increase

## City Of Dixon Ordinances

<u>Ordinance</u>	<u>Date</u>	<u>Title</u>
568	7 January 2019	Amending and Updating Ordinance 408 Dated August 11, 1997 Establishing Regulations Regarding Animals Present within the City Limits (Not signed)
569	17 January 2019	Amending and Setting the Water Rates and Charges and the Wastewater Rates and Charges System in Effect in the City (Duplicate of original ord no. 567)
570	8 July 2019	Payment of Persons Designated as Special Municipal Judge
571	22 July 2019	Medical Marijuana Facilities
572	29 August 2019	Tax Levy 2019
573	18 November 2019	Use Tax for General Revenue Purposes at the rate of 1.5%; Providing for the Use Tax to be Repealed, Reduced or Raised and Providing for Submission of the Proposal to the Qualified Voters of the City for their Approval at the Municipal Election held on Tuesday, April 7, 2020, Fixing an Effective Date
574	18 November 2019	Law Enforcement Tax
575	18 November 2019	Fixing the Salary of the City Marshal
576	2 December 2019	Adopting and Enacting a New Chapter 210A, Offenses of City of Dixon, Pulaski Co, State of Missouri
577	2 December 2019	Adopting and Enacting a New Chapter 140, Open Meetings and Records Policy, of the City of Dixon, Pulaski Co, State of Missouri
578	9 January 2020	Authorizing the Mayor to Declare a State of Emergency Arising from Imminent Threat of the 2019 Novel Coronavirus
579	24 March 2020	Authorizing the Mayor to Declare a State of Emergency Arising from Imminent Threat of the 2019 Novel Coronavirus
580		Adopting the Stay at Home Order of the Pulaski Co Commission and Health Board (Not Passed)
580	15 June 2020	Modifying and Amending the Personnel Policy for the City of Dixon
581		Creating the Offense of False Reports, Creating Penalties for the Offense of False Reports, and Fixing an Effective Date
582		Vision Reducing Material
583	26 August 2020	Authorizing, Fixing and Determining a Rate of Levy on the Hundred-dollar Valuation of all Taxable Property within the City for the year 2020
584	24 September 2020	Authorizing and Directing the City to Enter into an Agreement with the Missouri Office of State Courts Administrator and Assessing a Court Automation Fee
585	29 October 2020	Resolution to Adopt the Pulaski County Multi-Jurisdiction Natural Hazards Mitigation Plan
586		Establish a Right to Discontinue Service of Homeowner who has not Paid their Water/Trash/Sewer Accounts
587	7 December 2020	Authorizing a Contract Agreement for the Renovation of Dixon City Hall and Police Department
588	5 April 2021	Annexation of Certain Parcels of Land into the City Limits of the City of Dixon
589	24 March 2021	Authorizing a Contract for the Sale of 213 Country Club Road
590	21 June 2021	Authorizing the Mayor to Enter into an Addendum to its Cooperative Agreement with the County Collector
591	12 July 2021	Establish a Procedure to Disclose Potential Conflicts of Interest and Substantial Interests for Certain Officials
592	17 August 2021	Authorizing, Fixing and Determining a Rate of Levy on the Hundred-dollar Valuation of all Taxable Property within the City for the year 2021
593	26 August 2021	Authorizing, Fixing and Determining a Rate of Levy on the Hundred-dollar Valuation of all Taxable Property within the City for the year 2021 -Corrected
594	7 September 2021	Authorizing the Mayor of the City of Dixon to Enter into a Contract with Archer Group PC
595	23 September 2021	Ratifying and Authorizing a Contract for Garbage and Trash Collection by and Between the City of Dixon and Waste Corporation of Missouri, LLC
596	7 September 2021	Authorizing the Mayor of the City of Dixon to Enter into a Contract with MRPC (Missouri Regional Planning Commission)
597	23 September 2021	Authorizing the Mayor to Enter into an Addendum to its Cooperative Agreement with the County Collector
598	1 November 2021	Holding of an Election within and for the City of Dixon, Missouri on the Questions of the Elimination of the Elected Position of City Marshal and Instead Provide for the Appointment of a Police Chief
599	1 November 2021	Imposing a Use Tax for General Revenue Purposes at 2% Rate
600	6 December 2021	Ratifying and Authorizing a Contract to Lease a Parking Lot to J&B Towing and Recovery LLC
601	3 January 2022	Requiring Applicants for a Business License to Provide Proof of Worker's Compensation Insurance
602	7 February 2022	Waiving the 5% Increase in Water Rates for the Year 2022
603	7 February 2022	Establishing Water and Sewer Rates for Multi-Residential Properties
604	7 March 2022	Annexing Certain Parcels of Real Estate into the Corporate Limits of the City of Dixon
605	7 March 2022	Fixing the Salary of the Mayor of the City of Dixon
606	7 March 2022	Fixing the Salary of the Members of the Board of Aldermen of the City of Dixon
607	8 April 2022	Providing for the State Auditor's Office of the State of Missouri to Perform an Audit of the City's Financial Records
608	2 May 2022	Providing for the Appointment of a Chief of Police
609	5 July 2022	Amending and Setting Waterworks Rates and Charges and the Wastewater Rates and Charges
610	1 August 2022	Annexing Certain Parcels of Real Estate into the Corporate Limits of the City of Dixon
611	1 August 2022	Authorizing, Fixing, and Determining a Rate of Levy on the Hundred-Dollar Valuation of all Taxable Property within the City for the Year 2022
612	1 August 2022	Adopting and Enacting a New Code of Ordinances of the City of Dixon, County of Pulaski, State of MO

ORDINANCE NO. 243

AN ORDINANCE ANNEXING PROPERTY TO THE CITY OF DIXON, MISSOURI, PURSUANT TO THE PROVISIONS OF SECTION 71.012 RSMO.

WHEREAS, a certified petition was duly filed with the Board of Aldermen on the 31<sup>st</sup> day of July, 1981, signed by the owners of all fee interests of record, requesting that the real property described below be annexed to the City of Dixon, Missouri, pursuant to the provisions of Section 71.012 RSMo, et seq; and

WHEREAS, the Board of Aldermen of the City of Dixon, Missouri, did receive said petition and order that a public hearing be held at the Dixon City Hall on September 21, 1981, at 7:30 p.m. so as to afford any interested person, corporation or political subdivision the opportunity to present evidence regarding the proposed annexation, and further order that notice of the date, time and place of said hearing be published in a newspaper of general circulation in the City of Dixon, Missouri; and

WHEREAS, after considering all of the evidence presented at said hearing both in favor of the petition for annexation and by those who were opposed, the Board of Aldermen find that:

1. The area proposed for annexation is contiguous to the existing corporate limits of the City of Dixon, Missouri.
2. That the petition for annexation has been duly signed and verified by all of the owners of all fee interests of record of said property.
3. That such annexation is reasonable and necessary to the proper development of said city.
4. That the City of Dixon, Missouri, is able to furnish normal municipal services to said unincorporated area within a reasonable time after said annexation is to become effective.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1: That the real property described below be and is hereby annexed to the City of Dixon, Missouri, said property being more particularly described as follows:

W $\frac{1}{2}$  of W $\frac{1}{2}$  of N $\frac{1}{2}$  of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 24, Township 38N., Range 11, W of 5th P.M. containing 1 $\frac{1}{4}$  acres, more or less.

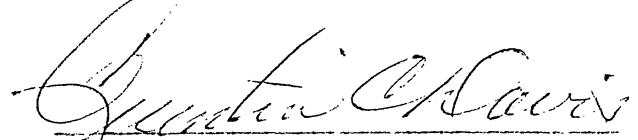
Section 2: The City Clerk is hereby instructed to file three (3) certified copies of this Ordinance with the Clerk of Pulaski County, Missouri.

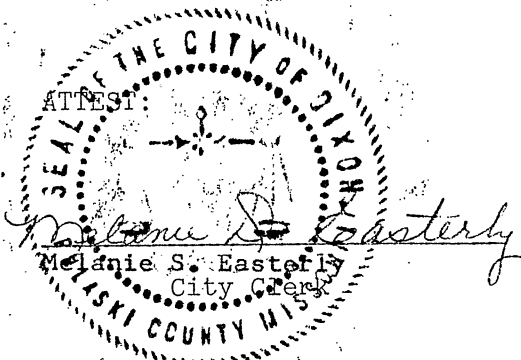
Section 3: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AND

APPROVED BY THE MAYOR THIS 5<sup>th</sup> DAY OF October 1981.

APPROVED:

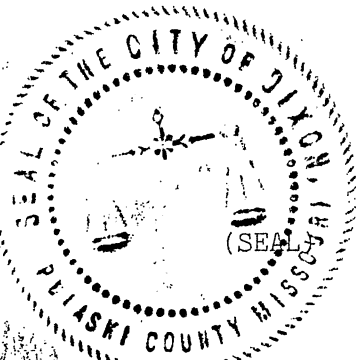
  
Quentin C. Davis  
Mayor



STATE OF MISSOURI )  
 )SS  
COUNTY OF PULASKI )

I, Melanie D. Easterly, City Clerk within and for the City of Dixon, in the County of Pulaski, State of Missouri, do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance No. 242 of said City, as passed by the City Council and approved by the Mayor of the City on the 5<sup>th</sup> day of October, 1981, as fully as the same appears and remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, at my office in said City, this 6<sup>th</sup> day of October, 1981.



Melanie D. Easterly  
Melanie D. Easterly  
City Clerk

STATE OF MISSOURI )  
 )SS 1177  
COUNTY OF PULASKI

FILED FOR RECORD THIS  
7<sup>th</sup> DAY OF Oct 1981

8 O'CLOCK 05



STATE OF MISSOURI )  
 )SS  
COUNTY OF PULASKI )  
Wm H Jones  
7<sup>th</sup> October 81  
a 312 689  
October 81  
Rose Souleware  
Wm H Jones  
7<sup>th</sup>



ORDINANCE NO. 244

AN ORDINANCE ANNEXING PROPERTY TO THE CITY OF DIXON, MISSOURI, PURSUANT TO THE PROVISIONS OF SECTION 71.012 RSMO.

WHEREAS, a certified petition was duly filed with the Board of Aldermen on the 1<sup>st</sup> day of Sept., 1981, signed by the owners of all fee interests of record, requesting that the real property described below be annexed to the City of Dixon, Missouri, pursuant to the provisions of Section 71.012 RSMo, et seq; and

WHEREAS, the Board of Aldermen of the City of Dixon, Missouri, did receive said petition and order that a public hearing be held at the Dixon City Hall on September 21, 1981, at 7:30 p.m. so as to afford any interested person, corporation or political subdivision the opportunity to present evidence regarding the proposed annexation, and further order that notice of the date, time and place of said hearing be published in a newspaper of general circulation in the City of Dixon, Missouri; and

WHEREAS, after considering all of the evidence presented at said hearing both in favor of the petition for annexation and by those who were opposed, the Board of Aldermen find that:

1. The area proposed for annexation is contiguous to the existing corporate limits of the City of Dixon, Missouri.
2. That the petition for annexation has been duly signed and verified by all of the owners of all fee interests of record of said property.
3. That such annexation is reasonable and necessary to the proper development of said city.
4. That the City of Dixon, Missouri, is able to furnish normal municipal services to said unincorporated area within a reasonable time after said annexation is to become effective.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1: That the real property described below be and is hereby annexed to the City of Dixon, Missouri, said property being more particularly described as follows:

Beginning at the Northwest corner of Lot 1 in Block 1 of Jones First Addition of Pulaski County, Missouri, per the plat thereof filed April 15, 1972, in the Recorder's Office of Pulaski County, Missouri, which point is on the present city limits of the City of Dixon, Missouri, thence South 87°40' East 660 feet (along the present city limits of the City of Dixon,

Missouri) to the Southeast corner of Lot 2 in Block 3 of said Jones First Addition; thence North 630 feet along the East line of said Block 3 of Jones First Addition to the Northeast corner of Lot 7 in said Block 3; thence North 87°40' West 190 feet to a point on the West line of Nina Street as shown on the plat of said Jones First Addition; thence South 75 feet along the West line of said Nina Street to the North line of Farris Street as shown on said plat; thence North 87°40' West 330 feet along the North line of said Farris Street; thence South 30 feet along the West line of Gay Street as shown on said plat to the Northeast corner of Lot 6 in said Block 1; thence North 87°40' West 140 feet along the North line of said Lot 6 in Block 1 of the Northwest corner of said Lot 6 in Block 1 thence South 525 feet along the West line of said Block 1 to the point of beginning. The said parcel including all of Lots 2, 3, 4, 5, and 6 in Block 1, and all of Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 in Block 2 and all of Lots 2, 3, 4, 5, 6, and 7 in Block 3 of said Jones First Addition.

Section 2: The City Clerk is hereby instructed to file three (3) certified copies of this Ordinance with the Clerk of Pulaski County, Missouri.

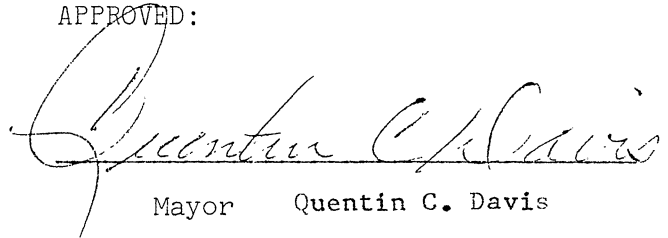
Section 3: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AND

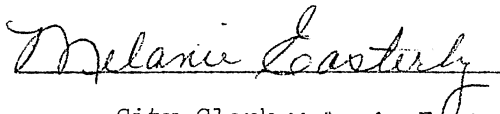
APPROVED BY THE MAYOR THIS 5th DAY OF October, 1981.



APPROVED:

  
Mayor      Quentin C. Davis

ATTEST:

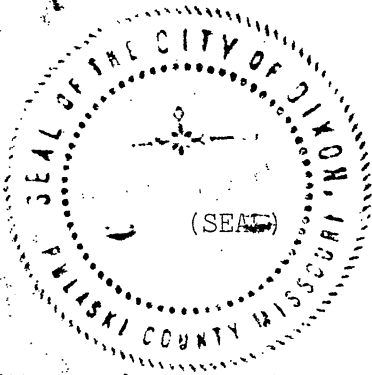


City Clerk Melanie Easterly

STATE OF MISSOURI )  
 )SS  
COUNTY OF PULASKI )

I Melanie D. Easterly, City Clerk within and for the City of Dixon,  
in the County of Pulaski, State of Missouri, do hereby certify that the  
foregoing pages constitute a true and correct copy of Ordinance No. 244  
of said City, as passed by the City Council and approved by the Mayor  
of the City on the 5th day of October, 1981, as fully as  
the same appears and remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the  
corporate seal of said City, at my office in said City, this 6th day  
of October, 1981.

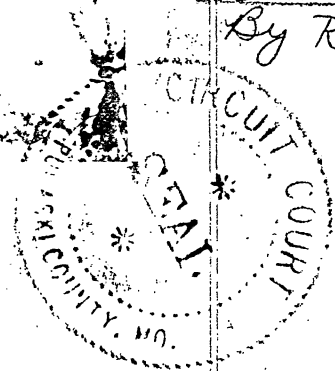


Melanie D. Easterly  
City Clerk Melanie D. Easterly

STATE OF MISSOURI )  
 )SS: 1178  
COUNTY OF PULASKI )

7th FILED FOR RECORD THIS  
DAY OF Oct 19 81  
8 O'CLOCK 10 a.m.

Wm H Jones  
By Rose Boulware RECORDER



STATE OF MISSOURI )  
 )SS.  
COUNTY OF PULASKI )

Wm H Jones Clerk of Court and City Recorder of Dixon,  
County of Pulaski, State of Missouri, do hereby certify that the within instrument of writing was  
by of October 1981 at 8 o'clock 10  
minutes a m. and is a true and correct copy of the original as the same appears and remains of record in my office, and I have hereunto set my hand and affixed the corporate seal of said City at my office in said City, this 7th day of October, A.D. 19 81.  
By Rose Boulware Wm H Jones  
Deputy

ORDINANCE NO. 245

AN ORDINANCE authorizing the payment of wages and salaries of certain City employees from the combined waterworks and sewage system operation and maintenance account, established pursuant to City Ordinance 232, and authorizing retroactive application hereof.

WHEREAS, the City of Dixon, Missouri, a municipal corporation duly created, organized and existing under the laws of the State of Missouri (hereinafter referred to as "City"), now owns and operates a revenue producing, combined waterworks and sewage treatment system serving the City and its residents; and

WHEREAS, the City, on August 19, 1980, duly approved and adopted Ordinance No. 232 providing for the issuance and sale of certain revenue bonds for use in the improvement of the City's waterworks and sewage treatment system, the issuance and sale of said bonds having been authorized by State statute and having been duly submitted to and approved by the qualified electors of the City; and

WHEREAS, Sections Seven (7), Eight (8) and Nine (9) of Ordinance No. 232 specifically provide for the use of revenue funds derived by the City from its operation of the combined waterworks and sewage treatment system, for the establishment of funds and accounts for the deposit of such funds and for the application of moneys in funds and accounts; and

WHEREAS, one such account so created is known as the "Combined Waterworks and Sewage System Operation and Maintenance Account" (hereinafter referred to as "O + M Account"); and

WHEREAS, Section 9(a) of said Ordinance provides that moneys in the O+M Account shall be first applied and expended by the City solely for the purpose of paying the reasonable and proper expenses of operating and maintaining the combined waterworks and sewage system of the City and keeping said system in good repair and working order; and

WHEREAS, the City Clerk has, since October 1, 1980, and continues to devote approximately one-fourth (1/4) of her total working hours to the performance of duties specifically related to the operation and maintenance of the City's waterworks and sewage treatment system; and

WHEREAS, the City Collector has, since October 1, 1980, and continues to devote approximately one-half (1/2) of her total working hours to the performance of duties specifically related to the operation and maintenance of the City's waterworks and sewage treatment system; and

WHEREAS, other City employees, including members of the City's water, street and sewer department, have, since October 1, 1980, and continue to devote a substantial portion of their total working hours to the performance of duties specifically related to the operation and maintenance of the City's waterworks and sewage treatment system, although the amount of time actually spent by each such member has and may continue to vary from month to month; and

WHEREAS, the City desires to pay the aforesaid employees for work performed to operate and maintain the waterworks and sewage treatment system from the O+M Account as authorized;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1: The City Clerk shall hereafter continue to devote one-fourth (1/4) of her regular working hours to duties associated with the clerical aspects of the operation and maintenance of the City's waterworks and sewage treatment system, and the City Collector shall hereafter continue to devote one-half (1/2) of her regular working hours to duties associated with clerical aspects of the operation and maintenance of the City's waterworks and sewage treatment system.

Section 2: The City Clerk shall establish, enforce and maintain a record keeping system and records which will allow the City to determine and verify the portion of time other City employees, including water, street and sewer department employees, devote to the operation and maintenance of the City's waterworks and sewage treatment system. Such records shall also be prepared and maintained for the Collector and Clerk for the purpose of providing the City with a basis for future adjustment of the portions set forth in Section 1, supra.

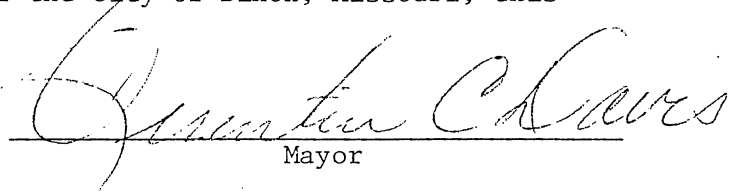
Section 3: The City Clerk is hereby authorized and directed to pay such portion of the salaries of the City Clerk and City Collector as corresponds to the portion of time devoted during the pay period to the operation and maintenance of the City's waterworks and sewage treatment system as required by Section 1 hereof, from the hereinabove described O+M Account. The City Clerk is further authorized and directed to pay such portion of the salaries and wages of all other City employees as corresponds to the actual time each such employee devoted during the pay period to the operation and maintenance of the City's waterworks and sewage treatment system from the hereinabove described O+M Account.

Section 4: With respect to salaries paid to the City Clerk and City Collector, this Ordinance shall be retroactive to October 1, 1980, and the City Clerk is hereby authorized and directed to make all necessary and legally proper adjustments to the City's established accounts, including the O+M Account, in order to comply with the provisions of this Ordinance.

Section 5: This Ordinance shall not be construed so as to effect any change or amendment to the provision of Ordinance No. 232, which Ordinance shall remain in full force and effect.

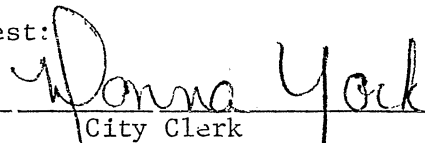
Section 6: This Ordinance shall take effect and be in full force from the date of its passage by the Board of Aldermen and approved by the Mayor.

PASSED by the Board of Aldermen of the City of Dixon, Missouri, this 7 day of December, 1981.

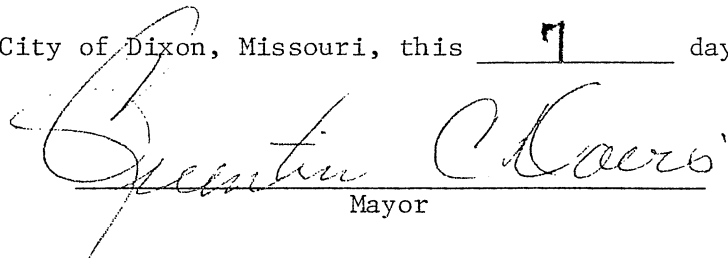
  
\_\_\_\_\_  
Mayor

(SEAL)

Attest:

  
\_\_\_\_\_  
City Clerk

APPROVED by the Mayor of the City of Dixon, Missouri, this 7 day of December, 1981.

  
\_\_\_\_\_  
Mayor

(SEAL)

Attest:

  
\_\_\_\_\_  
City Clerk



ORDINANCE NO. 246

AN ORDINANCE AUTHORIZING AND APPROVING A CERTAIN AGREEMENT WITH M & M SANITATION COMPANY, INC., OF DIXON, MISSOURI, FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE, WITHIN THE CITY OF DIXON, MISSOURI, AND DIRECTING THE MAYOR TO EXECUTE SAID AGREEMENT ON BEHALF OF SAID CITY.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

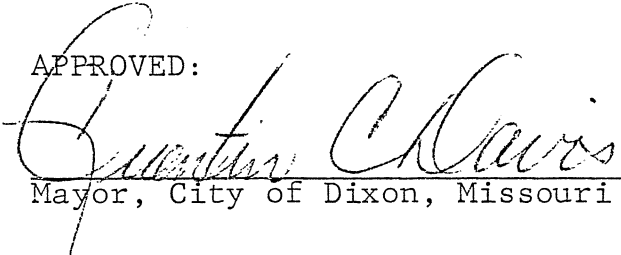
Section 1: The Agreement attached hereto as Exhibit A, providing for the pick-up by M & M Sanitation Company, Inc., of Dixon, Missouri, of solid waste within the City of Dixon and providing for the disposal thereof is hereby approved, and made a part hereof.

Section 2: That the Mayor of the City of Dixon, Missouri, is hereby authorized and directed to execute said Agreement on behalf of the City of Dixon, Missouri.

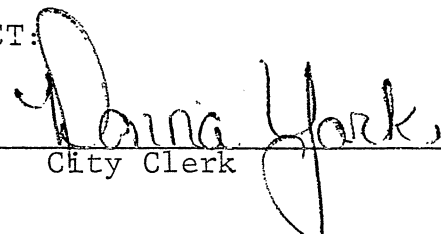
This ordinance shall be in full force and effect on the 13th day of FEBRUARY, 1982.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AND APPROVED BY THE MAYOR THIS 13TH day of FEBRUARY, 1982.

APPROVED:

  
\_\_\_\_\_  
Mayor, City of Dixon, Missouri

ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

C O N T R A C T

THIS AGREEMENT, made and entered into this 13th day of January, 1982, by and between the City of Dixon, Missouri, hereinafter referred to as "City", and M & M Sanitation Company, Inc., of Dixon, Missouri, hereinafter referred to as "Company". In consideration of the mutual covenants and agreements hereinafter contained, the parties hereto do hereby agree as follows:

1. The Company agrees that it will, on one day of each week of the year, collect all of the residential trash in the City of Dixon, Missouri, the trash in trash cans at the Dixon City Park, and the trash in those containers located on the public streets. The Company shall then haul, remove and dispose of all such trash to and in a legally appropriate solid waste landfill, in a legally appropriate manner.

2. The City agrees that it will instruct and cause its residents to deposit all trash in trash cans, boxes or bags, at convenient points along the City's streets on the regular morning of trash pick-up.

3. For the purposes of this Contract, trash is defined to be dry refuse which is placed in thirty (30) gallon containers, or less, which can be handled and from which trash can be loaded by one (1) man into Company's trucks. City residents shall be limited to four (4), thirty (30) gallon trash containers or six (6) large, plastic trash bags per family dwelling.

4. The Company agrees that it will furnish all necessary labor and vehicles for the hauling and removal of said trash from the City. It further agrees that it will keep all of said motor vehicles fully insured with some reputable insurance company in the following amounts: Bodily injury coverage in a minimum amount of \$100,00.00 per person and per occurrence, and property damage coverage in the minimum amount of \$100,000.00 per person and per occurrence. The Company further agrees that it will at all times keep said policy of insurance in full force and effect, and will keep the premiums paid thereon. The Company agrees to provide the City with evidence of such insurance, which will specifically provide that it cannot be cancelled without thirty (30) days written notice to the City.

5. The Company acknowledges that it is an independent contractor with respect to this Agreement and that the City shall have no right to direct the work, or the details, of his operations and that the sole obligation of the Company is to do and perform and accomplish the work as outlined in this Contract.

6. The Company fully understands that all persons working for it in connection with the performance of the above operations are the employees of the Company, and are not the employees of the City of Dixon, Missouri.

7. The Company shall not be required to pick up trash from the premises of any residence, unless the occupant thereof places the trash in a convenient point adjacent to a public street in order that the same can be picked up by the Company without going to the rear of the premises. The Company shall not be required to pick up trash unless said trash is placed in a can, box, bag, or some other container which will enable the Company to load said trash into its trucks in a convenient manner.

8. The Company agrees to provide trash pick-up for one, city-sponsored clean-up day per year at no extra charge to the city.

9. For the performance of the above services, the total sum of FOUR AND TWENTY-FIVE/100THS DOLLARS (\$4.25) per month will be charged by the Company per residence within the City of Dixon, Missouri.

10. The term of this Contract shall begin on the 15th day of January, 1982, and shall end on the 14th day of January, 1983. This contract will automatically renew itself for a period of one (1) year on the anniversary date of this Agreement or any renewal hereof, unless thirty (30) days written notice before any such anniversary date is given by one party to the other of an intent to cancel. This Contract may be cancelled by the City of Dixon, Missouri, at any time by giving the Company ninety (90) days written notice of its intention to terminate the same.

11. On the annual anniversary date of this Contract or any renewal hereof, the aforesaid price per residence may, by written Agreement of the parties, be adjusted using any increase or decrease in the cost of living, as established by statistics published by the Department of Labor in their Consumer Price Index for the State of Missouri, as the basis for any such adjustment.

12. The Company agrees to provide the City with a schedule showing the days and approximate hour during which the Company will provide the services called for in this Agreement. Said schedule shall be maintained at the City Hall of Dixon, Missouri. The Company agrees to faithfully adhere to that schedule and advise the City of any changes thereto.

IN WITNESS WHEREOF, the Parties hereto set their hands and seals on the date first above written.

CITY OF DIXON, MISSOURI

(SEAL)

By: \_\_\_\_\_

Mayor

Attest:

Donna York  
City Clerk

M & M Sanitation Company, Inc.

(SEAL)

By: \_\_\_\_\_

Attest:

Janet K. Mehl  
Secretary

*Repealed*

ORDINANCE NO. 247

AN ORDINANCE DEFINING FOOD, POTENTIALLY HAZARDOUS FOOD, FOOD SERVICE ESTABLISHMENT, MOBILE FOOD UNIT, TEMPORARY FOOD SERVICE ESTABLISHMENT, REGULATORY AUTHORITY, UTENSILS, EQUIPMENT, ETC.; PROVIDING FOR THE SALE OF ONLY SOUND, SAFE, AND PROPERLY LABELED FOOD; REGULATING THE SOURCES OF FOOD; ESTABLISHING SANITATION STANDARDS FOR FOOD, FOOD PROTECTION, FOOD SERVICE OPERATIONS, FOOD SERVICE PERSONNEL, FOOD SERVICE EQUIPMENT AND UTENSILS, SANITARY FACILITIES AND CONTROLS, AND OTHER FACILITIES; REQUIRING PERMITS, LICENSES OR CERTIFICATES FOR THE OPERATION OF FOOD SERVICE ESTABLISHMENTS; REGULATING THE INSPECTION OF SUCH ESTABLISHMENTS; PROVIDING FOR THE EXAMINATION AND CONDEMNATION OF FOOD; AND PROVIDING FOR THE ENFORCEMENT OF THIS ORDINANCE, AND THE FIXING OF PENALTIES FOR THE CITY OF DIXON, MISSOURI.

BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

SECTION A. DEFINITIONS

- (1) "Commissary" means a catering establishment, restaurant, or any other place in which food, containers, or supplies are kept, handled, prepared, packaged or stored.
- (2) "Corrosion-resistant materials" means those materials that maintain their original surface characteristics under prolonged influence of the food to be contacted, the normal use of cleaning compounds, and bactericidal solutions, and other conditions-of-use environment.
- (3) "Easily cleanable" means that surfaces are readily accessible and made of such materials and finish and so fabricated that residue may be effectively removed by normal cleaning methods.
- (4) "Employee" means the permit holder, individuals having supervisory or management duties and any other person working in a food service establishment.
- (5) "Equipment" means stoves, ovens, ranges, hoods, slicers, mixers, meatblocks, tables, counters, refrigerators, sinks, dishwashing machines, steam tables and similar items other than utensils, used in the operation of a food service establishment.
- (6) "Food" means any raw, cooked, or processed edible substance, ice, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption.



(7) "Food-Contact surface" means those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces from which food may drain, drip or splash back onto surfaces normally in contact with food.

(8) "Food processing establishment" means a commercial establishment in which food is manufactured or packaged for human consumption. The term does not include a food service establishment, retail food store, or commissary operation.

(9) "Food service establishment" means any place where food is prepared and intended for individual portion service, and includes the site at which individual portions are provided. The term includes any such place regardless of whether consumption is on or off the premises and regardless of whether there is a charge for the food. The term also includes delicatessen-type operations that prepare sandwiches intended for individual portion service. The term does not include private homes where food is prepared or served for individual family consumption, private homes where food is prepared or served for individual family consumption, retail food stores, the location of food vending machines, and supply vehicles.

(10) "Hermetically sealed container" means a container designed and intended to be secure against the entry of microorganisms and to maintain the commercial sterility of its content after processing.

(11) "Kitchenware" means all multi-use utensils other than tableware.

(12) "Law" includes Federal, State, and local statutes, ordinances, and regulations.

(13) "Mobile food unit" means a vehicle-mounted food service establishment designed to be readily movable.

(14) "Packaged" means bottled, canned, cartoned, or securely wrapped.

(15) "Person" includes any individual, partnership, corporation, association or other legal entity.

(16) "Person in charge" means the individual present in a food service establishment who is the apparent supervisor of the food service establishment at the time of inspection. If no individual is the apparent supervisor, then any employee present is the person in charge.

(17) "Potentially hazardous food" means any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms. The term does not include clean, whole, uncracked, odor-free shell eggs or foods which have a pH level of 4.6 or below or a water activity ( $a_w$ ) value of 0.85 or less.

(18) "Pushcart" means a non-self-propelled vehicle limited to serving non-potentially hazardous foods or commissary-wrapped food maintained at proper temperatures, or limited to the preparation and serving of frankfurters.

(19) "Reconstituted" means dehydrated food products recombined with water or other liquids.

(20) "Regulatory authority" means any State, County or City enforcement authority or authorities having jurisdiction over the food service establishment.

(21) "Safe materials" means articles manufactured from or composed of materials that may not reasonably be expected to result, directly or indirectly, in their becoming a component or otherwise affecting the characteristics of any food. All materials are "safe" only if they are in compliance with the State Food, Drug, and Cosmetic Act and the Federal Food, Drug, and Cosmetic Act and are used in conformity with all applicable regulations.

(22) "Sanitization" means effective bactericidal treatment by a process that provides enough accumulative heat or concentration of chemicals for enough time to reduce the bacterial count, including pathogens, to a safe level on utensils and equipment.

(23) "Sealed" means free of cracks or other openings that permit the entry or passage of moisture.

(24) "Single-service articles" means cups, containers, lids, closures, plates, knives, forks, spoons, stirrers, paddles, straws, napkins, wrapping materials, tooth-picks and similar articles intended for one-time, one-person use and then discarded.

(25) "Tableware" means multi-use eating and drinking utensils.

(26) "Temporary food service establishment" means a food service establishment that operates at a fixed location for a period of time of not more than 14 consecutive days in conjunction with a single event or celebration.

(27) "Utensil" means any implement used in the storage, preparation, transportation, or service of food.

(28) "Health authority" means the health authority of the municipality of Dixon, Missouri or his designated representative.

#### SECTION B. FOOD SUPPLIES

(1) Food shall be in sound condition, free from spoilage, filth, or other contamination and shall be safe for human consumption. Food shall be obtained from sources that comply with all laws relating to food and food labeling. The use of food in hermetically sealed containers that was not prepared in a food processing establishment is prohibited.

(2) Fluid milk and fluid milk products used or served shall be pasteurized and shall meet the Grade A quality standards as established by law. Dry milk and dry milk products shall be made from pasteurized milk and milk products.

(3) Fresh and frozen shucked shellfish (oysters, clams, or mussels) shall be packed in nonreturnable packages identified with the name and address of the original shell stock processor, shucker-packer, or repacker, and the interstate certification number issued according to law. Shell stock and shucked shellfish shall be kept in the container in which they were received until they are used. Each container of unshucked shell stock (oysters, clams, or mussels) shall be identified by an attached tag that states the name and address of the original shell stock processor, the kind and quantity of shell stock, and an interstate certification number issued by the State or foreign shellfish control agency.

(4) Only clean whole eggs, with shell intact and without cracks or checks, or pasteurized liquid, frozen, or dry eggs or pasteurized dry egg products shall be used, except that hard-boiled, peeled eggs, commercially prepared and packaged, may be used.

(5) Food may be examined or sampled by the regulatory authority as often as necessary for enforcement of this ordinance. The regulatory authority may, upon written notice to the owner or person in charge, specifying with particularity the reasons therefor, place a hold order on any food which it believes is in violation of sections of this ordinance. The regulatory authority shall tag, label, or otherwise identify any food subject to the hold order. No food subject to a hold order shall be used, served, or moved from the establishment. The regulatory authority shall permit storage of the food under conditions specified in the hold order,

unless storage is not possible without risk to the public health, in which case immediate destruction shall be ordered and accomplished. The hold order shall state that a request for hearing may be filed within 10 days and that if no hearing is requested the food shall be destroyed. If a request for hearing is received, the hearing shall be held within 20 days after receipt of the request. On the basis of evidence produced at that hearing, the hold order may be vacated, or the owner or person in charge of the food may be directed by written order to denature or destroy such food or to bring it into compliance with the provisions of this ordinance.

#### SECTION C. FOOD PROTECTION

(1) At all times, including while being stored, prepared, displayed, served, or transported, food shall be protected from potential contamination, including dust, insects, rodents, unclean equipment and utensils, unnecessary handling, coughs and sneezes, flooding, drainage, and overhead leakage or overhead drippage from condensation. The temperature of potentially hazardous food shall be 45° F or below or 140° F or above at all times, except as otherwise provided in this ordinance.

(2) In the event of a fire, flood, power outage, or similar event that might result in the contamination of food, or that might prevent potentially hazardous food from being held at required temperatures, the person in charge shall immediately contact the regulatory authority. Upon receiving notice of this occurrence, the regulatory authority shall take whatever action that it deems necessary to protect the public health.

#### SECTION D. FOOD STORAGE

(1) Food, whether raw or prepared, if removed from the container or package in which it was obtained, shall be stored in a clean covered container except during necessary periods of preparation or service. Container covers shall be impervious and nonabsorbent, except that linens or napkins may be used for lining or covering bread or roll containers. Solid cuts of meat shall be protected by being covered in storage, except that quarters or sides of meat may be hung uncovered on clean sanitized hooks if no food product is stored beneath the meat.

(2) Containers of food shall be stored a minimum of 6 inches above the floor in a manner that protects the food from splash and other contamination, and that permits easy cleaning of the storage area, except that:

(a) Metal pressurized beverage containers, and cased food packaged in cans, glass or other waterproof containers need not be elevated when the food container is not exposed to floor moisture; and

(b) Containers may be stored on dollies, racks or pallets, provided such equipment is easily movable.

(3) Food and containers of food shall not be stored under exposed or unprotected sewer lines or water lines, except for automatic fire protection sprinkler heads that may be required by law. The storage of food in toilet rooms or vestibules is prohibited.

(4) Food not subject to further washing or cooking before serving shall be stored in a way that protects it against cross-contamination from food requiring washing or cooking.

(5) Packaged food shall not be stored in contact with water or undrained ice. Wrapped sandwiches shall not be stored in direct contact with ice.

(6) Unless its identity is unmistakable, bulk food such as cooking oil, syrup, salt, sugar or flour not stored in the product container or package in which it was obtained, shall be stored in a container identifying the food by common name.

(7) Enough conveniently located refrigeration facilities or effectively insulated facilities shall be provided to assure the maintenance of potentially hazardous food at required temperatures during storage. Each mechanically refrigerated facility storing potentially hazardous food shall be provided with a numerically scaled indicating thermometer, accurate to  $\pm 3^{\circ}\text{F}$ , located to measure the air temperature in the warmest part of the facility and located to be easily readable. Recording thermometers, accurate to  $\pm 3^{\circ}\text{F}$ , may be used in lieu of indicating thermometers.

(8) Potentially hazardous food requiring refrigeration after preparation shall be rapidly cooled to an internal temperature of  $45^{\circ}\text{F}$  or below. Potentially hazardous foods of large volume or prepared in large quantities shall be rapidly cooled, utilizing such methods as shallow pans, agitation, quick chilling or water circulation external to the food container so that the cooling period shall not exceed 4 hours. Potentially hazardous food to be transported shall be prechilled and held at a temperature of  $45^{\circ}\text{F}$  or below unless maintained in accordance with section D (7,8,9 &10) of this ordinance.

(9) Frozen food shall be kept frozen and should be stored at a temperature of  $0^{\circ}\text{F}$  or below.

(10) Ice intended for human consumption shall not be used as a medium for cooling stored food, food containers or food utensils, except that such beverages or beverage ingredients to a dispenser head. Ice used for cooling stored food and food containers shall not be used for human consumption.

(11) Enough conveniently located hot food storage facilities shall be provided to assure the maintenance of food at the required temperature during storage. Each hot food facility storing potentially hazardous food shall be provided with a numerically scaled indicating thermometer, accurate to  $\pm 3^{\circ}\text{F}$ , located to measure the air temperature in the coolest part of the facility and located to be easily readable. Recording thermometers, accurate to  $\pm 3^{\circ}\text{F}$ , may be used in lieu of indicating thermometers. Where it is impractical to install thermometers on equipment such as bainmaries, steam tables, steam kettles, heat lamps, cal-rod units, or insulated food transport carriers, a product thermometer must be available and used to check internal food temperature.

(12) The internal temperature of potentially hazardous foods requiring hot storage shall be  $140^{\circ}\text{F}$  or above except during necessary periods of preparation. Potentially hazardous food to be transported shall be held at a temperature of  $140^{\circ}\text{F}$  or above unless maintained in accordance with section D-(8) of this ordinance.

## SECTION E. FOOD PREPARATION

(1) Food shall be prepared with the least possible manual contact, with suitable utensils, and on surfaces that prior to use have been cleaned, rinsed and sanitized to prevent cross-contamination.

(2) Raw fruits and raw vegetables shall be thoroughly washed with potable water before being cooked or served.

(3) Potentially hazardous foods requiring cooking shall be cooked to heat all parts of the food to a temperature of at least 140°F, except that:

(a) Poultry, poultry stuffings, stuffed meats and stuffings containing meat shall be cooked to heat all parts of the food to at least 165°F with no interruption of the cooking process.

(b) Pork and any food containing pork shall be cooked to heat all parts of the food to at least 150°F.

(c) Rare roast beef shall be cooked to an internal temperature of at least 130°F, and rare beef steak shall be cooked to a temperature of 130°F unless otherwise ordered by the immediate consumer.

(4) Reconstituted dry milk and dry milk products may be used in instant desserts and whipped products, or for cooking and baking purposes.

(5) Liquid, frozen, dry eggs and egg products shall be used only for cooking and baking purposes.

(6) Potentially hazardous foods that have been cooked and then refrigerated, shall be reheated rapidly to 165°F or higher throughout before being served or before being placed in a hot food storage facility. Steam tables, bainmaries, warmers, and similar hot food holding facilities are prohibited for the rapid reheating of potentially hazardous foods.

(7) Nondairy creaming, whitening, or whipping agents may be reconstituted on the premises only when they will be stored in sanitized, covered containers not exceeding one gallon in capacity and cooled to 45°F or below within 4 hours after preparation.

(8) Metal stem-type numerically scaled indicating thermometers, accurate to  $\pm 2^\circ\text{F}$ , shall be provided and used to assure the attainment and maintenance of proper internal cooking, holding, or refrigeration temperatures of all potentially hazardous foods.

(9) Potentially hazardous foods shall be thawed:

(a) In refrigerated units at a temperature not to exceed 45°F; or

(b) Under potable running water of a temperature of 70°F or below, with sufficient water velocity to agitate and float off loose food particles into the overflow; or

- (c) In a microwave oven only when the food will be immediately transferred to conventional cooking facilities as part of a continuous cooking process or when the entire, uninterrupted cooking process takes place in the microwave oven;
- (d) As part of the conventional cooking process.

#### SECTION F. FOOD DISPLAY AND SERVICE

(1) Potentially hazardous food shall be kept at an internal temperature of 45°F or below or at an internal temperature of 140°F or above during display and service, except that rare roast beef shall be held for service at a temperature of at least 130°F.

(2) a. Milk and milk products for drinking purposes shall be provided to the consumer in an unopened, commercially filled package not exceeding 1 pint in capacity, or drawn from a commercially filled container stored in a mechanically refrigerated bulk milk dispenser. Where a bulk dispenser for milk and milk products is not available and portions of less than  $\frac{1}{2}$  pint are required for mixed drinks, cereal, or dessert service, milk and milk products may be poured from a commercially filled container of not more than  $\frac{1}{2}$ -gallon capacity.

b. Cream or half and half shall be provided in an individual service container, protected pour-type pitcher, or drawn from a refrigerated dispenser designed for such service.

(3) Nondairy creaming or whitening agents shall be provided in an individual service container, protected pour-type pitcher, or drawn from a refrigerated dispenser designed for such service.

(4) a. Condiments, seasonings and dressings for self-service use shall be provided in individual packages, from dispensers, or from containers protected in accordance with section F (8) of this ordinance.

b. Condiments provided for table or counter service shall be individually portioned, except that catsup and other sauces may be served in the original container or pour-type dispenser. Sugar for consumer use shall be provided in individual packages or in pour-type dispensers.

(5) Ice for consumer use shall be dispensed only by employees with scoops, tongs, or other ice-dispensing utensils or through automatic self-service, ice-dispensing equipment. Ice-dispensing utensils shall be stored on a clean surface or in the ice with the dispensing utensil's handle extended out of the ice. Between uses, ice transfer receptacles shall be stored in a way that protects them from contamination. Ice storage bins shall be drained through an air gap.



(6) To avoid unnecessary manual contact with food, suitable dispensing utensils shall be used by employees or provided to consumers who serve themselves. Between uses during service, dispensing utensils shall be:

(a) Stored in the food with the dispensing utensil handle extended out of the food; or

(b) Stored clean and dry; or

(c) Stored in running water; or

(d) Stored either in a running water dipper well, or clean and dry in the case of dispensing utensils and malt collars used in preparing frozen desserts.

(7) Once served to a consumer, portions of leftover food shall not be served again except that packaged food, other than potentially hazardous food, that is still packaged and is still in sound condition, may be re-served.

(8) Food on display shall be protected from consumer contamination by the use of packaging or by the use of easily cleanable counter, serving line or salad bar protector devices, display cases, or by other effective means. Enough hot or cold food facilities shall be available to maintain the required temperature of potentially hazardous food on display.

(9) Re-use of soiled tableware by self-service consumers returning to the service area for additional food is prohibited. Beverage cups and glasses are exempt from this requirement.

#### SECTION G. FOOD TRANSPORTATION

(1) During transportation, food and food utensils shall be kept in covered containers or completely wrapped or packaged so as to be protected from contamination. Foods in original individual packages do not need to be overwrapped or covered if the original package has not been torn or broken. During transportation, including transportation to another location for service or catering operations, food shall meet the requirements of this ordinance relating to food protection and food storage.

#### SECTION H. EMPLOYEE HEALTH

(1) No person, while infected with a disease in a communicable form that can be transmitted by foods or who is a carrier of organisms that cause such a disease or while afflicted with a boil, an infected wound, or an acute respiratory infection, shall work in a food service establishment in any capacity in which there is a likelihood of such person contaminating food or food-contact surfaces with pathogenic organisms or transmitting disease to other persons.

#### SECTION I. PERSONAL CLEANLINESS

(1) Employees shall thoroughly wash their hands and the exposed portions of their arms with soap and warm water before starting work, during work as often as is necessary to keep them clean, and after smoking, eating, drinking, or using the toilet. Employees shall keep their fingernails clean and trimmed.

#### SECTION J. CLOTHING

(1) The outer clothing of all employees shall be clean.

(2) Employees shall use effective hair restraints to prevent the contamination of food or food-contact surfaces.

#### SECTION K. EMPLOYEE PRACTICES

(1) Employees shall consume food only in designated dining areas. An employee dining area shall not be so designated if consuming food there may result in contamination of other food, equipment, utensils, or other items needing protection.

(2) Employees shall not use tobacco in any form while engaged in food preparation or service, nor while in areas used for equipment or utensil washing or for food preparation. Employees shall use tobacco only in designated areas. An employee tobacco-use area shall not be designated for that purpose if the use of tobacco there may result in contamination of food, equipment, utensils, or other items needing protection.

(3) Employees shall handle soiled tableware in a way that minimizes contamination of their hands.

(4) Employees shall maintain a high degree of personal cleanliness and shall conform to good hygienic practices during all working periods in the food service establishment.

#### SECTION L. MATERIALS - EQUIPMENT AND UTENSILS

(1) Multi-use equipment and utensils shall be constructed and repaired with safe materials, including finishing materials; shall be corrosion resistant and nonabsorbent; and shall be smooth, easily cleanable, and durable under conditions of normal use. Single-service articles shall be made from clean, sanitary, safe materials. Equipment, utensils, and single-service articles shall not impart odors, color, or taste, nor contribute to the contamination of food.

(2) If solder is used, it shall be composed of safe materials and be corrosive resistant.

(3) Hard maple or equivalently nonabsorbent material that meets the general requirements set forth in section L (1) of this ordinance may be used for cutting blocks, cutting boards, salad bowls, and baker's tables. Wood may be used for single-service articles, such as chop sticks, stirrers, or ice cream spoons. The use of wood as a food-contact surface under other circumstances is prohibited.

(4) Safe plastic or safe rubber or safe rubber-like materials that are resistant under normal conditions of use to scratching, scoring, decomposition, crazing, chipping and distortion, that are of sufficient weight and thickness to permit cleaning and sanitizing by normal dishwashing methods, and which meet the general requirements set forth in section L (1) of this ordinance, are permitted for repeated use.

(5) Mollusk and crustacea shells may be used only once as a serving container. Further re-use of such shells for food service is prohibited.

(6) Re-use of single service articles is prohibited.

#### SECTION M. DESIGN AND FABRICATION - EQUIPMENT AND UTENSILS

(1) All equipment and utensils, including plastic-ware, shall be designed and fabricated for durability under conditions of normal use and shall be resistant to denting, buckling, pitting, chipping, and crazing.

(a) Food-contact surfaces shall be easily cleanable, smooth, and free of breaks, open seams, cracks, chips, pits, and similar imperfections, and free of difficult-to-clean internal corners and crevices. Cast iron may be used as a food-contact surface only if the surface is heated, such as in grills, griddle tops, and skillets. Threads shall be designed to facilitate cleaning; ordinary "V" type threads are prohibited in food-contact surfaces, except that in equipment such as ice makers or hot oil cooking equipment and hot oil filtering systems, such threads shall be minimized.

(b) Equipment containing bearings and gears requiring unsafe lubricants shall be designed and constructed so that the lubricant cannot leak, drip, or be forced into food or onto food-contact surfaces. Only safe lubricants shall be used on equipment designed to receive lubrication of bearings and gears on or within food-contact surfaces.

(c) Tubing conveying beverages or beverage ingredients to dispensing heads may be in contact with stored ice: Provided, That such tubing is fabricated from safe materials, is grommeted at entry and exit points to preclude moisture (condensation) from entering the ice machine or the ice storage bin, and is kept clean. Drainage or drainage tubes from dispensing units shall not pass through the ice machine or the ice storage bin.

(d) Sinks and drain boards shall be self-draining.

(2) Unless designed for in-place cleaning, food-contact surfaces shall be accessible for cleaning and inspection:

- (a) Without being disassembled; or
- (b) By disassembling without the use of tools; or
- (c) By easy disassembling with the use of only simple tools such as a mallet, a screwdriver, or an open-end wrench kept available near the equipment.

(3) Equipment intended for in-place cleaning shall be so designed and fabricated that:

(a) Cleaning and sanitizing solutions can be circulated throughout a fixed system using an effective cleaning and sanitizing regimen; and

(b) Cleaning and sanitizing solutions will contact all interior food-contact surfaces; and

(c) The system is self-draining or capable of being completely evacuated.

(4) Fixed equipment designed and fabricated to be cleaned and sanitized by pressure spray methods shall have sealed electrical wiring, switches, and connections.

(5) Indicating thermometers required for immersion into food or cooking media shall be of metal stem type construction, numerically scaled, and accurate to  $\pm 2^{\circ}\text{F}$ .

(6) Surfaces of equipment not intended for contact with food, but which are exposed to splash or food debris or which otherwise require frequent cleaning, shall be designed and fabricated to be smooth, washable, free of unnecessary ledges, projections, or crevices, and readily accessible for cleaning, and shall be of such material and in such repair as to be easily maintained in a clean and sanitary condition.

(7) Ventilation hoods and devices shall be designed to prevent grease or condensation from collecting on walls and ceilings, and from dripping into food or onto food-contact surfaces. Filters or other grease extracting equipment shall be readily removable for cleaning and replacement if not designed to be cleaned in place.

(8) Equipment that was installed in a food service establishment prior to the effective date of this ordinance, and that does not fully meet all of the design and fabrication requirements of this section, shall be deemed acceptable in that establishment if it is in good repair, capable of being maintained in a sanitary condition, and the food-contact surfaces are nontoxic. Replacement equipment and new equipment acquired after the effective date of this ordinance shall meet the requirements of this ordinance.

## SECTION N. EQUIPMENT INSTALLATION AND LOCATION

(1) Equipment, including ice makers and ice storage equipment, shall not be located under exposed or unprotected sewer lines or water lines, open stairwells, or other sources of contamination. This requirement does not apply to automatic fire protection sprinkler heads that may be required by law.

(2) Equipment that is placed on tables or counters, unless portable, shall be sealed to the table or counter or elevated on legs to provide at least a 4-inch clearance between the table or counter and equipment and shall be installed to facilitate the cleaning of the equipment and adjacent areas.

(A) Equipment is portable within the meaning of section N- (12) of this ordinance if:

- (a) It is small and light enough to be moved easily by one person; and
- (b) It has no utility connection, or has a utility connection that disconnects quickly, or has a flexible utility connection line of sufficient length to permit the equipment to be moved for easy cleaning.

(3) Floor-mounted equipment, unless readily movable, shall be:

- (A) Sealed to the floor; or
- (B) Installed on a raised platform of concrete or other smooth masonry in a way that meets all the requirements for sealing or floor clearance; or
- (C) Elevated on legs to provide at least a 6-inch clearance between the floor and equipment, except that vertically mounted floor mixers may be elevated to provide at least a 4-inch clearance between the floor and equipment if no part of the floor under the mixer is more than 6 inches from cleaning access.

(4) Equipment is easily movable if:

- (A) It is mounted on wheels or casters; and
- (B) It has no utility connection or has a utility connection that disconnects quickly, or has a flexible utility line of sufficient length to permit the equipment to be moved for easy cleaning.

(5) Unless sufficient space is provided for easy cleaning between, behind and above each unit of fixed equipment, the space between it and adjoining equipment units and adjacent walls or ceilings shall be not more than 1/32 inch; or if exposed to seepage, the equipment shall be sealed to the adjoining equipment or adjacent walls or ceilings.

(6) Aisles and working spaces between units of equipment and walls shall be unobstructed and of sufficient width to permit employees to perform their duties readily without contamination of food or food-contact surfaces by clothing or personal contact. All easily movable storage equipment such as pallets, racks, and dollies, shall be positioned to provide accessibility to working areas.

## SECTION 0. EQUIPMENT AND UTENSIL CLEANING AND SANITIZATION

(1) Tableware shall be washed, rinsed, and sanitized after each use.

(2) To prevent cross-contamination, kitchenware and food-contact surfaces of equipment shall be washed, rinsed, and sanitized after each use and following any interruption of operations during which time contamination may have occurred.

(3) Where equipment and utensils are used for the preparation of potentially hazardous foods on a continuous or production-line basis, utensils and the food-contact surfaces of equipment shall be washed, rinsed, and sanitized at intervals throughout the day on a schedule based on food temperature, type of food, and amount of food particle accumulation.

(4) The food-contact surfaces of grills, griddles, and similar cooking devices and the cavities and door seals of microwave ovens shall be cleaned at least once a day; except that this shall not apply to hot oil cooking equipment and hot oil filtering systems. The food-contact surfaces of all cooking equipment shall be kept free of encrusted grease deposits and other accumulated soil.

(5) Non-food-contact surfaces of equipment shall be cleaned as often as is necessary to keep the equipment free of accumulation of dust, dirt, food particles, and other debris.

(6) Cloths used for wiping food spills on tableware, such as plates or bowls being served to the consumer, shall be clean, dry and used for no other purpose.

(7) Moist cloths or sponges used for wiping food spills on kitchenware and food-contact surfaces of equipment shall be clean and rinsed frequently in one of the sanitizing solutions permitted in section 0 (9) of this ordinance and used for no other purpose. These cloths and sponges shall be stored in the sanitizing solution between uses.

(8) Moist cloths or sponges used for cleaning non-food-contact surfaces of equipment such as counters, dining table tops and shelves shall be clean and rinsed as specified in section 0 (7) of this ordinance, and used for no other purpose. These cloths and sponges shall be stored in the sanitizing solution between uses.

(9) For manual washing, rinsing and sanitizing of utensils and equipment, a sink with not fewer than three compartments shall be provided and used. Sink compartments shall be large enough to permit the accommodation of the equipment and utensils, and each compartment of the sink shall be supplied with hot and cold potable running water. Fixed equipment and utensils and equipment too large to be cleaned in sink compartments shall be washed manually or cleaned through pressure spray methods.

(10) Drain boards or easily movable dish tables of adequate size shall be provided for proper handling of soiled utensils prior to washing and for cleaned utensils following sanitizing and shall be located so as not to interfere with the proper use of the dishwashing facilities.

(11) Equipment and utensils shall be preflushed or prescraped and, when necessary, presoaked to remove gross food particles and soil.

(12) Except for fixed equipment and utensils too large to be cleaned in sink compartments, manual washing, rinsing and sanitizing shall be conducted in the following sequence:

- (A) Sinks shall be cleaned prior to use.
- (B) Equipment and utensils shall be thoroughly washed in the first compartment with a hot detergent solution that is kept clean.
- (C) Equipment and utensils shall be rinsed free of detergent and abrasives with clean water in the second compartment.
- (D) Equipment and utensils shall be sanitized in the third compartment according to one of the methods included in section 0 (13 - 15) of this ordinance.

(13) The food-contact surfaces of all equipment and utensils shall be sanitized by:

- (A) Immersion for at least one-half (1/2) minute in clean, hot water at a temperature of at least 170°F; or
- (B) Immersion for at least one minute in a clean solution containing at least 50 parts per million of available chlorine as a hypochlorite and at a temperature of at least 75°F; or
- (C) Immersion for at least one minute in a clean solution containing at least 12.5 parts per million of available iodine and having a pH not higher than 5.0 and at a temperature of at least 75°F; or
- (D) Immersion in a clean solution containing any other chemical sanitizing agent recognized by the Missouri Division of Health as effective and that will provide the equivalent bactericidal effect of a solution containing at least 50 parts per million of available chlorine as a hypochlorite at a temperature of at least 75°F for one minute; or
- (E) Treatment with steam free from materials or additives other than those prohibited by the Missouri Division of Health in the case of equipment too large to sanitize by immersion, but in which steam can be confined; or
- (F) Rinsing, spraying, or swabbing with a chemical sanitizing solution of at least twice the strength required for that particular sanitizing solution under section 0 (13D) of this ordinance in the case of equipment too large to sanitize by immersion.

(14) When hot water is used for sanitizing, the following facilities shall be provided and used:

- (A) An integral heating device or fixture installed in, on, or under the sanitizing compartment of the sink capable of maintaining the water at a temperature of at least 170°F; and
- (B) A numerically scaled indicating thermometer, accurate to  $\pm 3^{\circ}\text{F}$ , convenient to the sink for frequent checks of water temperature; and
- (C) Dish baskets of such size and design to permit complete immersion of the tableware, kitchenware, and equipment in the hot water.

(15) When chemicals are used for sanitization, they shall not have concentrations higher than the maximum permitted by the Missouri Division of Health and a test kit or other device that accurately measures the parts per million concentration of the solution shall be provided and used.

(16) Cleaning and sanitizing may be done by spray-type or immersion dishwashing machines or by any other type of machine or device if it is demonstrated that it thoroughly cleans and sanitizes equipment and utensils. These machines and devices shall be properly installed and maintained in good repair. Machines and devices shall be operated in accordance with manufacturers' instructions, and utensils and equipment placed in the machine shall be exposed to all dishwashing cycles. Automatic detergent dispensers, wetting agent dispensers, and liquid sanitizer injectors, if any, shall be properly installed and maintained.

(17) The pressure of final rinse water supplied to spray-type dishwashing machines shall not be less than 15 nor more than 25 pounds per square inch measured in the water line immediately adjacent to the final rinse control valve. A 1/4-inch IPS valve shall be provided immediately upstream from the final rinse control valve to permit checking the flow pressure of the final rinse water.

(18) Machine or water line mounted numerically scaled indicating thermometers, accurate to  $\pm 3^{\circ}\text{F}$ , shall be provided to indicate the temperature of the water in each tank of the machine and the temperature of the final rinse water as it enters the manifold.

(19) Rinse water tanks shall be protected by baffles, curtains, or other effective means to minimize the entry of wash water into the rinse water. Conveyors in dishwashing machines shall be accurately timed to assure proper exposure times in wash and rinse cycles in accordance with manufacturers' specifications attached to the machines.



(20) Drain boards shall be provided and be of adequate size for the proper handling of soiled utensils prior to washing and of cleaned utensils following sanitization and shall be so located and constructed as not to interfere with the proper use of the dishwashing facilities. This does not preclude the use of easily movable dish tables for the storage of soiled utensils or the use of easily movable dish tables for the storage of clean utensils following sanitization.

(21) Equipment and utensils shall be flushed or scraped and, when necessary, soaked to remove gross food particles and soil prior to being washed in a dishwashing machine unless a prewash cycle is a part of the dishwashing machine operation. Equipment and utensils shall be placed in racks, trays, or baskets, or on conveyors, in a way that food-contact surfaces are exposed to the unobstructed application of detergent wash and clean rinse waters and that permits free draining.

(22) Machines (single-tank, stationary-rack, door-type machines and spray-type glass washers) using chemicals for sanitization may be used: Provided, That,

- (A) The temperature of the wash water shall not be less than 120°F.
- (B) The wash water shall be kept clean.
- (C) Chemicals added for sanitization purposes shall be automatically dispensed.
- (D) Utensils and equipment shall be exposed to the final chemical sanitizing rinse in accordance with manufacturers' specifications for time and concentration.
- (E) The chemical sanitizing rinse water temperature shall be not less than 75°F nor less than the temperature specified by the machine's manufacturer.
- (F) Chemical sanitizers used shall meet the requirements of the Missouri Division of Health.
- (G) A test kit or other device that accurately measures the parts per million concentration of the solution shall be available and used.

(23) Machines using hot water for sanitizing may be used provided that wash water and pumped rinse water shall be kept clean and water shall be maintained at not less than the temperature stated in section 0 (22 A-E) of this ordinance.

(A) Single-tank, stationary-rack, dual-temperature machine:

Wash temperature 150°F

Final rinse temperature 180°F

(B) Single-tank, stationary-rack, single-temperature machine:

Wash temperature 165°F

Final rinse temperature 165°F

(C) Single-tank, conveyor machine:

Wash temperature 160°F

Final rinse temperature 180°F

(D) Multitank, conveyor machine:

Wash temperature 150°F

Pumped rinse temperature 160°F

Final rinse temperature 180°F

(E) Single-tank, pot, pan, and utensil washer (either stationary or moving-rack):

Wash temperature 140°F

Final rinse temperature 180°F

(24) All dishwashing machines shall be thoroughly cleaned at least once a day or more often when necessary to maintain them in a satisfactory operating condition.

(25) After sanitization, all equipment and utensils shall be air dried.

#### SECTION P. EQUIPMENT AND UTENSIL STORAGE

(1) Cleaned and sanitized equipment and utensils shall be handled in a way that protects them from contamination. Spoons, knives, and forks shall be touched only by their handles. Cups, glasses, bowls, plates and similar items shall be handled without contact with inside surfaces or surfaces that contact the user's mouth.

(2) Cleaned and sanitized utensils and equipment shall be stored at least 6 inches above the floor in a clean, dry location in a way that protects them from contamination by splash, dust, and other means. The food-contact surfaces of fixed equipment shall also be protected from contamination. Equipment and utensils shall not be placed under exposed sewer lines or water lines, except for automatic fire protection sprinkler heads that may be required by law.

(3) Utensils shall be air dried before being stored or shall be stored in a self-draining position.

(4) Glasses and cups shall be stored inverted. Other stored utensils shall be covered or inverted, wherever practical. Facilities for the storage of knives, forks, and spoons shall be designed and used to present the handle to the employee or consumer. Unless tableware is prewrapped, holders for knives, forks, and spoons at self-service locations shall protect these articles from contamination and present the handle of the utensil to the consumer.

(5) (a) Single-service articles shall be stored at least 6 inches above the floor in closed cartons or containers which protect them from contamination and shall not be placed under exposed sewer lines or water lines, except for automatic fire protection sprinkler heads that may be required by law.

(b) Single-service articles shall be handled and dispensed in a manner that prevents contamination of surfaces which may come in contact with food or with the mouth of the user.

(c) Single-service knives, forks and spoons packaged in bulk shall be inserted into holders or be wrapped by an employee who has washed his hands immediately prior to sorting or wrapping the utensils. Unless single-service knives, forks and spoons are prewrapped or prepackaged, holders shall be provided to protect these items from contamination and present the handle of the utensil to the consumer.

(6) The storage of food equipment, utensils or single-service articles in toilet rooms or vestibules is prohibited.

#### SECTION Q. WATER SUPPLY

(1) Enough potable water for the needs of the food service establishment shall be provided from a source constructed and operated according to law.

(2) All potable water not provided directly by pipe to the food service establishment from the source shall be transported in a bulk water transport system and shall be delivered to a closed-water system. Both of these systems shall be constructed and operated according to law.

(3) Bottled and packaged potable water shall be obtained from a source that complies with all laws and shall be handled and stored in a way that protects it from contamination. Bottled and packaged potable water shall be dispensed from the original container.

(4) Water under pressure at the required temperatures shall be provided to all fixtures and equipment that use water.

(5) Steam used in contact with food or food-contact surfaces shall be free from any materials or additives other than those approved by the Missouri Division of Health.

## SECTION R. SEWAGE

(1) All sewage, including liquid waste, shall be disposed of by a public sewerage system or by a sewage disposal system constructed and operated according to law. Non-water-carried sewage disposal facilities are prohibited, except as permitted by section Z (1 - 10) of this ordinance (pertaining to temporary food service establishments) or as permitted by the regulatory authority in remote areas or because of special situations.

## SECTION S. PLUMBING

(1) Plumbing shall be sized, installed, and maintained according to law. There shall be no cross-connection between the potable water supply and any non-potable or questionable water supply nor any source of pollution through which the potable water supply might become contaminated.

(2) A nonpotable water system is permitted only for purposes such as air-conditioning and fire protection and only if the system is installed according to law and the nonpotable water does not contact, directly or indirectly, food, potable water, equipment that contacts food, or utensils. The piping of any nonpotable water system shall be durably identified so that it is readily distinguishable from piping that carries potable water.

(3) The potable water system shall be installed to preclude the possibility of backflow. Devices shall be installed to protect against backflow and back siphonage at all fixtures and equipment where an air gap at least twice the diameter of the water supply inlet is not provided between the water supply inlet and the fixture's flood level rim. A hose shall not be attached to a faucet unless a backflow prevention device is installed.

(4) If used, grease traps shall be located to be easily accessible for cleaning.

(5) If used, garbage grinders shall be installed and maintained according to law.

(6) Except for properly trapped open sinks, there shall be no direct connection between the sewerage system and any drains originating from equipment in which food, portable equipment, or utensils are placed. When a dishwashing machine is located within 5 feet of a trapped floor drain, the dishwasher waste outlet may be connected directly on the inlet side of a properly vented floor drain trap if permitted by law.

#### SECTION S. TOILET FACILITIES

(1) Toilet facilities shall be installed according to law, shall be the number required by law, shall be conveniently located, and shall be accessible to employees at all times.

(2) Toilets and urinals shall be designed to be easily cleanable.

(3) Toilet rooms shall be completely enclosed and shall have tight-fitting, self-closing, solid doors, which shall be closed except during cleaning or maintenance, except as provided by law.

(4) Toilet fixtures shall be kept clean and in good repair. A supply of toilet tissue shall be provided at each toilet at all times. Easily cleanable receptacles shall be provided for waste materials. Toilet rooms used by women shall have at least one covered waste receptacle.

#### SECTION U. LAVATORY FACILITIES

(1) Lavatories shall be at least the number required by law, shall be installed according to law, and shall be located to permit convenient use by all employees in food preparation areas and utensil-washing areas.

(2) Lavatories shall be accessible to employees at all times.

(3) Lavatories shall also be located in or immediately adjacent to toilet rooms or vestibules. Sinks used for food preparation or for washing equipment or utensils shall not be used for handwashing.

(4) Each lavatory shall be provided with hot and cold water tempered by means of a mixing valve or combination faucet. Any self-closing, slow-closing, or metering faucet used shall be designed to provide a flow of water for at least 15 seconds without the need to reactivate the faucet. Steam-mixing valves are prohibited.

(6) Lavatories, soap dispensers, hand-drying devices and all related fixtures shall be kept clean and in good repair.

#### SECTION V. GARBAGE REFUSE

(1) Garbage and refuse shall be kept in durable, easily cleanable, insect-proof and rodent-proof containers that do not leak and do not absorb liquids. Plastic bags and wet-strength paper bags may be used to line these containers, and they may be used for storage inside the food service establishment.

(2) Containers used in food preparation and utensil washing areas shall be kept covered after they are filled.

(3) Containers stored outside the establishment, and dumpsters, compactors and compactor systems shall be easily cleanable, shall be provided with tight-fitting lids, doors or covers, and shall be kept covered when not in actual use. In containers designed with drains, drain plugs shall be in place at all times, except during cleaning.

(4) There shall be a sufficient number of containers to hold all the garbage and refuse that accumulates.

(5) Soiled containers shall be cleaned at a frequency to prevent insect and rodent attraction. Each container shall be thoroughly cleaned on the inside and outside in a way that does not contaminate food, equipment, utensils, or food preparation areas. Suitable facilities, including hot water and detergent or steam, shall be provided and used for washing containers. Liquid waste from compacting or cleaning operations shall be disposed of as sewage.

(6) Garbage and refuse on the premises shall be stored in a manner to make them inaccessible to insects and rodents. Outside storage of unprotected plastic bags or wet-strength paper bags or baled units containing garbage or refuse is prohibited. Cardboard or other packaging material not containing garbage or food wastes need not be stored in covered containers.

(7) Garbage or refuse storage rooms, if used, shall be constructed of easily cleanable, nonabsorbent, washable materials, shall be kept clean, shall be insect-proof and rodent-proof and shall be large enough to store the garbage and refuse containers that accumulate.

(8) Outside storage areas or enclosures shall be large enough to store the garbage and refuse containers that accumulate and shall be kept clean. Garbage and refuse containers, dumpsters and compactor systems located outside shall be stored on or above a smooth surface of nonabsorbent material such as concrete or machine-laid asphalt that is kept clean and maintained in good repair.

(9) Garbage and refuse shall be disposed of often enough to prevent the development of odor and the attraction of insects and rodents.

(10) Where garbage or refuse is burned on the premises, it shall be done by controlled incineration that prevents the escape of particulate matter in accordance with law. Areas around incineration facilities shall be clean and orderly.

#### SECTION W. INSECT AND RODENT CONTROL

(1) Effective measures intended to minimize the presence of rodents, flies, cockroaches, and other insects on the premises shall be utilized. The premises shall be kept in such condition as to prevent the harborage or feeding of insects or rodents.

(2) Openings to the outside shall be effectively protected against the entrance of rodents. Outside openings shall be protected against the entrance of insects by tight-fitting, self-closing doors, closed windows, screening, controlled air currents, or other means. Screen doors shall be self-closing, and screens for windows, doors, skylights, transoms, intake and exhaust air ducts, and other openings to the outside shall be tight-fitting and free of breaks. Screening material shall not be less than 16 mesh to the inch.

#### SECTION X. CONSTRUCTION AND MAINTENANCE OF PHYSICAL FACILITIES

##### (1) Floors

(a) Floors and floor coverings of all food preparation, food storage, and utensil-washing areas, and the floors of all walk-in refrigerating units, dressing rooms, locker rooms, toilet rooms and vestibules shall be constructed of smooth durable material such as sealed concrete, terrazzo, ceramic tile, durable grades of linoleum or plastic, or tight wood impregnated with plastic, and shall be maintained in good repair. Nothing in this section shall prohibit the use of antislip floor covering in areas where necessary for safety reasons.

(b) Carpeting, if used as a floor covering, shall be of closely woven construction, properly installed, easily cleanable, and maintained in good repair. Carpeting is prohibited in food preparation, equipment-washing and utensil-washing areas where it would be exposed to large amounts of grease and water, in food storage areas, and toilet room areas where urinals or toilet fixtures are located.

(c) The use of sawdust, wood shavings, peanut hulls, or similar material as a floor covering is prohibited.

(d) Properly installed, trapped floor drains shall be provided in floors that are water-flushed for cleaning or that receive discharges of water or other fluid waste from equipment, or in areas where pressure spray methods for cleaning equipment are used. Such floors shall be constructed only of sealed concrete, terrazzo, ceramic tile or similar materials, and shall be graded to drain.

(e) Mats and duckboards shall be of nonabsorbent, grease resistant materials and of such size, design, and construction as to facilitate their being easily cleaned. Duckboards shall not be used as storage racks.

(f) In all new or extensively remodeled establishments utilizing concrete, terrazzo, ceramic tile or similar flooring materials, and where water-flush cleaning methods are used, the junctures between walls and floors shall be coved and sealed. In all other cases, the juncture between walls and floors shall not present an open seam of more than 1/32 inch.

(g) Exposed utility service lines and pipes shall be installed in a way that does not obstruct or prevent cleaning of the floor. In all new or extensively remodeled establishments, installation of exposed horizontal utility lines and pipes on the floor is prohibited.

(2) Walls and ceilings

(a) Walls and ceilings, including doors, windows, skylights, and similar closures, shall be maintained in good repair.

(b) The walls, including nonsupporting partitions, wall coverings, and ceilings of walk-in refrigerating units, food preparation areas, equipment-washing and utensil-washing areas, toilet rooms and vestibules shall be light colored, smooth, nonabsorbent, and easily cleanable. Concrete or pumice blocks used for interior wall construction in these locations shall be finished and sealed to provide an easily cleanable surface.

(c) Studs, joists, and rafters shall not be exposed in walk-in refrigerating units, food preparation areas, equipment-washing and utensil-washing areas, toilet rooms and vestibules. If exposed in other rooms or areas, they shall be finished to provide an easily cleanable surface.

(d) Exposed utility service lines and pipes shall be installed in a way that does not obstruct or prevent cleaning of the walls and ceilings. Utility service lines and pipes shall not be unnecessarily exposed on walls or ceilings in walk-in refrigerating units, food preparation areas, equipment-washing and utensil-washing areas, toilet rooms and vestibules.

(e) Light fixtures, vent covers, wall-mounted fans, decorative materials, and similar equipment attached to walls and ceilings shall be easily cleanable and shall be maintained in good repair.

(f) Wall and ceiling covering materials shall be attached and sealed so as to be easily cleanable.

(3) Cleaning Physical Facilities



(a) Cleaning of floors and walls, except emergency cleaning of floors, shall be done during periods when the least amount of food is exposed, such as after closing or between meals. Floors, mats, duckboards, walls, ceilings, and attached equipment and decorative materials shall be kept clean. Only dustless methods of cleaning floors and walls shall be used, such as vacuum cleaning, wet cleaning, or the use of dust-arresting sweeping compounds with brooms.

(b) In new or extensively remodeled establishments at least one utility sink or curbed cleaning facility with a floor drain shall be provided and used for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop-water or similar liquid wastes. The use of lavatories, utensil-washing or equipment-washing, or food preparation sinks for this purpose is prohibited.

#### (4) Lighting

(a) Permanently fixed artificial light sources shall be installed to provide at least 20 foot candles of light on all food preparation surfaces and at equipment or utensil-washing work levels.

(b) Permanently fixed artificial light sources shall be installed to provide, at a distance of 30 inches from the floor:

(1) At least 20 foot candles of light in utensil and equipment storage areas and in lavatory and toilet areas; and

(2) At least 10 foot candles of light in walk-in refrigerating units, dry food storage areas, and in all other areas. This shall also include dining areas during cleaning operations.

(c) Shielding to protect against broken glass falling onto food shall be provided for all artificial lighting fixtures located over, by, or within food storage, preparation, service, and display facilities, and facilities where utensils and equipment are cleaned and stored.

(d) Infrared or other heat lamps shall be protected against breakage by a shield surrounding and extending beyond the bulb, leaving only the face of the bulb exposed.

#### (5) Ventilation

(a) All rooms shall have sufficient ventilation to keep them free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes. Ventilation systems shall be installed and operated according to law and, when vented to the outside, shall not create an unsightly, harmful or unlawful discharge.

(b) Intake and exhaust air ducts shall be maintained to prevent the entrance of dust, dirt, and other contaminating materials.

(c) In new or extensively remodeled establishments, all rooms from which obnoxious odors, vapors or fumes originate shall be mechanically vented to the outside.

#### (6) Dressing Rooms and Locker Areas

(a) If employees routinely change clothes within the establishment, rooms or areas shall be designated and used for that purpose. These designated rooms or areas shall not be used for food preparation, storage or service, or for utensil washing or storage.

(b) Enough lockers or other suitable facilities shall be provided and used for the orderly storage of employee clothing and other belongings. Lockers or other suitable facilities may be located only in the designated dressing rooms or in food storage rooms or areas containing only completely packaged food or packaged single-service articles.

(7) Poisonous or Toxic Materials

(a) There shall be present in food service establishments only those poisonous or toxic materials necessary for maintaining the establishment, cleaning and sanitizing equipment and utensils, and controlling insects and rodents.

(b) Containers of poisonous or toxic materials shall be prominently and distinctly labeled according to law for easy identification of contents.

(c) (1) Poisonous or toxic materials consist of the following categories:

(A) Insecticides and rodenticides;

(B) Detergents, sanitizers, and related cleaning or drying agents;

(C) Caustics, acids, polishes, and other chemicals.

(2) Each of the three categories set forth in paragraph (1) of this section shall be stored and physically located separate from each other. All poisonous or toxic materials shall be stored in cabinets or other similar physically separate place used for no other purpose. To preclude contamination, poisonous or toxic materials shall not be stored above food, food equipment, utensils or single-service articles, except that this requirement does not prohibit the convenient availability of detergents or sanitizers at utensil or dishwashing stations.

(d) (1) Bactericides, cleaning compounds or other compounds intended for use on food-contact surfaces shall not be used in a way that leaves a toxic residue on such surfaces or that constitutes a hazard to employees or other persons.

(2) Poisonous or toxic materials shall not be used in a way that contaminates food, equipment, or utensils, nor in a way that constitutes a hazard to employees or other persons, nor in a way other than in full compliance with the manufacturer's labeling.

(e) Personal medications shall not be stored in food storage, preparation or service areas.

(f) First-aid supplies shall be stored in a way that prevents them from contaminating food and food-contact surfaces.

(8) Premises

(a) Food service establishments and all parts of property used in connection with their operations shall be kept free of litter.

(b) The walking and driving surfaces of all exterior areas of food service establishments shall be surfaced with concrete or asphalt, or with gravel or similar material effectively treated to facilitate maintenance and minimize dust. These surfaces shall be graded to prevent pooling and shall be kept free of litter.

(c) Only articles necessary for the operation and maintenance of the food service establishment shall be stored on the premises.

(d) The traffic of unnecessary persons through the food-preparation and utensil-washing areas is prohibited.

(e) No operation of a food service establishment shall be conducted in any room used as living or sleeping quarters. Food service operations shall be separated from any living or sleeping quarters by complete partitioning and solid, self-closing doors.

(f) (1) Laundry facilities in a food service establishment shall be restricted to the washing and drying of linens, cloths, uniforms and aprons necessary to the operation. If such items are laundered on the premises, an electric or gas dryer shall be provided and used.

(2) Separate rooms shall be provided for laundry facilities except that such operations may be conducted in storage rooms containing only packaged foods or packaged single-service articles.

(g) (1) Clean clothes and linens shall be stored in a clean place and protected from contamination until used.

(2) Soiled clothes and linens shall be stored in nonabsorbent containers or washable laundry bags until removed for laundering.

(h) Maintenance and cleaning tools such as brooms, mops, vacuum cleaners and similar equipment shall be maintained and stored in a way that does not contaminate food, utensils, equipment, or linens and shall be stored in an orderly manner for the cleaning of that storage location.

(i) Live animals, including birds and turtles, shall be excluded from within the food service operational premises and from adjacent areas under the control of the permit holder. This exclusion does not apply to edible fish, crustacea, shellfish, or to fish in aquariums. Patrol dogs accompanying security or police officers, or guide dogs accompanying blind persons, shall be permitted in dining areas.

## SECTION Y. MOBILE FOOD UNITS OR PUSHCARTS

### (1) Mobile Food Service

(a) Mobile food units or pushcarts shall comply with the requirements of this chapter, except as otherwise provided in this paragraph and in section Y (1b) of this ordinance. The regulatory authority may impose additional requirements to protect against health hazards related to the conduct of the food service establishment as a mobile operation, may prohibit the sale of some or all potentially hazardous food, and when no health hazard will result, may waive or modify requirements of this chapter relating to physical facilities, except those requirements of section Y (1d-e, 2a-b, 3a-e) of this ordinance.

(b) Mobile food units or pushcarts serving only food prepared, packaged in individual servings, transported and stored under conditions meeting the requirements of this ordinance, or beverages that are not potentially hazardous and are dispensed from covered urns or other protected equipment, need not comply with requirements of this ordinance pertaining to the necessity of water and sewage systems nor to those requirements pertaining to the cleaning and sanitization of equipment and utensils if the required equipment for cleaning and sanitization exists at the commissary. However, frankfurters may be prepared and served from these units or pushcarts.

(c) Mobile food units or pushcarts shall provide only single-service articles for use by the consumer.

(d) A mobile food unit requiring a water system shall have a potable water system under pressure. The system shall be of sufficient capacity to furnish enough hot and cold water for food preparation, utensil cleaning and sanitizing, and hand-washing, in accordance with the requirements of this ordinance. The water inlet shall be located so that it will not be contaminated by waste discharge, road dust, oil, or grease, and it shall be kept capped unless being filled. The water inlet shall be provided with a transition connection of a size or type that will prevent its use for any other service. All water distribution pipes or tubing shall be constructed and installed in accordance with the requirements of this ordinance.

(e) If liquid waste results from operation of a mobile food unit, the waste shall be stored in a permanently installed retention tank that is of at least 15 percent larger capacity than the water supply tank. Liquid waste shall not be discharged from the retention tank when the mobile food unit is in motion. All connections on the vehicle for servicing mobile food unit waste disposal facilities shall be of a different size or type than those used for supplying potable water to the mobile food unit. The waste connection shall be located lower than the water inlet connection to preclude contamination of the potable water system.

(2) Commissary

(a) Mobile food units or pushcarts shall operate from a commissary or other fixed food service establishment and shall report at least daily to such location for all supplies and for all cleaning and servicing operations.

(b) The commissary or other fixed food service establishment used as a base of operation for mobile food units or pushcarts shall be constructed and operated in compliance with the requirements of this ordinance.

(3) Servicing Area and Operations

(a) A mobile food unit servicing area shall be provided and shall include at least overhead protection for any supplying, cleaning, or servicing operation. Within this servicing area, there shall be a location provided for the flushing and drainage of liquid wastes separate from the location provided for water servicing and for the loading and unloading of food and related supplies. This servicing area will not be required where only packaged food is placed on the mobile food unit or pushcart or where mobile food units do not contain waste retention tanks.

(b) The surface of the servicing area shall be constructed of a smooth non-absorbent material, such as concrete or machine-laid asphalt and shall be maintained in good repair, kept clean, and be graded to drain.

(c) The construction of the walls and ceilings of the servicing area is exempted from the provisions of sections X (2a-f) of this ordinance.

(d) Potable water servicing equipment shall be installed according to law and shall be stored and handled in a way that protects the water and equipment from contamination.

(e) The mobile food unit liquid waste retention tank, where used, shall be thoroughly flushed and drained during the servicing operation. All liquid waste shall be discharged to a sanitary sewerage disposal system in accordance with section R (1) of this ordinance.

SECTION Z. TEMPORARY FOOD SERVICE

(1) A temporary food service establishment shall comply with the requirements of this ordinance, except as otherwise provided in this chapter. The regulatory authority may impose additional requirements to protect against health hazards related to the conduct of the temporary food service establishment, may prohibit the sale of some or all potentially hazardous foods, and when no health hazard will result, may waive or modify requirements of this ordinance.

(2) These provisions are applicable whenever a temporary food service establishment is permitted, under the provisions of section Z (1) of this ordinance, to operate without complying with all the requirements of this chapter.

(3) Only those potentially hazardous foods requiring limited preparation, such as hamburgers and frankfurters that only require seasoning and cooking, shall be prepared or served. The preparation or service of other potentially hazardous foods, including pastries filled with cream or synthetic cream, custards, and similar products, and salads or sandwiches containing meat, poultry, eggs or fish is prohibited. This prohibition does not apply to any potentially hazardous food that has been prepared and packaged under conditions meeting the requirements of this ordinance, is obtained in individual servings, is stored at a temperature of 45°F or below or at a temperature of 140°F or above in facilities meeting the requirements of this ordinance, and is served directly in the unopened container in which it was packaged.

(4) Ice that is consumed or that contacts food shall be made under conditions meeting the requirements of this ordinance. The ice shall be obtained only in chipped, crushed, or cubed form and in single-use safe plastic or wet-strength paper bags filled and sealed at the point of manufacture. The ice shall be held in these bags until it is dispensed in a way that protects it from contamination.

(5) Equipment shall be located and installed in a way that prevents food contamination and that also facilitates cleaning the establishment.

(6) Food-contact surfaces of equipment shall be protected from contamination by consumers and other contaminating agents. Effective shields for such equipment shall be provided, as necessary, to prevent contamination.

(7) All temporary food service establishments without effective facilities for cleaning and sanitizing tableware shall provide only single-service articles for use by the consumer.

(8) Enough potable water shall be available in the establishment for food preparation, for cleaning and sanitizing utensils and equipment, and for handwashing. A heating facility capable of producing enough hot water for these purposes shall be provided on the premises.

(9) Storage of packaged food in contact with water or undrained ice is prohibited. Wrapped sandwiches shall not be stored in direct contact with ice.

(10) All sewage, including liquid waste, shall be disposed of according to law.

(11) A convenient handwashing facility shall be available for employee handwashing. This facility shall consist of, at least, warm running water, soap, and individual paper towels.

(12) Floors shall be constructed of concrete, asphalt, tight wood, or other similar cleanable material kept in good repair. Dirt or gravel, when graded to drain, may be used as subflooring when covered with clean, removable platforms or duckboards, or covered with wood chips, shavings or other suitable materials effectively treated to control dust.

(13) Ceilings shall be made of wood, canvas, or other material that protects the interior of the establishment from the weather. Walls and ceilings of food preparation areas shall be constructed in a way that prevents the entrance of insects. Doors to food preparation areas shall be solid or screened and shall be self-closing. Screening material used for walls, doors, or windows shall be at least 16 mesh to the inch.

(14) Counter-service openings shall not be larger than necessary for the particular operation conducted. These openings shall be provided with tight-fitting solid or screened doors or windows or shall be provided with fans installed and operated to restrict the entrance of flying insects. Counter-service openings shall be kept closed, except when in actual use.

#### SECTION AA. COMPLIANCE PROCEDURES (PERMITS, LICENSES, OR CERTIFICATES)

(1) No person shall operate a food service establishment who does not have a valid permit, license, or certificate issued to him by the regulatory authority. Only a person who complies with the requirements of this ordinance shall be entitled to receive or retain such a permit, license, or certificate. Permits, licenses, or certificates are not transferable. A valid permit, license, or certificate shall be posted in every food service establishment.

(2) Any person desiring to operate a food service establishment shall make written application for a permit, license, or certificate on forms provided by the regulatory authority. Such application shall include the name and address of each applicant, the location and type of the proposed food service establishment, and the signature of each applicant.

(3) Prior to approval of an application for a permit, license, or certificate, the regulatory authority shall inspect the proposed food service establishment to determine compliance with the requirements of this ordinance.

(4) The regulatory authority shall issue a permit, license, or certificate to the applicant if its inspection reveals that the proposed food service establishment complies with the requirements of this ordinance.

(5) The regulatory authority may, without warning, notice, or hearing suspend any permit, license, or certificate to operate a food service establishment if the holder of the permit, license, or certificate does not comply with the requirements of this ordinance, or if the operation of the establishment does not comply with the requirements of this ordinance, or if the operation of the food service establishment otherwise constitutes a substantial hazard to public health. Suspension is effective upon service of the notice required by section AA (6) of this ordinance. When a permit, license, or certificate is suspended, food service operations shall immediately cease. Whenever a permit, license, or certificate is suspended, the holder of the permit, license, or certificate shall be afforded an opportunity for hearing within 20 days of receipt of a request for hearing.

(6) Whenever a permit, license, or certificate is suspended, the holder of the permit, license, or certificate, or the person in charge shall be notified in writing that the permit, license, or certificate is, upon service of the notice, immediately suspended and that an opportunity for hearing will be provided if a written request for hearing is filed with the regulatory authority by the holder of the permit, license, or certificate within 10 days. If no written request for hearing is filed within 10 days, the suspension is sustained. The regulatory authority may end the suspension at any time if reasons for suspension no longer exist.

(7) The regulatory authority may, after providing opportunity for hearing, revoke a permit, license, or certificate for serious or repeated violations of any of the requirements of this ordinance or for interference with the regulatory authority in the performance of duty.

(8) Prior to revocation, the regulatory authority shall notify, in writing, the holder of the permit, license, or certificate, or the person in charge, of the specific reason(s) for which the permit, license, or certificate is to be revoked and that the permit, license, or certificate shall be revoked at the end of the 10 days following service of such notice unless a written request for hearing is filed with the regulatory authority by the holder of the permit, license, or certificate within such 10-day period. If no request for hearing is filed within the 10-day period, the revocation of the permit, license, or certificate becomes final.

(9) A notice provided for in this ordinance is properly served when it is delivered to the holder of the permit, license, or certificate, or the person in charge, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the holder of the permit, license, or certificate. A copy of the notice shall be filed in the records of the regulatory authority.

(10) The hearings provided for in this ordinance shall be conducted by the regulatory authority at a time and place designated by it. Any oral testimony given at a hearing shall be reported verbatim, and the presiding officer shall make provision for sufficient copies of the transcript. The regulatory authority shall make a final finding based upon the complete hearing record and shall sustain, modify or rescind any notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the holder of the permit, license, or certificate by the regulatory authority.

(11) Whenever a revocation of a permit, license, or certificate has become final, the holder of the revoked permit, license, or certificate may make written application for a new permit, license, or certificate.

(12) An inspection of a food service establishment shall be performed at least once every 6 months. Additional inspections of the food service establishment shall be performed as often as necessary for the enforcement of this ordinance.



(13) Representative of the regulatory authority, with proper identification, shall be permitted to enter any food service establishment at any reasonable time for the purpose of making inspections to determine compliance with this ordinance. The representatives shall be permitted to examine the records of the establishment to obtain information pertaining to food and supplies purchased, received, or used.

(14) Whenever an inspection of a food service establishment or commissary is made, the findings shall be recorded on the inspection report. The inspection report form shall summarize the requirements of this ordinance and shall set forth a weighted point value for each requirement. Inspectional remarks shall be written to reference, by section number, the section violated and shall state the correction to be made. The rating score of the establishment shall be the total of the weighted point values for all violations, subtracted from 100. A copy of the completed inspection report form shall be furnished to the person in charge of the establishment at the conclusion of the inspection. The completed inspection report form is a public document that shall be made available for public disclosure to any person who requests it according to law.

(15) Correction of violations.

(a) The completed inspection report form shall specify a reasonable period of time for the correction of the violations found; and correction of the violations shall be accomplished within the period specified, in accordance with the following provisions:

(b) If an imminent health hazard exists, such as complete lack of refrigeration or sewage backup into the establishment, the establishment shall immediately cease food service operations. Operations shall not be resumed until authorized by the regulatory authority.

(c) All violations of 4- or 5-point weighted items shall be corrected as soon as possible, but in any event, within 10 days following inspection. Within 15 days after the inspection, the holder of the permit, license or certificate shall submit a written report to the regulatory authority stating that the 4- or 5-point weighted violations have been corrected. A followup inspection shall be conducted to confirm correction.

(d) All 1- or 2-point weighted items shall be corrected as soon as possible, but in any event, by the time of the next routine inspection.

(e) When the rating score of the establishment is less than 60, the establishment shall initiate corrective action on all identified violations within 48 hours. One or more reinspections will be conducted at reasonable time intervals to assure correction.

(f) In the case of temporary food service establishments, all violations shall be corrected within 24 hours. If violations are not corrected within 24 hours, the establishment shall immediately cease food service operations until authorized to resume by the regulatory authority.

(g) The inspection report shall state that failure to comply with any time limits for corrections may result in cessation of food service operations. An opportunity for hearing on the inspection findings or the time limitations or both will be provided if a written request is filed with the regulatory authority within 10 days following cessation of operations. If a request for hearing is received, a hearing shall be held within 20 days of receipt of the request.

(h) Whenever a food service establishment is required under the provisions of section AA (15) to cease operations, it shall not resume operations until it is shown on reinspection that conditions responsible for the order to cease operations no longer exist. Opportunity for reinspection shall be offered within a reasonable time.

(16) Review of Plans

(a) Whenever a food service establishment is constructed or extensively remodeled and whenever an existing structure is converted to use as a food service establishment, properly prepared plans and specifications for such construction, remodeling, or conversion shall be submitted to the regulatory authority for review and approval before construction, remodeling or conversion is begun. The plans and specifications shall indicate the proposed layout, arrangement, mechanical plans, and construction materials of work areas, and the type and model of proposed fixed equipment and facilities. The regulatory authority shall approve the plans and specifications if they meet the requirements of this ordinance. No food service establishment shall be constructed, extensively remodeled, or converted except in accordance with plans and specifications approved by the regulatory authority.

(b) Whenever plans and specifications are required by section AA (16a) of this ordinance to be submitted to the regulatory authority, the regulatory authority shall inspect the food service establishment prior to the start of operations, to determine compliance with the approved plans and specifications and with the requirements of this ordinance.

(17) Procedure When Infection is Suspected

(a) When the regulatory authority has reasonable cause to suspect possible disease transmission by an employee of a food service establishment, it may secure a morbidity history of the suspected employee or make any other investigation as indicated and shall take appropriate action. The regulatory authority may require any or all of the following measures:

- (1) The immediate exclusion of the employee from employment in food service establishments;
- (2) The immediate closing of the food service establishment concerned until, in the opinion of the regulatory authority, no further danger of disease outbreak exists;

- (3) Restriction of the employee's services to some area of the establishment where there would be no danger of transmitting disease;
- (4) Adequate medical and laboratory examination of the employee and of other employees and of his and their body discharges.

(b) Any person (or responsible officer of that person) who violates a provision of this ordinance and any person (or responsible officer of that person) who is the holder of a permit, license, or certificate or who otherwise operates a food service establishment that does not comply with the requirements of this ordinance, shall be imprisoned for not more than six (6) months or fined not more than FIVE HUNDRED DOLLARS (\$500.00), or both, for each separate violation hereof.

(c) The regulatory authority may seek to enjoin violations of this ordinance.

(d) Unconstitutionality Clause: Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

(e) Enforcement Interpretation: This ordinance shall be enforced by the health authority in accordance with the interpretations thereof contained in the 1976 Edition of the "United States Department of Health, Education and Welfare Food Service Sanitation Manual" Department of Health, Education and Welfare Publication #FDA78-2081, three certified copies of which shall be on file in the municipal clerk's office.

(f) Food-Service Establishments Outside Jurisdiction: Food from food-service establishments outside the jurisdiction of the health authority of the municipality of Dixon, Missouri, may be sold within the municipality of Dixon, Missouri, if such food-service establishments conform to the provisions of this ordinance or to substantially equivalent provisions. To determine the extent of compliance with such provisions, the authority may accept reports from responsible authorities in other jurisdictions where such food-service establishments are located.

(18) Revocation of Prior Ordinances: All prior and inconsistent ordinances are hereby revoked.

(19) Effective Date: This Ordinance shall take effect and be in full force and effect from the date of its passage by the Board of Aldermen and its approval by the Mayor of the City of Dixon, Missouri.

PASSED AND APPROVED this 19 day of April, 1982.

APPROVED:

Quentin C. Daer  
Mayor, City of Dixon, Missouri

ATTEST:

Donna York  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

ORDINANCE NO. 248

AN ORDINANCE REGULATING THE MAINTENANCE AND OPERATION OF AN AMBULANCE SERVICE WITHIN THE CITY OF DIXON, MISSOURI.

WHEREAS, the City of Dixon, Missouri, on February 12, 1976, entered into a certain Emergency Medical Services Project Agreement with the Missouri Bureau of Emergency Medical Services; whereby the former agreed to provide area residents with emergency ambulance services and the latter agreed to provide funds for the procurement of equipment necessary for the establishment of an ambulance service; and

WHEREAS, the City of Dixon has, since the aforesaid date, operated within said City an emergency ambulance service; and

WHEREAS, the Board of Aldermen for the City of Dixon believe that an ordinance is necessary at this time to ensure the efficient and economical operation of said ambulance service;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1. Ambulance Service: The City of Dixon shall provide its residents with ambulance services on a twenty-four (24) hour, seven (7) days per week basis. It shall be the duty of the hereinafter described ambulance personnel to respond to all emergency calls by leaving City Hall with an ambulance within five (5) minutes of the notification of an emergency. The ambulance shall be staffed on all emergency calls with a trained driver and attendant.

Section 2. Attendant Training: All attendant-drivers and attendants shall be trained and licensed by the Bureau of Emergency Medical Services in accordance with the provisions of Chapter 190 of the Revised Statutes of Missouri (1978) as amended. Training shall consist of successful completion of the Basic Training Program for Emergency Medical Technicians provided by the Missouri Department of Transportation.

Section 3. Ambulance Membership: It is the desire of the Board of Aldermen that the Ambulance service herein described be self-supporting to the greatest extent possible. In this regard, annual, voluntary membership dues in the amount of Twenty DOLLARS (\$ 20.00 ) shall be solicited from <sup>Community</sup> Dixon residents. Those residents paying such annual membership dues shall be entitled to reduced service rates as hereinafter provided.

Section 4. Service Rates: All users of the Dixon Ambulance Service shall be charged at the following rates:

a) Local Hospital  
Seventy Five — DOLLARS (\$ 75.00 ) minimum fee for all ambulance service provided within a 35 mile radius.

b) Eighty Five DOLLARS (\$ 85.00 ) minimum fee for all ambulance service provided within a 150 mile radius.

c) ONE AND NO/100THS DOLLARS (\$1.00) per mile shall be charged to all users of the ambulance service in addition to the foregoing minimum fees.

d) All current members of the Ambulance Service shall be entitled to a TWENTY AND NO/100THS DOLLARS (\$20.00) reduction of the applicable minimum fee.

Section 5. Employees: a) It is the intention and desire of the Board of Aldermen to operate the Dixon Ambulance Service as a volunteer organization to the greatest extent possible. It is understood, however, that, given the responsibilities, amount of time and irregular working hours necessary to properly staff the Service, the hiring of compensated employees will usually be required in order to maintain full ambulance service for the residents of the City of Dixon, Missouri.

b) When necessary, the Board of Aldermen shall advertise for and hire such employees as are required for the providing of ambulance services as aforesaid. The Board of Aldermen shall also establish the duties, responsibilities, and working hours of any such employees and, by ordinance, set the rate of and method by which they shall be compensated. All compensated employees shall be licensed emergency medical technicians.

c) In addition to such other duties as the Board of Aldermen may establish, compensated ambulance employees shall be responsible for performing the following duties:

1) Maintaining the ambulance, both interior and exterior, in a clean and safe operating condition. The ambulance shall be washed and cleaned as often as is necessary to maintain it in a clean and orderly state.

2) Insuring that the equipment located in the ambulance is maintained in sanitary and good working condition.

3) Insuring that the ambulance is properly stocked with needed supplies and equipment, especially after any emergency run. The employee will be furnished with a list of equipment and supplies to be stocked.

4) Assisting with the keeping of ambulance service records as requested and required.

5) Performing other tasks related to the ambulance service as directed by the Mayor.

d) Compensated employees shall co-ordinate their duties and work together with volunteer workers to the greatest extent possible. Any conflict between compensated employees and volunteer workers shall be settled by the Mayor, with the advice and consent of the Board of Aldermen. All compensated employees shall be governed by the Employee Personnel Policies of the City of Dixon, Missouri.

Section 6: Volunteer Organization: The volunteer ambulance drivers and attendants shall have the authority to regulate themselves pursuant to their own rules, regulations and by-laws, provided, however, that proper arrangements shall be made, to be reviewed and approved by the Mayor, ensuring that full ambulance services will always be available as hereinabove provided. Provided, further, that the volunteers will select at least one of their members to assume responsibility for the record keeping requirements hereinafter set forth.

Section 7. Record Keeping: Detailed records shall be made and maintained containing the following information:

a) A diary of all ambulance calls received shall be made and kept by all ambulance dispatchers showing:

- 1) The time the call was received;
- 2) Name, address and phone number of the person making the call;
- 3) Address to which ambulance is to be dispatched and, where possible, the name, address, phone number and current medical condition of the person requiring ambulance assistance;
- 4) The time ambulance attendant and driver were notified of need for dispatch;
- 5) The time the ambulance was actually dispatched.

b) The attendant and driver on each ambulance run shall make and keep the following information:

- 1) The time notice of a need for ambulance dispatch was received;
- 2) The time of actual dispatch;
- 3) The time of arrival at the scene where services were required;
- 4) The type of services required and nature of services performed;
- 5) The name, address and phone number of person to whom services were provided and, if possible, the name, address and phone number of a close relative, insurance company and medicaid number;
- 6) The time of departure from the scene and the time of subsequent arrival at a medical facility;
- 7) The time of return to City Hall;
- 8) Total miles traveled on run.

c) At least one driver or attendant shall have the responsibility of maintaining said records in a neat and orderly form. Once per month, or more frequently if requested, the person to whom the record keeping duty has been assigned shall provide the City Clerk with sufficient information from which to prepare and mail statements to those persons who have received ambulance services.

Section 8. Clerk's Duties: It shall be the duty and responsibility of the City Clerk to maintain and keep all records pertaining to the financial




affairs of the City Ambulance Service, including records of dues paying members, receipts, disbursements and accounts receivable. All funds pertaining to the ambulance service shall be maintained by the Clerk in a separate bank account. The Clerk shall, on at least a monthly basis, mail statements to those persons who have received ambulance services, and shall take all steps reasonably necessary to effectuate collection of accounts due for such services. The Clerk shall, in addition to the above, prepare and submit to the Board of Aldermen as frequently as its requests, statements of the gains and losses of the ambulance service.

Section 9. Revocation of Prior Ordinances: All prior and inconsistent ordinances are hereby revoked.

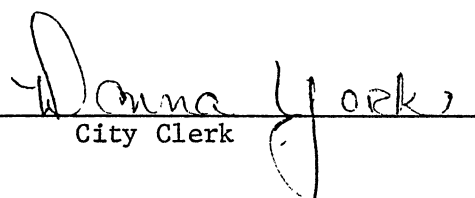
Section 10. Effective Date: This Ordinance shall take effect and be in full force and effect from the date of its passage by the Board of Aldermen and its approval by the Mayor of the City of Dixon, Missouri.

PASSED AND APPROVED this 19 day of April, 1982.

APPROVED:

  
Mayor, City of Dixon, Missouri

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

*Handwritten signature and initials*

ORDINANCE NO. 249

AN ORDINANCE ESTABLISHING A UNIFORM PERSONNEL POLICY FOR CITY EMPLOYEES AND REVOKING ALL PRIOR, INCONSISTENT, CITY PERSONNEL POLICIES.

BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1. Policy Regarding Fair Employment Practices:

The City of Dixon is an equal opportunity employer and does not discriminate against any employee or applicant because of race, creed, color, religion, sex, age, ancestry, or national origin. Federal Regulations provide "The employer will not discriminate against any employee or applicant for employment because of race, color, creed, sex, age, or national origin. The employer will take affirmative action to insure that employees are treated during employment without regard to their race, color, creed, sex, age, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, transfer, recruitment or recruiting advertising, layoff or termination, rates or pay or other forms of compensation and selections for training." It is the intention of the City of Dixon to comply with and adhere to such regulations.

Section 2. Classifications: Following are classifications for City employees:

- a) Temporary, whether paid on salary or hourly basis:
  - (i) Full-time--Any employee who works 8 hours a day 5 days a week for a pre-arranged period of time, i.e., January through June.
  - (ii) Part-time--any employee who does not work 8 hours a day, 5 days a week, who has a pre-arranged daily schedule and works for a pre-arranged period of time, i.e., 8 a.m. - 12 noon, January through June.
- b) Permanent, whether paid on a salary or hourly basis:
  - (i) Full-time--Any employee who is paid on a salaried basis or hourly, who works 8 hours a day 5 days a week indefinitely until termination of employment.
  - (ii) Part-time--An employee who is paid on a salaried or hourly basis, who works a pre-arranged weekly schedule indefinitely until termination of employment.

Section 3. Probation Period: All City employees are hired by the City on a 90-day probationary period, and within that interim may be dismissed if their performance is determined to be unsatisfactory by the Mayor and Board of Aldermen.

#463- *Before the expiration of the 90-day probationary period, employees will not be allowed any absence based upon sick leave.*

Section 4. Work Schedule and Overtime: (a) Except as otherwise herein provided, all full time City employees shall work from 8:00 a.m. through 5:00 p.m., every Monday through Friday. A one-hour lunch period may be taken between 12:00 noon and 1:00 p.m., or in accordance with some other approved office schedule. It is to be understood that in all cases where an employee is unable to attend work during any regular work day, he or she will call City Hall and advise the City Clerk of the anticipated absence and the reason therefor prior to 9:00 a.m. of that work day.

(b) Employees will occasionally be asked to work overtime hours. Hourly employees shall be compensated for such overtime work at their regular, hourly rate, and shall be allowed to take off and not work an equal number of hours during the regular work week without pay; provided that prior approval of a supervisor must be obtained before any such time off is taken by the employee. ~~Salaried employees shall not be entitled to either additional pay or compensating time off for overtime work.~~ *that all employees are paid time and a half on regular pay for overtime.*

#477

Section 5. Pay Period: Employees will be paid twice per month on the last day of every month and on the 15th day of every month. When any such payday falls on a weekend or a legal holiday, employees will be paid on the last regular, business day immediately preceding such weekend or holiday.

Section 6. Appearance: All employees shall report for work in a clean and well-groomed state. The employee's clothing shall be appropriate for the job situation.

Section 7. Employee Evaluations: All employees will be evaluated on October 1st and on April 1st of each year. Hourly rate employees shall be evaluated by their immediate supervisor. Salaried employees shall be evaluated by the Mayor. All evaluations shall be in a standard form, as approved by the Board of Aldermen, and shall be in writing. Each employee will be presented a copy of his or her evaluation after its making and shall have an opportunity to discuss the comments thereon with the evaluator. Evaluations are performed for the benefit of both the City and its employees. Evaluations are intended to provide a time for the review of employee strengths and weaknesses, and to provide the City with an objective basis for pay increases and promotion. Any employee who feels aggrieved by an evaluation shall be given an opportunity to review the same with the Board of Aldermen.

*annually in Oct. of each year #463*

Section 8. Pay Increases: (a) Basic salary increases will be considered ~~bi-annually in May and November~~ of each year. Increases will be based on length of employment, job description, and overall performance as reflected in the employee's past evaluations.

(b) It is the intention of the City to provide its employees with annual, cost of living adjustments to their pay. It is understood, however, that all pay adjustments, including those for cost-of-living changes, are subject to the City's financial condition at the time and other budget limitations.

Section 9. Personnel Records: Employee personnel records and monthly attendance records will be maintained at the Dixon City Hall Office. An employee, upon request, may review his or her personnel file, provided, however, that all personnel records are to remain at City Hall and may not be removed therefrom.

Section 10. Annual Leave and Vacation Time: (a) Every permanent, full-time employee shall be entitled to receive and take five business days of vacation time after one full year of employment and ten business days of vacation time per year after two or more full years of employment. All such leave may be taken by the employee with pay at his or her regular, pro-rated salary or hourly rate. All vacation time must be taken by the employee within one year after it is earned or the right to use such time shall be forfeited. The employee shall use his or her vacation time in minimum amounts of five days per vacation. Vacation time may be used by the employee at any time during the year, provided that prior approval of the specific days to be taken must be obtained from the employee's supervisor at least two weeks in advance of the days selected.

(b) An employee entitled to vacation leave who has resigned or whose services have been otherwise terminated, shall be entitled to receive reimbursement for all such accrued leave computed and paid on the basis of said employee's regular salary or hourly rate.

(c) Vacation leave shall not accrue to any employee while on a leave of absence without pay.

(d) Temporary and permanent, part-time employees shall not accrue vacation leave.

(e) A personal leave hereunder is defined to mean a period during which the employee is incapacitated by reason of sickness or injury, or who is unable to work because of scheduled medical, surgical, dental, or optical examination or treatment, or where through exposure to contagious disease his or her presence on the job would jeopardize the health of others. Disabilities caused or contributed to by pregnancy and recovery

therefrom shall be covered by personal days. Personal leave shall also include loss of time due to an illness or death in the employee's immediate family which requires the employee's personal care and attention (the term "immediate family" as used shall mean children, husband, wife, parents, brother and sister, when such individuals reside in the same household as employee) and any other excused absence from work due to circumstances beyond the employee's control. Whether an absence is excused or not excused shall be determined by the Mayor whose determination shall be final. The employee shall notify the City Clerk as much in advance of the taking of personal leave as is practical under the circumstances.

(f) Employees shall be allowed to accumulate personal days of up to thirty (30) working days. Employees leaving the employ of the City will not be paid for unused accumulated personal leave. Personal days shall accumulate at the rate of one-half ( $1/2$ ) day for each fifteen (15) working days during which such employee has been in pay status.

(g) Personal days shall be granted only in multiples of half-days ( $1/2$ ), and full days. Any absence of less than one-half ( $1/2$ ) day chargeable to sick leave shall be regarded as one-half ( $1/2$ ) day.

(h) Nothing else herein to the contrary notwithstanding, if there is a death in the immediate family (as defined in Paragraph 10(e)) of the employee, said employee shall be allowed personal leave not to exceed two (2) days. If the deceased is a relative but not in the immediate family, the employee will be allowed personal leave to attend the funeral not to exceed one (1) day.

Section 11. Jury Duty: Employees required by a court of law to serve on jury duty will be paid the difference between what the court pays and their regular salary each day they serve.

Section 12. Maternity Leave: (a) Upon application to the Mayor, a female employee will be granted a leave of absence for up to two (2) months for pregnancy and will be eligible, subject to the employee's preference, for personal day benefits accrued, up to the maximum of thirty (30) days. The employee shall, however, obtain written verification from her physician of her pregnancy and expected confinement date.

(b) The dates of leave because of pregnancy shall be agreed upon by the employee, employee's personal physician, and the Mayor. Short term pregnancies or miscarriages will be administered on a case by case basis but within the general intent of this section. Maternity leave may be extended by the Mayor past the two (2) month period with the approval of the Board of Aldermen and upon a doctor's written order that the employee is unavailable for work. Except to the extent that the employee uses available personal leave or vacation leave, maternity leave shall be granted as leave without pay.

Section 13. Leave Without Pay: Any approved absence from work which does not qualify as vacation or personal leave shall be considered leave without pay.

Section 14. Absence Without Leave: Absence without leave includes failure to report to work or to remain at work during scheduled hours, when such absence is not subsequently justified. Any such absence may not be charged by the employee against earned personal or annual leave credits.

Any employee who is absent from duty without first having obtained authorization for such absence shall be subject to discipline as hereinafter provided.

Section 15. Misconduct and Discipline: (a) A verbal warning or written reprimand, disciplinary probation, forfeiture of day off, suspension, demotion, or dismissal of an employee are authorized forms of discipline when it is determined that an employee has performed improperly as specified in this section.

(b) The following are declared to be improper conduct and may be grounds for disciplinary action. This list is intended to serve as a guide to employees and is not inclusive.

- (1) Conviction of a felony.
- (2) Acts of incompetent or negligence.
- (3) Absence without leave.
- (4) Acts of Insubordination.
- (5) Willful disregard of orders.
- (6) Intentional failure or refusal to carry out instructions.
- (7) Acts of misconduct while on duty.
- (8) Habitual tardiness and/or absenteeism.
- (9) Misappropriation, destruction, theft, or conversion of City property.
- (10) Falsification of any information required by the City.
- (11) Failure to properly report accidents or personal injury.
- (12) Neglect or carelessness resulting in damage to City property or equipment.
- (13) Subsequent physical or mental unfitness.
- (14) Failure to promptly inform supervisor when unable to report to work as scheduled.
- (15) Repeated convictions while employed by the City on misdemeanors and/or traffic charges.
- (16) Introduction, possession, or use of intoxicating liquors or controlled substances on City property or in City vehicles; or proceeding to or from work under the influence of alcohol or controlled substance.

- (17) Disrespectful or abusive conduct toward a citizen or other employees while on duty.
- (18) Any violation of approved City Policy pertaining to performance and/or conduct.
- (19) Violation of City Personnel Policies.

Section 16. Forms of Discipline: These are several forms of employee discipline. This listing does not necessarily imply a required sequence.

(a) Minor infractions of rules and regulations or poor job performance may result in the Mayor or a Supervisor giving an employee a verbal warning. The warning shall include a description of the deficiency and corrective action to be taken. Verbal warnings shall be logged in the employee's personnel file.

(b) Failure to correct a deficiency pointed out to any employee through a warning or a serious infraction of rules and regulations or derelict of duty may result in the Mayor or a Supervisor issuing an employee a reprimand. A reprimand is a written communication from the Mayor or Supervisor to the employee pointing out offenses or deficiencies and detailing corrective action needed. The reprimand will be signed by the employee and the Mayor or a Supervisor. A copy will be given to the employee and another copy will be placed in the employee's personnel file.

(c) An employee who has failed to respond to any of the above disciplinary measures or who has violated any of the provisions of Section 15 may be dismissed by the Mayor or a Supervisor after review and approval of the action by the Board of Aldermen. The employee shall be entitled to a hearing with the Board of Aldermen upon filing of written request. Written notice of such disciplinary action citing reasons and scope of action taken shall be provided the employee. Such notice shall be signed by the Mayor or a Supervisor, and the employee. A copy shall be placed in the employee's personnel file. Employees terminated due to unsatisfactory job performance shall receive payment for accrued vacation.

Section 17. Grievance Procedure: Any employee who feels that any action taken or any charge which has been made, directly or indirectly affecting position, status or future, and which he or she feels has affected him or her differently than other employees similarly situated, shall have a right to submit his or her grievance to the Board of Aldermen. Any such grievance shall be outlined in a writing delivered to the City Clerk. The City Clerk, upon receipt of such written grievance, shall place the matter on the agenda for hearing at the next regular meeting of

the Board of Aldermen and shall notify the employee of the hearing date. The employee shall have the right to present any such grievance to the Board and request affirmative relief. Upon just consideration of the matter, the Board shall take any and all action warranted under the circumstances. The Board of Aldermen's disposition of any such grievance shall be considered final.

Section 18. Holidays: (a) The following days are official State holidays and will be observed by the City of Dixon, Missouri, as paid holidays:

<u>Date</u>	<u>Holiday</u>
First day of January	New Year's Day
Third Monday of February	Washington's Birthday
Last Monday in May	Memorial Day
Fourth day in July	Independence Day
First Monday in September	Labor Day
Second <del>Thursday</del> of November	Veterans Day
Fourth Thursday in November	Thanksgiving Day
Twenty-fifth of December	Christmas Day

(b) When any of the above dates or days shall fall on Sunday, such holiday shall be observed on the following Monday, and when any of the above dates or days fall on a Saturday, such holiday shall be observed on the preceding Friday.

(c) An employee, regardless of his work schedule, shall receive credit for the same number of holidays as employees whose regular work week is Monday through Friday.

(d) When it is impractical to give time off to employees regularly scheduled to work on any of the above holidays because of the necessity of continuing essential service, the Board of Aldermen shall allow the employee who has worked on a holiday, equal, compensatory time off from duty at such time or times as the Board of Aldermen shall designate.

Section 19. Workman's Compensation: The City of Dixon provides its employees with Workman's Compensation insurance coverage which protects against all accidents occurring on the job.

Section 20. Travel Time: (a) City employees shall be reimbursed for the extraordinary use of their private motor vehicles while attending to City business. Mileage will be reimbursed at



the rate of 20¢ per mile. Mileage reimbursement will be allowed only for the actual, extraordinary miles traveled.

(b) City employees will be reimbursed for meals purchased in conjunction with extraordinary travel while on City business. A maximum allowance of FIFTEEN AND NO/100THS DOLLARS (\$15.00) per day will be allowed. Reimbursement will not be made without receipt.

(c) Prior approval for any travel contemplated by the employee shall first be approved by the Board of Aldermen.

(d) Employees on approved City business requiring an out-of-town, overnight stay, shall have his or her lodging expenses reimbursed by the City. The employee will pay for the lodging and submit the paid receipt for reimbursement.

Section 21. Revocation of Prior Ordinances: All prior and inconsistent ordinances are hereby revoked. *1972-223-201 Relating to Personal Polices*

Section 22. Effective Date: This ordinance shall take effect and be in full force and effect from the date of its passage by the Board of Aldermen and its approval by the Mayor of the City of Dixon, Missouri.

PASSED AND APPROVED this 19 day of April, 1982.

APPROVED:

*Samuel Adams*  
Mayor, City of Dixon, Missouri

ATTEST:

*Dana York*  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

City of Dixon

Ordinance No. 250

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF DIXON, MISSOURI, TO EXECUTE A SUPPLEMENTAL AGREEMENT FOR ADDITIONAL WARNING DEVICES ON BEHALF OF THE CITY WITH THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION AND BURLINGTON NORTHERN RAILROAD COMPANY FOR THE INSTALLATION OF RAILROAD CROSSING SIGNALS AT THE INTERSECTION OF ELM STREET AND THE RAILROAD GRADE CROSSING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DIXON, MISSOURI AS FOLLOWS:

SECTION 1. The Mayor of the City of Dixon, Missouri, is hereby authorized on behalf of the City to execute a contract between the City, the Missouri Highway and Transportation Commission and Burlington Northern Railroad Company for the installation of railroad crossing flashing light signals at the intersection of Elm Street and the railroad grade crossing.

SECTION 2. Said contract is incorporated herein and made a part hereof by reference the same as if fully set out herein.

SECTION 3. This ordinance shall take effect and be in full force and effect from and after its passage and adoption by the City Council and its signature by the Mayor of the City of Dixon, Missouri.

SECTION 4. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed.

Read three times, passed, and approved on the 2nd  
day of August, 1982.

ATTEST: (CITY)  
(SEAL)

*James C Davis*  
Mayor

*Donna York*  
City Clerk

STATE OF MISSOURI )  
                          ) ss. AUTHENTICATION  
COUNTY OF PULASKI )

I, *Donna York*, the duly appointed,  
qualified, and acting City Clerk of the City of Dixon, Missouri,  
being a City of the fourth class, hereby certify the above and  
foregoing to be a full, true, and correct copy of Ordinance No. 250,  
of said City, duly approved by the City Council and Mayor of said  
City, on the 2nd day of August, 1982.

Witness my hand and seal of my office this 2nd  
day of August, 1982.

(CITY)  
(SEAL)

*Donna York*  
City Clerk

ORDINANCE NO. 251

An ordinance of the City of Dixon, Missouri, authorizing, fixing, and determining a rate of levy on the hundred dollar valuation on all taxable property within the City of Dixon levied and collected upon all property within said City for the year of 1982.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, COUNTY OF PULASKI, STATE OF MISSOURI, AS FOLLOWS:

Section 1. That pursuant to the authority and direction of the laws of the State of Missouri, relevant to cities of the fourth class and pursuant to the authority of the qualified voter at due and proper elections held in said city, that there shall be levied and collected as taxes for the year of 1982, upon all real, personal and mixed property taxable within the City of Dixon, Missouri, at the rate of \$1.85 cents on the \$100.00 assessed valuation as per the following purposes.

FOR GENERAL REVENUE ON EACH \$100.00 ASSESSED VALUATION.....	\$ <u>1.00</u>
FOR PUBLIC LIBRARY.....	\$ <u>0.05</u>
FOR BONDS AND ANNUAL INTEREST ON GENERAL OBLIGATION	
BONDS ON THE \$100.00 VALUATION.....	\$ <u>0.80</u>
TOTAL:.....	\$ <u>1.85</u>

And that the above rate levy on the \$100.00 assessed valuation of taxable property in said City of Dixon, be and is hereby made the true and lawful levy for said city for the year 1982.

Section 2. That the City Clerk is hereby authorized and directed to furnish a certified copy of this ordinance to the Clerk of the County Court of Pulaski County, Missouri, within the time required by law for filing City rates with said Clerk.

Read first, second and third time and approved by the following votes.

Ayes 5 Nays 0

Passed and approved this 2nd day of August, 1982.

Attest:

Donna York  
City Clerk

Quentin C. Davis  
QUENTIN C. DAVIS, MAYOR

State of Missouri, County of Pulaski, City of Dixon

I, Donna York, Clerk for the City of Dixon, Pulaski County, State of Missouri, do hereby certify that the above and foregoing is a true and complete copy of the Ordinance for the City of Dixon, Missouri, fixing the tax rate for the year 1982, upon all taxable property within said City as fully as same appears recorded in Ordinance record book of said City.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI AND

APPROVED BY THE MAYOR THIS 7 DAY OF September 1982.

ATTEST:

Donna York  
City Clerk

APPROVED AS TO FORM:

Jim Simon  
City Attorney

APPROVED:

Quentin C. Davis  
Mayor Quentin C. Davis

STATE OF MISSOURI )  
 )SS  
COUNTY OF PULASKI )

I, Donna York, City Clerk within and for the City of Dixon, in the County of Pulaski, State of Missouri, do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance No. 251 of said City, as passed by the City Council and approved by the Mayor of the City on 20 day of August, 19 82, as fully as the same appears and remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, at my office in said City, this 20 day of August, 19 82.

SEAL)

Donna York  
Donna York, City Clerk



3084  
STATE OF MISSOURI )  
 )SS  
COUNTY OF PULASKI )  
FILED FOR RECORD THIS  
27th DAY OF August 19 82  
AT 8:20 P.M.  
RECORDED  
INDEXED  
27

STATE OF MISSOURI )  
 )ss. THE RECORDER'S OFFICE  
COUNTY OF PULASKI )

I Wm N Jones, Circuit Clerk and ex-officio Recorder of Deeds of said County do hereby certify that the within instrument of writing was on 27 day of August A.D. 19 82 at 8 o'clock 25 minutes a M., duly filed for record in this office, and is recorded in the records of this office in Book 320 Page 645

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City of Waynesville, Missouri this 27 day of

August A.D. 19 82

By Betty Long  
Deputy

Wm N Jones  
Recorder

AN ORDINANCE RELATING TO ANIMAL CONTROL IN THE CITY OF DIXON, MISSOURI.  
BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI  
AS FOLLOWS:

Section 1: It shall be unlawful for the owner or keeper of any dog or cat to permit the same to run at large within the city.

Section 2: Dogs or cats found running at large within the city shall be taken up and impounded by the marshall or police or other persons employed by the city for that purpose. The place of impounding shall be a suitable place designated and provided for by the board of aldermen, and the name and address of the location of such place shall be publicly displayed by posting a notice thereof in the office of the city clerk.

Section 3: The owner or keeper of any dog or cat taken up and impounded pursuant to this ordinance may redeem such dog or cat at any time within six days after the same shall have been impounded by payment to the city clerk a redemption or impounding fine of \$3.00, three dollars per day for each day of impoundment. This fine shall be paid to the city treasury. Upon payment of the fine, the city clerk shall issue to the owner or keeper of such dog an appropriate release slip authorizing the custodian of the impounded dog or cat to deliver the same to the person presenting such release slip.

Section 4: Dogs or cats so taken up and impounded and not redeemed by the owners or keepers as herein provided shall be slain in an humane manner by the marshall, police or such other person employed by the city for that purpose; provided, that, any dog or cat impounded for more than six days may, at the discretion of such officer, be given to and placed in the custody of any person, approved by such officer, who shall have paid all impounding fines due on said dog or cat, and provided further that the city shall not warrant title to any dog or cat whose custody is so delivered.

Section 5: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 6 : This ordinance shall be in full force and effect from and after the date of its passage and approval.



RESOLUTION NO. 253

WHEREAS, there was introduced into the Missouri General Assembly in 1982 legislation to revise and update current statutes relating to municipal laws; and

WHEREAS, this legislation will be introduced in the 1983 Session of the Missouri General Assembly; and

WHEREAS, the proposed Missouri Municipal Code would include the following provisions:

- (1) Setting forth of powers and limitations to more accurately define the perimeters of local prerogatives in Missouri municipalities,
- (2) A general grant of local authority to meet local municipal concerns,
- (3) An update of the statutes relating to municipalities to remove conflicting, duplicative and outdated language; and

WHEREAS, the recodification of Municipal statutes has received the endorsement of the Missouri Municipal League; and

WHEREAS, the early passage of this legislation is in the best interest of the various municipalities and the citizens of Missouri.

NOW, THEREFORE, BE IT KNOWN BY THE CITY COUNCIL OF THE CITY OF Dixon mo, MISSOURI, AS FOLLOWS:

That the City Council whole-heartedly endorses the legislation on the proposed Missouri Municipal Code and encourages the Missouri General Assembly to act in an expedient manner to enact this important measure.

BE IT FURTHER RESOLVED, that copies of this Resolution of Endorsement be forwarded to Lieutenant Governor Kenneth J. Rothman and our State Representative and Senator indicating to them our support of the proposed legislation.

10/4/82  
Date Passed

10/4/82  
Date Approved

James Adams  
Mayor  
Dana York  
Attested: City Clerk

AN ORDINANCE HIRING AND FIXING THE SALARY FOR THE CITY CLERK FOR A PERIOD OF ONE (1) YEAR.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

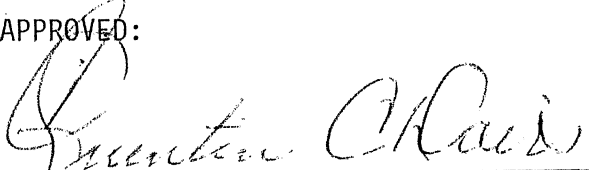
Section 1: Said City does hereby hire DONNA THOMAS as City Clerk of the City of Dixon for a period of one (1) year, commencing on November 1, 1982.

Section 2: The said City Clerk shall receive as compensation for her services the sum of Five Dollars / no cts per hour DOLLARS (\$ 5.00 ) per hour.

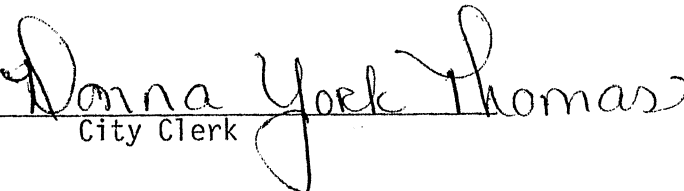
Section 3: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AND APPROVED BY THE MAYOR THIS 1<sup>st</sup> DAY OF NOVEMBER, 1982.

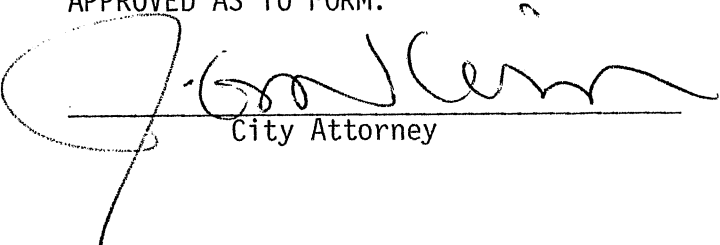
APPROVED:

  
QUENTIN C. DAVIS, MAYOR  
CITY OF DIXON, MISSOURI

ATTEST:

  
Donna York Thomas  
City Clerk

APPROVED AS TO FORM:

  
City Attorney

ORDINANCE NO. 255

An ordinance establishing a user charge system in the City of Dixon, County of Pulaski, State of Missouri, to provide funds needed to pay for (operation, maintenance, and replacement and retirement of debt) expenses associated with the City's wastewater treatment works.

WHEREAS, the City of Dixon, Missouri, has constructed wastewater treatment works; and

WHEREAS, the City must pay (the operation, maintenance, replacement and debt) expenses associated with said treatment works and charge the users of said treatment works accordingly;

NOW, THEREFORE, BE IT ORDAINED BY THE Board of Aldermen, of the City of Dixon, Missouri, that the following user charge system be established:

ARTICLE I

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges from all users who contribute wastewater to the City's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining, replacing, and retiring the debt for such public wastewater treatment works.

ARTICLE II

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Section 1: "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter (mg/l).

Section 2: "Normal Domestic Wastewater" shall mean wastewater that has a BOD concentration of not more than 300 mg/l and a suspended solids concentration of not more than 300 mg/l.

Section 3: "Operation and Maintenance" shall mean all expenditures during the useful life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

Section 4: "Replacement" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works are designed and constructed. The term "operation and maintenance" includes replacement.

Section 5: "Residential Contributor" shall mean any contributor to the City's treatment works whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.

Section 6: "Shall" is mandatory; "May" is permissive.

Section 7: "SS" (denoting Suspended Solids) shall mean solids that either float on the surface of or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

Section 8: "Treatment Works" shall mean any devices and systems for the storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, individual systems, pumping, power and other equipment and their appurtenances; extensions, improvement, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition

of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

Section 9: "Useful Life" shall mean the estimated period during which a treatment works will be operated.

Section 10: "User Charge" shall mean that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of the wastewater treatment works.

Section 11: "Water Meter" shall mean a water volume measuring and recording device, furnished and/or installed by the City of Dixon.

### ARTICLE III

Section 1: The user charge system shall generate adequate annual revenues to pay costs of (annual operation and maintenance including replacement and costs associated with debt retirement of bonded capital associated with financing the treatment works) which the City may by ordinance designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance including replacement of the treatment works shall be established by this ordinance.

Section 2: That portion of the total user charge collected which is designated for operation and maintenance including replacement purposes as established in Article IV, shall be deposited in a separate non-lapsing fund known as the Operation, Maintenance and Replacement Fund and will be kept in two primary accounts as follows:

a. An account designated for the specific purpose of defraying operation and maintenance costs (excluding replacement) of the treatment works (Operation and Maintenance Account).

b. An account designated for the specific purpose of ensuring replacement needs over the useful life of the treatment works (Replacement Account). Deposits in the replacement account shall be made (at least quarterly) from the operation, maintenance and replacement revenue in the amount of \$6,750 annually.

Section 3: Fiscal year-end balances in the operation and maintenance account and the replacement account shall be carried over to the same accounts in the subsequent fiscal year, and shall be used for no other purposes than those designated for these accounts. Monies which have been transferred from other sources to meet temporary shortages in the operation, maintenance and replacement fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rate(s) shall be adjusted such that the transferred monies will be returned to their respective accounts within the fiscal year following the fiscal year in which the monies were borrowed.

#### ARTICLE IV

Section 1: Each user shall pay for the services provided by the City based on his use of the treatment works as determined by water meter(s) acceptable to the City.

Section 2: For residential contributors, monthly user charges will be based on average monthly water usage during the months of January, February and March. If a residential contributor has not established a January, February and March average, his monthly user charge shall be the median charge of all other residential contributors.

For industrial and commercial contributors, user charges shall be based on water used during the current month. If a commercial or industrial contributor has a consumptive use of water, or in some other manner uses water which is not returned to the wastewater collection system, the user charge for that contributor may be based on a wastewater meter(s) or separate water meter(s) installed and maintained at the contributor's expense, and in a manner acceptable to the City.

Section 3: (Reference is made to Appendix A of this ordinance).

The minimum charge per month shall be \$ 2.35 . In addition, each contributor shall pay a user charge rate for operation and maintenance including replacement of \$0.75 per 1000 gallons of water (or wastewater) as determined in the preceding section.

Section 4: (Reference is made to Appendix A).

For those contributors who contribute wastewater, the strength of which is greater than normal domestic sewage, a surcharge in addition to the normal user charge will be collected. The surcharge for operation and maintenance including replacement is:

\$0.10 per pound BOD

\$0.11 per pound SS

Section 5: Any user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the City's treatment works, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance, or replacement of the treatment works, shall pay for such increased costs. The charge to each such user shall be as

determined by the responsible plant operating personnel and approved by the Board of Aldermen.

Section 6: The user charge rates established in this article apply to all users, regardless of their location, of the City's treatment works.

#### ARTICLE V

Section 1: Approved residential, light commercial users without water meters shall be charged on a flat monthly rate as outlined below. (Reference is made to Appendix A of this ordinance).

Class I: Residential Users: Single Family Contributors

\$ 6.85 /month for operation & maintenance, including replacement and debt service

Class II: Light Commercial/Institutional Users: Non-residential users whose contribution is estimated to be less than 2500 gpd of wastes equal to normal domestic strength wastewater.

\$ 6.85 /month for operation & maintenance, including replacement and debt service

Class III: Extra Strength Users: Users which contribute greater than normal domestic strength wastewater shall be metered.

The charge to users which contribute greater than normal domestic strength wastewater will be made in accordance with Article IV of this ordinance.

Section 2: Any user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the City's treatment works, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases



in the cost of operation, maintenance, or replacement of the treatment works, shall pay for such increased costs. The charge to each such user will be as determined by the responsible plant operating personnel and approved by the Board of Aldermen.

Section 3: The user charge rates established in this article apply to all users, regardless of their location, of the City's treatment works.

#### ARTICLE VI

Section 1: All users shall be billed monthly. Billings for any particular month shall be made within thirty days after the end of that month. Payments are due when the billings are made. Any payment not received within thirty days after the billing is made shall be delinquent.

Section 2: A late payment penalty of 10 percent of the user charge bill will be added to each delinquent bill for each thirty days of delinquency. When any bill is thirty days in default, rendition of water and/or sewer service to such premises shall be discontinued until such bill is paid following due notice and opportunity for hearing.

#### ARTICLE VII

Section 1: The City will review the user charge system (at least every two years, and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.

Section 2: The City will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation, maintenance including replacement of the treatment works.

ARTICLE VIII

This ordinance shall be in full force and effect from and after its passage and approval. *in full force and effective Jan. 1-83*

Passed by the Board of Aldermen of the City of Dixon, Missouri,  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPENDIX "A" TO USER CHARGE ORDINANCE  
(Actual Use Rate Structure)

(NOTE: The charges developed in this ordinance and appendix follow Model No. 1 and 2 of Appendix B to 40 CFR 35, dated September 27, 1978. It would also be acceptable to develop charges using Model No. 3, the quantity/quality formula, outlined in the referenced federal regulations).

This appendix presents the methodology to be used in calculating user charge rates and surcharges and illustrates the calculations followed in arriving at the first year's user charges and surcharges. The unit costs established in this appendix are based on estimates of expenses and loadings. The actual expenses and loading that occur may differ from these estimates and certainly they will change as time passes. Therefore, the unit costs must be reestablished whenever necessary to reflect actual expenses and loadings. Once the system is in use, the expenses and loadings can be determined from operating records and the unit costs can be adjusted based on these figures.

1. Expenses: The total annual expenses associated with the treatment works, as defined in Article II, Section 8, are estimated as follows:

<u>Item</u>	<u>Annual Expense</u>
* Billings and Collection	\$1,800
Administrative	1,000
Power	7,500
Labor (including fringe benefits)	24,000
Material Costs	8,500
Replacement Costs (See Appendix B)	6,750
* (Debt Service)	10,000
Other	<u>2,000</u>
TOTAL	\$49,750

\*These item expenses are distributed equally to all users through the minimum rate.

2. Allocation of Expenses: The total operation and maintenance including replacement expense is allocated to the appropriate pollutants in the following manner. (NOTE: If debt service allocation is to be addressed in this ordinance, it may be allocated in the same manner or it may be allocated in any other manner that the grantee desires.)

Annual \$ to Treat Annual Flow	= % annual cost allocated to flow x (total annual O&M budget minus billing & collection) 30% x 49,750 = \$14,925
Annual \$ to Treat Annual BOD	= % annual cost allocated to BOD x (total annual O&M budget minus billing & collection) 30% x 49,740 = 14,925
Annual \$ to Treat Annual SS	= % annual cost allocated to SS x (total annual O&M budget minus billing & collection) 40% x 49,750 = \$19,900
Annual \$ to Treat Annual Other Pollutant (Specify)	= % annual cost allocated to pollutant x (total annual O&M budget minus billing & collection & debt)

(NOTE: The billing and collection and debt expense is deducted from the total O&M budget at this point because each user will pay the same for this expense per billing period. See paragraph 5 below. In some situations other appropriate expenses may be handled in the same manner.)

### 3. Loadings:

The initial hydraulic loading is estimated to be 63,230,000 gal/year.

The initial BOD loading is estimated to be 147,716 pounds/year.

The initial SS loading is estimated to be 184,020 pounds/year.

The initial other pollutant loadings is estimated to be N/A pounds/year.

### 4. Unit Costs:

Initial unit cost for flow in \$/gallons = 14,925/63230 = \$0.236/ 1000 gal.	$\frac{\text{annual \$ to treat annual flow,}}{\text{Estimated annual hydraulic loading}}$
Initial unit cost for BOD in \$/pound = 14,925/147,716 = \$0.102/pound	$\frac{\text{annual \$ to treat annual BOD}}{\text{Estimated annual BOD loading}}$
Initial unit cost for SS in \$/pound = 19,900/184,020 = \$0.108/pound	$\frac{\text{annual \$ to treat annual SS}}{\text{Estimated annual SS loading}}$
Initial unit cost for other pollutants = pollutants in \$/pound	$\frac{\text{annual \$ to treat other annual pollutants}}{\text{Estimated annual other pollutant loading}}$

The unit costs for BOD, SS, and Other Pollutants are to be inserted in

Article IV, Section 4, of the ordinance.

5. Minimum Charge:

Annual billing and collect cost = \$1,800

Debt Service 10,000

Annual cost to treat infiltration/  
inflow (assumed clear water) =  
unit cost to treat flow x annual  
infiltration/inflow  
.236 x 26,000 = 6,136

TOTAL Annual Minimum Cost \$17,936

Minimum charge/user/billing period, i.e. 17936/642/12, = 2.33 (Use \$2.35)

This minimum charge/user/billing period is to be inserted in Article IV,

Section 3, of the ordinance.

(NOTE: The above procedure allocates the cost of transporting and treating infiltration/inflow according to the number of users. Other acceptable means of distributing this cost include allocation based on flow volume of the users or allocation based on the land area of the users.)

6. Residential User Unit Charge: The residential user unit charge is calculated as follows using the pollutant concentrations defining normal domestic wastewater in Article II, Section 2, of this ordinance.

Residential unit charge = unit flow charge	\$0.236/1000 gal.
+ (\$.102)(300)(.00834)	0.256
+ (\$.108)(300)(.00834)	0.271
	\$0.763 (Use \$0.75)

where: Residential unit charge is in \$/1000 gal

Unit flow charge is in \$/1000 gal from paragraph 4

Unit BOD charge is in \$/lb BOD from paragraph 4

Unit SS charge is in \$/lb SS from paragraph 4

BOD<sub>ND</sub> is the normal domestic BOD strength in milligrams per liter (mg/l) as defined in Article II, Section 2, of the ordinance

SS<sub>ND</sub> is the normal domestic SS strength in mg/l as defined in Article II, Section 2, of the ordinance

and .00834 is a unit conversion factor.

This total residential unit charge is to be inserted in Article IV, Section 3, of the ordinance.

An example calculation of a residential charge for a resident of the City of Dixon follows:

Assume a residential sewer use has a monthly water usage of 5400 gallons. The sewer charge would be completed as follows:

Fixed charge + water used x unit charge

$$\underline{2.35} + 5.4 \text{ thousand gal} \times \underline{0.75} = \$ \underline{6.40}$$

The minimum sewer charge based on usage of 2000 gal/mo would be

$$\underline{2.35} + 2.0 \text{ thousand} \times \underline{0.75} = \$ \underline{3.85}$$

The flat rate monthly charge for residential and light commercial users without water meters shall be based on an assumed usage of 6,000 gal/month and would be computed as follows:

fixed charge + assumed usage x unit charge

$$\underline{2.35} + 6.0 \text{ thousand gal} \times \underline{0.75} = \$ \underline{6.85}$$

7. Extra Strength Users: For users who contribute wastewater that has greater strength than normal domestic wastewater, the user charge will be calculated as follows:

Total monthly charge to extra strength user =

charge to residential user + surcharge for BOD (if appropriate)  
+ surcharge for SS (if appropriate) + surcharge for other  
pollutant (if appropriate).

Total monthly charge to extra strength user =

minimum charge

+v(residential unit charge)

+v(unit BOD charge)(BOD<sub>ES</sub> - BOD<sub>ND</sub>)(.00834)

+v(unit SS charge)(SS<sub>ES</sub> - SS<sub>ND</sub>)(.00834)

+ and so on for any other appropriate pollutant(s) (Specify).

where: Total monthly charge to extra strength user is in dollars  
 Minimum charge is in dollars as calculated in paragraph 5  
 $v$  is the volume of wastewater in 1000 gallons discharged by the  
 extra strength user during the month

Residential unit charge is in \$/1000 gal as calculated in paragraph 6  
 Unit BOD charge is in \$/lb BOD from paragraph 4  
 Unit SS charge is in \$/lb SS from paragraph 4

$BOD_{ES}$  is the average BOD concentration in milligrams per liter (mg/l)  
 contributed by the extra strength user during the month

$SS_{ES}$  is the average SS concentration in mg/l contributed by the extra  
 strength user during the month

$BOD_{ND}$  is the normal domestic BOD strength in mg/l as defined in  
 Article II, Section 2, of the ordinance

$SS_{ND}$  is the normal domestic SS strength in mg/l as defined in Article II,  
 Section 2, of the ordinance

and .00834 is a unit conversion factor.

An example user charge calculation for an extra strength user of the  
 Dixon treatment works follows:

Assume a commercial user discharges 18,000 gallons per month of  
 wastewater with BOD and SS concentrations of 800 mg/l and 750 mg/l respectively.

His sewer charge is computed as follows:

$$\begin{aligned} & \text{Fixed charge} + \text{usage} \times \text{unit charge} + \text{usage} (.00834) \underline{.102} (BOD_{ES} - 300) + \\ & \text{usage} (.00834) \underline{.108} (SS_{ES} - 300). \\ & \underline{2.35} + 18.0 \text{ thousand gal} \times \underline{0.75} + 18.0 (.00834) \underline{.102} (800 - 300) + \\ & 18.0 \text{ thousand gal} (.00834) \underline{.108} (750 - 300) = \$ \underline{30.80} \end{aligned}$$

# EMINENCE REPLACEMENT FUND CALCULATION

Items which are expected to be replaced during the twenty (20) year design lift of the treatment works:

Item	Life	P.W. Cost
Sludge Pumps	10 yr.	\$7,500
Clarifier Drive Assmbly	15 yr.	10,000
Rotor Drive Assembly	15 yr.	27,500
Grit Removal Equipment	15 yr.	10,000

15 YEAR COST

$$\text{Annual Payment} = (\$7,500)(.14903) + (\$47,500)(.11683) = \$6,667$$



NATIONAL DRUNK AND DRUGGED DRIVING AWARENESS WEEK

December 12-18, 1982

# 256

City of Dixon Proclamation

W H E R E A S

Traffic crashes cause more violent deaths in the United States than any other cause, over fifty thousand in 1980;

Traffic crashes also play a substantial role in serious injuries, causing most of the new cases of epilepsy and paraplegia in the United States each year;

Between 40 and 55 percent of fatally injured drivers have alcohol concentrations in their blood above the legal limit, and this figure rises to 55 to 65 per cent in single-vehicle crashes;

The total societal cost of drunk driving has been estimated to be as high as \$25 billion a year, which does not include the human suffering that can never be measured;

There are increasing reports of collisions involving drivers who have used prescription or illegal drugs;

There has been a groundswell of national and local activity aimed at these problems through citizens' groups, task forces and the Presidential Commission on Drunk Driving;

Increased public knowledge about the gravity of the problem of drunk and drugged driving may convince alcohol and drug users to refrain from driving, and may stimulate interest in research about the effects of drugs on driving ability and the incidence of traffic crashes;

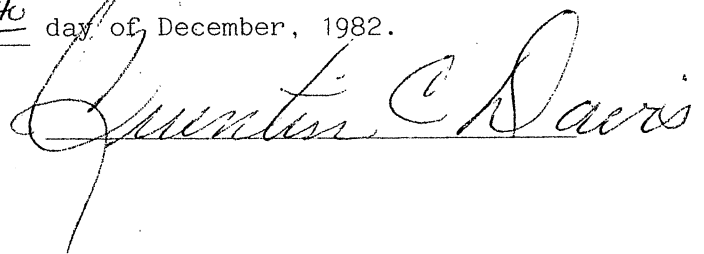
National awareness of the problems of drunk and drugged driving may help to sustain current efforts to develop comprehensive solutions at the State and local levels; and

The Christmas and New Year's holiday period is a particularly appropriate time to focus national attention on this critical problem, because more drivers are on the roads, more social functions are attended and more traffic collisions occur;

NOW, THEREFORE, it is

RESOLVED, that City of Dixon joins with the United States Congress, the President of the United States, legislatures, city and town councils, governors, mayors and other citizens across the nation, in designating the week of December 12-18, 1982 as "National Drunk and Drugged Driving Awareness Week", in supporting national and local observances thereof, and in reminding our fellow citizens that safety belts and child safety seats are our best defense against all the hazards of the road.

SIGNED at Dixon, Mo this 10<sup>th</sup> day of December, 1982.



ORDINANCE NO. 257

An ordinance establishing a user charge system in the City of Dixon, County of Pulaski, State of Missouri, to provide funds needed to pay for (operation, maintenance, and replacement and retirement of debt) expenses associated with the City's wastewater treatment works.

WHEREAS, the City of Dixon, Missouri, has constructed wastewater treatment works; and

WHEREAS, the City must pay (the operation, maintenance, replacement and debt) expenses associated with said treatment works and charge the users of said treatment works accordingly;

NOW, THEREFORE, BE IT ORDAINED BY THE Board of Aldermen, of the City of Dixon, Missouri, that the following user charge system be established:

ARTICLE I

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges from all users who contribute wastewater to the City's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining, replacing, and retiring the debt for such public wastewater treatment works.

ARTICLE II

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Section 1: "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter (mg/l).

Section 2: "Normal Domestic Wastewater" shall mean wastewater that has a BOD concentration of not more than 300 mg/l and a suspended solids concentration of not more than 300 mg/l.

Section 3: "Operation and Maintenance" shall mean all expenditures during the useful life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

Section 4: "Replacement" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works are designed and constructed. The term "operation and maintenance" includes replacement.

Section 5: "Residential Contributor" shall mean any contributor to the City's treatment works whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.

Section 6: "Shall" is mandatory; "May" is permissive.

Section 7: "SS" (denoting Suspended Solids) shall mean solids that either float on the surface of or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

Section 8: "Treatment Works" shall mean any devices and systems for the storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, individual systems, pumping, power and other equipment and their appurtenances; extensions, improvement, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition

of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

Section 9: "Useful Life" shall mean the estimated period during which a treatment works will be operated.

Section 10: "User Charge" shall mean that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of the wastewater treatment works.

Section 11: "Water Meter" shall mean a water volume measuring and recording device, furnished and/or installed by the City of Dixon.

### ARTICLE III

Section 1: The user charge system shall generate adequate annual revenues to pay costs of (annual operation and maintenance including replacement and costs associated with debt retirement of bonded capital associated with financing the treatment works) which the City may by ordinance designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance including replacement of the treatment works shall be established by this ordinance. ✓

Section 2: That portion of the total user charge collected which is designated for operation and maintenance including replacement purposes as established in Article IV, shall be deposited in a separate non-lapsing fund known as the Operation, Maintenance and Replacement Fund and will be kept in two primary accounts as follows:

a. An account designated for the specific purpose of defraying operation and maintenance costs (excluding replacement) of the treatment works (Operation and Maintenance Account).

b. An account designated for the specific purpose of ensuring replacement needs over the useful life of the treatment works (Replacement Account). Deposits in the replacement account shall be made (at least quarterly) from the operation, maintenance and replacement revenue in the amount of \$6,750 annually.

Section 3: Fiscal year-end balances in the operation and maintenance account and the replacement account shall be carried over to the same accounts in the subsequent fiscal year, and shall be used for no other purposes than those designated for these accounts. Monies which have been transferred from other sources to meet temporary shortages in the operation, maintenance and replacement fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rate(s) shall be adjusted such that the transferred monies will be returned to their respective accounts within the fiscal year following the fiscal year in which the monies were borrowed.

#### ARTICLE IV

Section 1: Each user shall pay for the services provided by the City based on his use of the treatment works as determined by water meter(s) acceptable to the City.

Section 2: For residential contributors, monthly user charges will be based on average monthly water usage during the months of January, February and March. If a residential contributor has not established a January, February and March average, his monthly user charge shall be the median charge of all other residential contributors.

For industrial and commercial contributors, user charges shall be based on water used during the current month. If a commercial or industrial contributor has a consumptive use of water, or in some other manner uses water which is not returned to the wastewater collection system, the user charge for that contributor may be based on a wastewater meter(s) or separate water meter(s) installed and maintained at the contributor's expense, and in a manner acceptable to the City.

Section 3: (Reference is made to Appendix A of this ordinance).

The minimum charge per month shall be \$ 2.35 . In addition, each contributor shall pay a user charge rate for operation and maintenance including replacement of \$0.75 per 1000 gallons of water (or wastewater) as determined in the preceding section.

Section 4: (Reference is made to Appendix A).

For those contributors who contribute wastewater, the strength of which is greater than normal domestic sewage, a surcharge in addition to the normal user charge will be collected. The surcharge for operation and maintenance including replacement is:

\$0.10 per pound BOD

\$0.11 per pound SS

Section 5: Any user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the City's treatment works, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance, or replacement of the treatment works, shall pay for such increased costs. The charge to each such user shall be as

determined by the responsible plant operating personnel and approved by the Board of Aldermen.

Section 6: The user charge rates established in this article apply to all users, regardless of their location, of the City's treatment works.

#### ARTICLE V

Section 1: Approved residential, light commercial users without water meters shall be charged on a flat monthly rate as outlined below. (Reference is made to Appendix A of this ordinance).

Class I: Residential Users: Single Family Contributors

\$ 6.85 /month for operation & maintenance, including replacement and debt service

Class II: Light Commercial/Institutional Users: Non-residential users whose contribution is estimated to be less than 2500 gpd of wastes equal to normal domestic strength wastewater.

\$ 6.85 /month for operation & maintenance, including replacement and debt service

Class III: Extra Strength Users: Users which contribute greater than normal domestic strength wastewater shall be metered.

The charge to users which contribute greater than normal domestic strength wastewater will be made in accordance with Article IV of this ordinance.

Section 2: Any user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the City's treatment works, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases

in the cost of operation, maintenance, or replacement of the treatment works, shall pay for such increased costs. The charge to each such user will be as determined by the responsible plant operating personnel and approved by the Board of Aldermen.

Section 3: The user charge rates established in this article apply to all users, regardless of their location, of the City's treatment works.

#### ARTICLE VI

Section 1: All users shall be billed monthly. Billings for any particular month shall be made within thirty days after the end of that month. Payments are due when the billings are made. Any payment not received within thirty days after the billing is made shall be delinquent.

Section 2: A late payment penalty of 10 percent of the user charge bill will be added to each delinquent bill for each thirty days of delinquency. When any bill is thirty days in default, rendition of water and/or sewer service to such premises shall be discontinued until such bill is paid following due notice and opportunity for hearing.

#### ARTICLE VII

Section 1: The City will review the user charge system (at least every two years, and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.

Section 2: The City will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation, maintenance including replacement of the treatment works.



ARTICLE VIII

This ordinance shall be in full force and effect from and after its  
passage and approval. First rec. bill no. 157, 1983

Passed by the Board of Aldermen of the City of Dixon, Missouri,  
this 7 day of March, 1983.

Quentin Adams  
Mayor

ATTEST:

Donna York  
City Clerk

Approved this 7 day of March, 1983.

Quentin Adams  
Mayor

ATTEST:

Donna York  
City Clerk

APPENDIX "A" TO USER CHARGE ORDINANCE  
(Actual Use Rate Structure)

(NOTE: The charges developed in this ordinance and appendix follow Model No. 1 and 2 of Appendix B to 40 CFR 35, dated September 27, 1978. It would also be acceptable to develop charges using Model No. 3, the quantity/quality formula, outlined in the referenced federal regulations).

This appendix presents the methodology to be used in calculating user charge rates and surcharges and illustrates the calculations followed in arriving at the first year's user charges and surcharges. The unit costs established in this appendix are based on estimates of expenses and loadings. The actual expenses and loading that occur may differ from these estimates and certainly they will change as time passes. Therefore, the unit costs must be reestablished whenever necessary to reflect actual expenses and loadings. Once the system is in use, the expenses and loadings can be determined from operating records and the unit costs can be adjusted based on these figures. ✓

1. Expenses: The total annual expenses associated with the treatment works, as defined in Article II, Section 8, are estimated as follows:

<u>Item</u>	<u>Annual Expense</u>
* Billings and Collection	\$1,800
Administrative	1,000
Power	7,500
Labor (including fringe benefits)	24,000
Material Costs	8,500
Replacement Costs (See Appendix B)	6,750
*(Debt Service)	10,000
Other	<u>2,000</u>
TOTAL	\$49,750

\*These item expenses are distributed equally to all users through the minimum rate.

2. Allocation of Expenses: The total operation and maintenance including replacement expense is allocated to the appropriate pollutants in the following manner. (NOTE: If debt service allocation is to be addressed in this ordinance, it may be allocated in the same manner or it may be allocated in any other manner that the grantee desires.)

Annual \$ to Treat Annual Flow	= % annual cost allocated to flow x (total annual O&M budget minus billing & collection) 30% x 49,750 = \$14,925
Annual \$ to Treat Annual BOD	= % annual cost allocated to BOD x (total annual O&M budget minus billing & collection) 30% x 49,740 = 14,925
Annual \$ to Treat Annual SS	= % annual cost allocated to SS x (total annual O&M budget minus billing & collection) 40% x 49,750 = \$19,900
Annual \$ to Treat Annual Other Pollutant (Specify)	= % annual cost allocated to pollutant x (total annual O&M budget minus billing & collection & debt)

(NOTE: The billing and collection and debt expense is deducted from the total O&M budget at this point because each user will pay the same for this expense per billing period. See paragraph 5 below. In some situations other appropriate expenses may be handled in the same manner.)

### 3. Loadings:

The initial hydraulic loading is estimated to be 63,230,000 gal/year.

The initial BOD loading is estimated to be 147,716 pounds/year.

The initial SS loading is estimated to be 184,020 pounds/year.

The initial other pollutant loadings is estimated to be N/A pounds/year.

### 4. Unit Costs:

Initial unit cost for flow in \$/gallons = 14,925/63230 = \$0.236/ 1000 gal.	$\frac{\text{annual \$ to treat annual flow,}}{\text{Estimated annual hydraulic loading}}$
Initial unit cost for BOD in \$/pound = 14,925/147,716 = \$0.102/pound	$\frac{\text{annual \$ to treat annual BOD}}{\text{Estimated annual BOD loading}}$
Initial unit cost for SS in \$/pound = 19,900/184,020 = \$0.108/pound	$\frac{\text{annual \$ to treat annual SS}}{\text{Estimated annual SS loading}}$
Initial unit cost for other pollutants = pollutants in \$/pound	$\frac{\text{annual \$ to treat other annual pollutants}}{\text{Estimated annual other pollutant loading}}$

The unit costs for BOD, SS, and Other Pollutants are to be inserted in

Article IV, Section 4, of the ordinance.

5. Minimum Charge:

Annual billing and collect cost = \$1,800

Debt Service 10,000

Annual cost to treat infiltration/  
inflow (assumed clear water) =  
unit cost to treat flow x annual  
infiltration/inflow  
.236 x 26,000 = 6,136

TOTAL Annual Minimum Cost \$17,936

Minimum charge/user/billing period, i.e. 17936/642/12, = 2.33 (Use \$2.35)

This minimum charge/user/billing period is to be inserted in Article IV,  
Section 3, of the ordinance.

(NOTE: The above procedure allocates the cost of transporting and treating infiltration/inflow according to the number of users. Other acceptable means of distributing this cost include allocation based on flow volume of the users or allocation based on the land area of the users.)

6. Residential User Unit Charge: The residential user unit charge is calculated as follows using the pollutant concentrations defining normal domestic wastewater in Article II, Section 2, of this ordinance.

Residential unit charge = unit flow charge	\$0.236/1000 gal.
+ (\$.102)(300)(.00834)	0.256
+ (\$.108)(300)(.00834)	<u>0.271</u>
	\$0.763 (Use \$0.75)

where: Residential unit charge is in \$/1000 gal

Unit flow charge is in \$/1000 gal from paragraph 4

Unit BOD charge is in \$/lb BOD from paragraph 4

Unit SS charge is in \$/lb SS from paragraph 4

BOD<sub>ND</sub> is the normal domestic BOD strength in milligrams per liter (mg/l) as defined in Article II, Section 2, of the ordinance

SS<sub>ND</sub> is the normal domestic SS strength in mg/l as defined in Article II, Section 2, of the ordinance

and .00834 is a unit conversion factor.

This total residential unit charge is to be inserted in Article IV, Section 3, of the ordinance.

An example calculation of a residential charge for a resident of the City of Dixon follows:

Assume a residential sewer use has a monthly water usage of 5400 gallons.

The sewer charge would be completed as follows:

Fixed charge + water used x unit charge

$$\underline{2.35} + 5.4 \text{ thousand gal} \times \underline{0.75} = \$ \underline{6.40}$$

The minimum sewer charge based on usage of 2000 gal/mo would be

$$\underline{2.35} + 2.0 \text{ thousand} \times \underline{0.75} = \$ \underline{3.85}$$

The flat rate monthly charge for residential and light commercial users without water meters shall be based on an assumed usage of 6,000 gal/month and would be computed as follows:

fixed charge + assumed usage x unit charge

$$\underline{2.35} + 6.0 \text{ thousand gal} \times \underline{0.75} = \$ \underline{6.85}$$

7. Extra Strength Users: For users who contribute wastewater that has greater strength than normal domestic wastewater, the user charge will be calculated as follows:

Total monthly charge to extra strength user =

charge to residential user + surcharge for BOD (if appropriate)  
+ surcharge for SS (if appropriate) + surcharge for other  
pollutant (if appropriate).

Total monthly charge to extra strength user =

minimum charge

+v(residential unit charge)

+v(unit BOD charge)(BOD<sub>ES</sub> - BOD<sub>ND</sub>)(.00834)

+v(unit SS charge)(SS<sub>ES</sub> - SS<sub>ND</sub>)(.00834)

+ and so on for any other appropriate pollutant(s) (Specify).

where: Total monthly charge to extra strength user is in dollars  
 Minimum charge is in dollars as calculated in paragraph 5  
 v is the volume of wastewater in 1000 gallons discharged by the  
 extra strength user during the month

Residential unit charge is in \$/1000 gal as calculated in paragraph 6  
 Unit BOD charge is in \$/lb BOD from paragraph 4  
 Unit SS charge is in \$/lb SS from paragraph 4

$BOD_{ES}$  is the average BOD concentration in milligrams per liter (mg/l)  
 contributed by the extra strength user during the month

$SS_{ES}$  is the average SS concentration in mg/l contributed by the extra  
 strength user during the month

$BOD_{ND}$  is the normal domestic BOD strength in mg/l as defined in  
 Article II, Section 2, of the ordinance

$SS_{ND}$  is the normal domestic SS strength in mg/l as defined in Article II,  
 Section 2, of the ordinance

and .00834 is a unit conversion factor.

An example user charge calculation for an extra strength user of the  
 Dixon treatment works follows:

Assume a commercial user discharges 18,000 gallons per month of  
 wastewater with BOD and SS concentrations of 800 mg/l and 750 mg/l respectively.

His sewer charge is computed as follows:

$$\begin{aligned} & \text{Fixed charge} + \text{usage} \times \text{unit charge} + \text{usage} (.00834) \underline{.102} (BOD_{ES} - 300) + \\ & \text{usage} (.00834) \underline{.108} (SS_{ES} - 300). \\ & \underline{2.35} + 18.0 \text{ thousand gal} \times \underline{0.75} + 18.0 (.00834) \underline{.102} (800 - 300) + \\ & 18.0 \text{ thousand gal} (.00834) \underline{.108} (750 - 300) = \$ \underline{30.80} \end{aligned}$$

# DIXON REPLACEMENT FUND CALCULATION

Items which are expected to be replaced during the twenty (20) year design life of the treatment works:

Item	Life	P.W. Cost	Project Cost	
Sludge Pumps	10 yr.	\$ 8,500	\$ 18,352	
Clarifier Drive Assembly	15 yr.	10,800	34,257	\$156,283
Rotor Drive Assembly	15 yr.	27,670	87,769	
Grit Removal Equipment	15 yr.	10,800	34,257	

## 15 YEAR COST

Interest rate = 8%

Annual Payment = \$6,750

$$\begin{aligned}
 \$6,750 (14.487) &= \$97,787.25 \\
 &\underline{-18,352.} \\
 & \$79,435.25 \times 1.469 = \$116,690
 \end{aligned}$$

$$\begin{aligned}
 \$6,750(5.867) &= \\
 &\underline{39,602} \\
 & \$156,292
 \end{aligned}$$

11/16/82

Income Statement  
1981-1982

Budget  
1982-1983

Budget  
1983-1984

Proposed New Expenses for Water System

Debt Service		\$ 8,437.00	\$11,250.00
Reserve		1,687.00	2,250.00
<i>C.C.B. Dept</i>			
Total New Water System Expenses		\$10,124.00	\$13,500.00
Total Budget Expenses	\$67,555.33	\$101,947.00	\$117,339.00
<u>Capital Improvements</u>			
Casual Labor	\$ 23.45	--	--
Equipment Rental	1,450.00	--	--
Meters	4,587.84	--	--
Water Line	18,094.15		
Total Capital Improvements	\$24,155.44	--	--
Total Funds Needed	\$91,710.77	\$101,947.00	\$117,339.00
Revenue	86,851.10	125,421.45	138,279.00
Net Loss or Surplus for Future Capital Improvements	(-)4,859.67	\$23,474.45	\$20,940.00



## CITY OF DIXON

11/15/82

## 1983 REVENUE PROJECTIONS

WATER CONSUMPTION	# OF USERS	SEWER		WATER	
		RATES	MONTHLY INCOME	RATES	INCOME
0	30	2.35	70.50	3.95	118.50
0-1,000	200	3.75	750.00	5.05	1010.00
1,000 - 2,000	30	5.15	154.50	6.15	184.50
2,000 - 3,000	37	6.55	242.35	7.25	522.00
3,000 - 4,000	109	7.95	866.55	8.35	1160.65
4,000 - 5,000	72	9.35	673.20	9.45	680.40
5,000 - 6,000	54	10.75	580.50	10.55	569.70
6,000 - 7,000	41	12.15	498.15	11.65	477.65
7,000 - 8,000	30	13.55	406.50	12.75	382.50
8,000 - 9,000	18	14.95	269.10	13.85	249.30
9,000 - 10,000	10	16.35	163.50	14.95	149.50
10,000 - 11,000	1	17.75	17.75	16.05	16.05
11,000 - 12,000	6	19.15	114.90	17.15	102.90
12,000 - 13,000	3	20.55	61.65	18.25	54.75
13,000 - 14,000	0	21.95	--	19.35	--
14,000 - 15,000	5	23.35	116.75	20.45	102.25
15,000 - 16,000	1	24.75	24.75	21.55	21.55
16,000 - 17,000	2	26.15	52.30	22.65	45.30
17,000 - 18,000	1	27.55	27.55	23.75	23.75
23,000	1	35.25	35.25	29.80	29.80
45,200	1	65.63	65.63	53.47	53.47
56,700	2	81.73	163.46	66.32	132.64

Monthly Totals:

\$5,354.84

\$6,087.16

Annual Income:

\$64,258.08

\$73,045.92

ORDINANCE 258

AN ORDINANCE FIXING THE SALARY OF THE CITY MARSHAL:

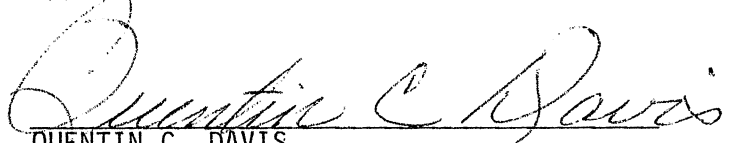
BE IT ORDAINED by the Board of Aldermen for the City of Dixon, Missouri, as follows:

Section 1: The City Marshall shall receive as his compensation for services to the City the sum of ONE THOUSAND TWENTY FIVE AND NO/100THS DOLLARS (\$1,025.00), per month.

Section 2: This ordinance shall be in full force and effect from and after the date of its passage and approval.

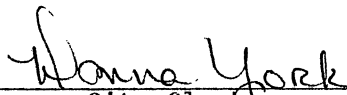
PASSED BY THE BOARD OF ALDERMEN for the City of Dixon, Missouri, and approved this 7th day of March, 1983.

Approved:

  
QUENTIN C. DAVIS

Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

ORDINANCE 259

AN ORDINANCE FIXING THE SALARY OF THE MUNICIPAL COURT JUDGE:


BE IT ORDAINED by the Board of Aldermen for the City of Dixon, Missouri, as follows:

Section 1: The Municipal Court Judge shall receive as his compensation for services to the City the sum of ONE HUNDRED TEN AND NO/100THS DOLLARS (\$110.00), per month.

Section 2: This ordinance shall be in full force and effect from and after the date of its passage and approval.

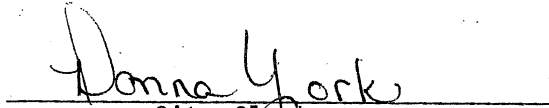
PASSED BY THE BOARD OF ALDERMEN for the City of Dixon, Missouri, and approved this 7th day of March, 1983.

Approved:

  
QUENTIN C. DAVIS

Mayor

Attest:

  
City Clerk

ORDINANCE

260

AN ORDINANCE FIXING THE SALARY OF THE MAYOR

BE IT ORDAINED by the Board of Aldermen for the City of Dixon, Missouri, as follows;

Section 1: The Mayor shall receive as his compensation for services to the City the sum of ONE HUNDRED DOLLARS/NO CENTS (\$100.00) per month.

SECTION 2: The compensation shall be paid ~~for~~ the attendance of the regular session of the Board of Aldermen, each month.

SECTION 3: This ordinance shall be in full force and effect from and after the date of passage and approval.

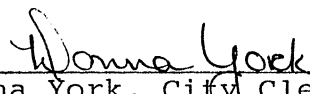
SECTION 4: Revocation of Prior Ordinances: All prior and inconsistent ordinances are hereby revoked.

PASSED BY ~~THE~~ BOARD OF ALDERMEN for the City of Dixon, Missouri, and approved this 4 day of April. 1983.

APPROVED:

  
MAYOR, QUENTIN C. DAVIS

ATTEST:

  
Donna York, City Clerk

ORDINANCE 261

AN ORDINANCE FIXING THE SALARY OF THE BOARD OF ALDERMEN

BE IT ORDAINED by the Board of Aldermen for the City of Dixon, Missouri, as follows:

SECTION 1: The Board of Aldermen shall receive as his/hers compensation for services to the City of Dixon the sum of FIFTY-  
DOLLARS AND NO/ 100THS (\$50.00). For the attendance at the regular session of the Dixon Board of Aldermen, each month.

SECTION 2: This ordinance shall be in full force and effect from and after the date of passage and approval.

SECTION 3: Revocation of Prior Ordinances: All prior and inconsistent ordinances are hereby revoked.

PASSED BY THE BOARD OF ALDERMEN for the City of Dixon, Missouri, and approved this 4 day of April, 1983.

APPROVED:

  
\_\_\_\_\_  
Mayor, Quentin C. Davis

ATTEST:

  
\_\_\_\_\_  
Donna York, City Clerk

ORDINANCE NO. 262

AN ORDINANCE AMENDING THE WATER RATE AND CHARGE SYSTEM IN EFFECT IN THE CITY OF DIXON, MISSOURI, AS REFLECTED IN ORDINANCE NO. 151.

WHEREAS, the City of Dixon, Missouri, has by Ordinance No. 257, adopted a comprehensive sewer user charge system in order to provide funds needed to operate, maintain and retire certain debts associated with its combined water and wastewater treatment system; and

WHEREAS, the City of Dixon, Missouri, has, by Ordinance No. 151, and amendments thereto, adopted a comprehensive water user rate system for the same purpose as aforesaid; and

WHEREAS, residents of the City of Dixon, Missouri, contribute to the payment of the aforesaid required expenditures through payment of general, real property taxes; and

WHEREAS, non-resident users do not pay such taxes and hence do not equally contribute to payment of said expenditures; and

WHEREAS, the City now desires to increase the minimum water fee charged to non-resident users, and to amend Ordinance No. 151, and all prior Ordinances to conform with this Ordinance and Ordinance No. 257;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1: Section 2 of Ordinance No. 151 is hereby amended to read as follows:

"Section 2:            s: Basis for Rates and Services.

- a. The quantity of water used upon any premises furnished by the City of Dixon shall be measured by the water meter serving the premises. Each residential or commercial unit on said premises shall receive water service through its separate meter unless otherwise permitted by consent of the Board of Aldermen under specific terms and conditions of written permit.
- b. For the quantity of water used as determined by the meter each month, the consumer shall pay a minimum of THREE AND 95/100THS DOLLARS (\$3.95) and for each 100 gallons, the sum of NO AND 11/100THS DOLLARS (\$0.11); provided, however, that the minimum

charge for non-resident users shall be FIVE AND 35/100THS DOLLARS (\$5.35) and for each 100 gallons, the sum of NO AND 11/100THS DOLLARS (\$0.11).

- c. For use of the City water treatment works, each consumer shall pay a service charge as required by Ordinance No. 257."

Section 2: Section 19 of Ordinance 151 is hereby amended to read as follows:

"Section 19. SAME--SAME--PREREQUISITES TO ISSUANCE, FEES, RENTAL AGREEMENT, ETC.

Upon application being made as required by Section 18, a designated city representative shall be authorized to issue the applicant a permit for connecting a sewer line to any part of the sewer system of the city, upon compliance with the following requirements:

- a. Applicant shall pay to the city the sum of FIFTY AND NO/100THS DOLLARS (\$50.00) as a sewer connection fee for each connection, except in the case of mobile homes, in which case the connection fee shall be ONE HUNDRED AND NO/100THS DOLLARS (\$100.00).
- b. The cost of making the sewer connection shall be done by the applicant.
- c. Applicant shall at time of making application for sewer or water connections deposit with the city the sum of TWO HUNDRED FIFTY AND NO/100THS DOLLARS (\$250.00) as a performance bond that all streets or sidewalks shall be restored to as good condition as they were in, prior to applicant's excavating in accordance with the requirements of the superintendent of the combined water and sewer svstem."

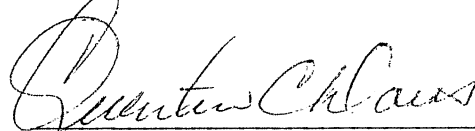


Section 3: In all other respects, Ordinance No. 151 shall remain in full force and effect, provided, however, that to the extent it or any other prior ordinance is in conflict with Ordinance No. 257, any such conflict shall be resolved by enforcing the provision, of the latter Ordinance.

Section 4: This Ordinance shall be in full force and effect from and after May 1, 1983.

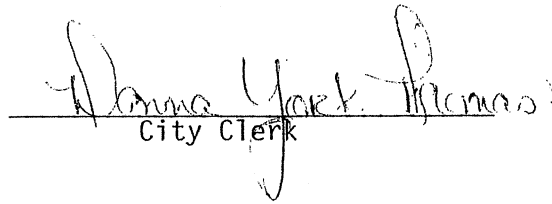
PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI,  
AND APPROVED BY THE MAYOR THIS 6TH DAY OF JUNE, 1983.

APPROVED:

A handwritten signature in cursive script, appearing to read "Quentin C. Davis", written over a horizontal line.

Quentin C. Davis, Mayor  
Dixon Missouri

ATTEST:

A handwritten signature in cursive script, appearing to read "Donna York Thomas", written over a horizontal line.  
City Clerk

WHEREAS, the City of Dixon is an expanding city in the growing county  
Pulaski, and

WHEREAS, the City Park Board deems it necessary to improve a public park  
to serve its citizens as well as the travelling public,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DIXON,  
as follows:

1. That applications be made under the Small Business Administration's  
Jobs Bill/Landscaping Program for a grant-in-aid of 100 per cent of the total  
cost of the project.
2. That a project proposal be prepared and submitted to the Department  
of Natural Resources, Outdoor Recreation Assistance Program for said grant-in-aid.
3. The Mayor and Chairman, City Park Board, be authorized and hereby are  
authorized, to execute the necessary documents for forwarding the project pro-  
posal application for a grant-in-aid under the Small Business Administration's  
Jobs Bill/Landscaping Program, P.L. 98-8.
4. If a grant is awarded, the City of Dixon accepts all responsibilities  
under the Small Business Administration's Jobs Bill/Landscaping Program. This  
includes compliance with the provisions of Title VI of the Civil Rights Act  
of 1964, landscaping in public parks and recreational land, employ unemployed  
persons, purchase materials and contract through small businesses which would  
qualify under Section 3 of the Small Business Act.

PASSED AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF DIXON THIS 6th DAY OF  
MAY, 1983.

CITY OF DIXON

BY

MAYOR

BY

CHAIRMAN CITY PARK BOARD

ATTEST:

Donna L. Park Thomas  
CITY CLERK

RESOLUTION # 264

A RESOLUTION OF THE CITY OF Dixon MISSOURI, STATING SUPPORT FOR THE PULASKI COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION SEEKING FUNDS TO UNDERTAKE A COUNTYWIDE PUBLIC FACILITIES STUDY.

WHEREAS, The County of Pulaski has indicated an intention to make application for funds under Title I of the Housing and Community Development Act of 1974 for the purpose of undertaking a Comprehensive Countywide Public Facilities Study, and

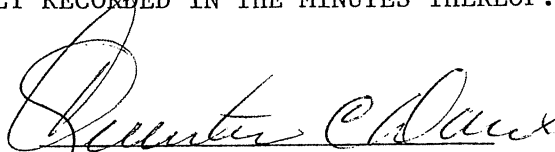
WHEREAS, This city is supportive of the County's efforts to undertake this program and

WHEREAS, Title I of the Housing and Community Development Act of 1974 offers the opportunity of monetary assistance in accomplishing its stated primary objectives.

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Board of Aldermen of the City of Missouri, that the Pulaski County Court be encouraged to participate with the Missouri Division of Community and Economic Development in the pursuit of funds to undertake the aforementioned study.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Missouri Division of Community and Economic Development as an integral part of the appropriate application package.

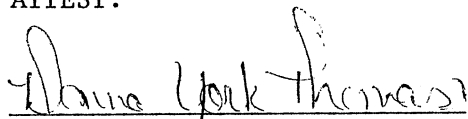
ADOPTED THIS 6 DAY OF June 1983 BY THE BOARD OF ALDERMAN OF THE CITY OF MISSOURI AND DULY RECORDED IN THE MINUTES THEREOF.

  
Mayor

June 6, 1983  
Date

(Seal)

ATTEST:

  
City Clerk

June 6, 1983  
Date

SEWER USE ORDINANCE ~~#~~ 265  
CITY OF DIXON, MISSOURI

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS  
AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF  
BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC  
SEWER SYSTEM(S): AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF: IN THE  
CITY OF . . . Dixon . . . . ., COUNTY OF . . . Pulaski . . . . , STATE  
OF . . Missouri . . . . .

Be it ordained by the Mayor and Council of the City of . . Dixon . . . . ,  
State of . . . Missouri . . . . , as follows:

ARTICLE I

Unless the context specifically indicates otherwise, the meaning of  
terms used in this ordinance shall be as follows:

- Sec. 1. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.
- Sec. 2. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
- Sec. 3. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- Sec. 4. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
- Sec. 5. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
- Sec. 6. "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

- Sec. 7. "Natural Outlet" shall mean any out ditch, ~~to~~ <sup>into</sup>, or other body of surface or indwater.
- Sec. 8. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- Sec. 9. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- Sec. 10. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half ( $1/2$ ) inch (1.27 centimeters) in any dimension.

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- Sec. 11. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- Sec. 12. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.
- Sec. 13. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwaters as may be present.
- Sec. 14. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- Sec. 15. "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.
- Sec. 16. "Sewer" shall mean a pipe or conduit for carrying sewage.
- Sec. 17. "Shall" is mandatory; "May" is permissive.
- Sec. 18. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.
- Sec. 19. "Storm Drain" (sometimes termed "storm sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- Sec. 20. "Superintendent" shall mean the [Superintendent of Sewage Works and/or of Water Pollution Control] of the [city] of Dixon, or his authorized deputy, agent, or representative.
- Sec. 21. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- Sec. 22. "Watercourse" shall mean a channel in which a flow of water occurs either continuously or intermittently.
- Sec. 23. "Hearing Board" shall mean that Board appointed according to provision of Article [ ]. (This section to be included only if optional article entitled "Hearing Boards" is made a part of the ordinance.)

## ARTICLE 11

- Sec. 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the [city] of Dixon or in any area under the jurisdiction of said city any human or animal excrement, garbage, or other objectionable waste.
- Sec. 2. It shall be unlawful to discharge to any natural outlet within the [city] of Dixon, or in any area under the jurisdiction of said [city], a sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
- Sec. 3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.



Sec. 4. The owner of all houses, buildings, or properties used for human employment, recreation, or other purposes, situated within the [city] and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the [city], is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within [ninety (90) days] after date of official notice to do so, provided that said public sewer is within [one hundred (100) feet 30.5 meters] of the property line.

### ARTICLE III

Sec. 1. Where a public sanitary or combined sewer is not available under the provisions of Article II, Section 4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

Sec. 2. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the [Superintendent]. The application for such permit shall be made on a form furnished by the [city], which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the [Superintendent]. A permit and inspection fee of [\$50] dollars shall be paid to the [city] at the time the application is filed.

Sec. 3. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the [Superintendent]. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the [Superintendent] when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within [ 4 ] hours of the receipt of notice by the [Superintendent] if received in the forenoon & within 18 hours of receipt of notice if received in the afternoon.

Sec. 4. The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of MO. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 5,000 square feet (square meters). No septic tank or cesspool shall be permitted to discharge to any natural outlet.

- Sec. 5. At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in Article III, Section 4, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.
- Sec. 6. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the [city].
- Sec. 7. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.
- Sec. 8. ✓ When a public sewer becomes available, the building sewer shall be connected to said sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

#### ARTICLE IV

- Sec. 1. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the [Superintendent].
- Sec. 2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the [city]. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the [Superintendent]. A permit and inspection fee of [\$50.] dollars for a residential or commercial building sewer permit and [\$50.] dollars for an industrial building sewer permit shall be paid to the [city] at the time the application is filed.
- Sec. 3. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the [city] from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- Sec. 4. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- Sec. 5. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the [Superintendent], to meet all requirements of this ordinance.
- Sec. 6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the [city]. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

- Sec. 7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- Sec. 8. No person shall make connection of roof downspouts, interior and exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- Sec. 9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the [city], or the procedures set forth in appropriate specifications of the A.S.T.M. and the S.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. -Any deviation from the prescribed procedures and materials must be approved by the [Superintendent] before installation.

Sec. 10. The applicant for the building sewer permit shall notify the [Superintendent] when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the [Superintendent] or his representative.

Sec. 11. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the [city].

#### ARTICLE V

Sec. 1. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Sec. 2. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the [Superintendent]. Industrial cooling water or unpolluted process waters may be discharged on approval of the [Superintendent], to a storm sewer, combined sewer, or natural outlet.

**Sec. 3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:**

- (a) Any gasoline, benzene, naphta, fuel oil, or other flammable or explosive liquid, solid, or gas.
- (b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.
- (c) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, mild containers, etc., either whole or ground by garbage grinders.
- (e) Any waters or wastes having (1) a 5-day BOD greater than 300 parts per million by weight, or (2) containing more than 350 parts per million by weight of suspended solids, or (3) having an average daily flow greater than 2 percent of the average sewage flow of the [city], shall be subject to the review of the [Superintendent]. Where necessary in the opinion of the [Superintendent], the owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the biochemical oxygen demand to 300 parts per million by weight, or (2) reduce the suspended solids to 350 parts per million by weight, or (3) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the [Superintendent] and no construction of such facilities shall be commenced until said approvals are obtained in writing

Sec. 4. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the [Superintendent] that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the [Superintendent] will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- (a) Any liquid or vapor having a temperature higher than one hundred fifty (150)° F (65° C).
- (b) Any water or waste containing fats, wax, grease, or oils; whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150)° F (0 and 65° C).
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the [Superintendent].
- (d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the [Superintendent] for such materials.

- (f) Any waters of wastes containing solids or other taste- or odor-producing substances, in such concentrations exceeding limits which may be established by the [Superintendent] as necessary, after treatment of the composite sewage, to meet the requirements of State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the [Superintendent] in compliance with applicable State or Federal regulations.
- (h) Any waters of wastes having a pH in excess of [9.5].
- (i) Materials which exert or cause:
  - (1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate).
  - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - (3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
  - (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- (j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.



Sec. 5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or posses the characteristics enumerated in Section 4 of this Article, and which in the judgment of the [Superintendent], may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life to constitute a public nuisance, the [Superintendent] may:

- (a) Reject the wastes,
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers,
- (c) Require control over the quantities and rates of discharge, and/o
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 10 of the article.

If the [Superintendent] permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the [Superintendent], and subject to the requirements of all applicable codes, ordinances and laws.

Sec. 6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the [Superintendent], they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the [Superintendent], and shall be located as to be readily and easily accessible for cleaning and inspection.

Sec. 7. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Sec. 8. When required by the [Superintendent], the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the [Superintendent]. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Sec. 9. Measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples.)

Sec. 10. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the [city] and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the [city] for treatment, subject to payment therefore, by the industrial concern.

## ARTICLE VI

- Sec. 1. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

## ARTICLE VII

- Sec. 1. The [Superintendent] and other duly authorized employees of the [city] bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The [Superintendent] or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
- Sec. 2. While performing the necessary work on private properties referred to in Article VII, Section 1 above, the [Superintendent] or duly authorized employees of the [city] shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the [city] employees and the [city] shall indemnify the company against loss or damage to its property by [city] employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Section 8.
- Sec. 3. The [Superintendent] and other duly authorized employees of the [city] bearing proper credentials and identification shall be permitted to enter all private properties through which the [city] holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

## ARTICLE VIII

Sec. 1. Any person found to be violating any provision of this ordinance except Article VI shall be served by the [city] with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Sec. 2. Any person who shall continue any violation beyond the time limit provided for in Article VIII, Section 1, shall be guilty of a misdemeanor and on conviction thereof shall be fined in the amount not exceeding [\$100] dollars for each violation. Each 24-hour period in which any such violation shall continue shall be deemed a separate offense.

Sec. 3. Any person violating any of the provisions of this ordinance shall become liable to the [city] for any expense, loss, or damage occasioned the [city] by reason of such violation.

ARTICLE IX

Sec. 1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 2. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

ARTICLE X

Sec. 1. This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

Sec. 2. Passed and adopted by the [Council] of the [city] of Dixon, . . . . ., State of . Missouri. . . . on the 28. day of June 1983 by the following vote:

Ayes . . . . . : namely . . . . . 5  
Nayes . . . . . : namely . . . . . 0

Approved this 28. day of June 1983. . . . .

(Signed) *Quentin C. Pass* . . . . . (Mayor)

Attest:

(Signed) *Hanna York* . . . . . (Clerk)

ORDINANCE NO. 21010

An Ordinance of the City of Dixon, Missouri, authorizing, fixing, and determining a rate of levy on the hundred dollar valuation on all taxable property within the City of Dixon levied and collected upon all property within said City for the year of 1983.

BE IT ORDNANIED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, COUNTY OF PULASKI, STATE OF MISSOURI, AS FOLLOWS:

Section 1. That pursuant to the authority and direction of the laws of the State of Missouri, relevant to cities of the fourth class and pursuant to the authority of the qualified voter at due and proper elections held in said city, that there shall be levied and collected as taxes for the year of 1983, upon all real, personal and mixed property taxable within the City of Dixon, Missouri, at the rate of \$1.85 cents on the \$100.00 assessed valuation as per the following purposes.

FOR GENERAL REVENUE ON EACH \$100.00 ASSESSED VALUATION .....	\$ <u>1.00</u>
FOR PUBLIC LIBRARY.....	\$ <u>0.05</u>
FOR BONDS AND ANNUAL INTEREST ON GENERAL OBLIGATION	
BONDS ON THE \$ 100.00 VALUATION .....	\$ <u>0.80</u>
TOTAL .....	\$ <u>1.85</u>

And that the above rate levy on the \$100.00 assessed valuation of taxable property in said City of Dixon, be and is hereby made the true and lawful levy for said city for the year 1983.

Section 2. That ~~the~~ City Clerk is hereby authorized and directed to furnish a certified copy of this ordinance to the Clerk of the County Court of Pulaski County, Missouri, within the time required by law for filing City rates with said Clerk.

Read first, second and third time and approved by the following votes.

AYES 6

NAYS 0

Passed and approved this 8 day of August, 1983.

ATTEST:

Donna Thomas  
City Clerk

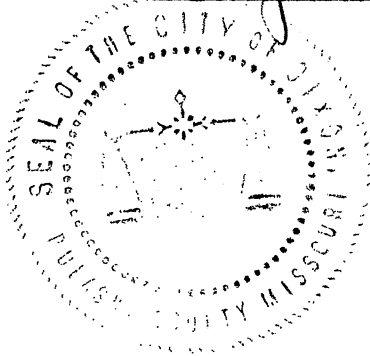
Quentin C. Davis  
Quentin C. Davis, Mayor

State of Missouri, County of Pulaski, City of Dixon

I, Donna Thomas, Clerk for the City of Dixon, Pulaski County, State of Missouri, do hereby certify that the above and foregoing is a true and complete copy of the ordinance for the City of Dixon, Missouri, fixing the tax rate for the year 1983, upon all taxable property within said City as fully as same appears recorded in Ordinance record book of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said City.

Done at my office in the City Hall in Dixon, Missouri, this the 8 day of August, 1983.



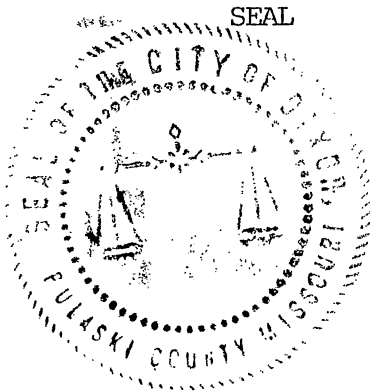
Donna Thomas  
City Clerk of Dixon, Missouri

STATE OF MISSOURI }  
COUNTY OF PULASKI } S S

I, Donna York Thomas, City Clerk within and for the City of Dixon, in the County of Pulaski, State of Missouri, do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance No. 266 of said City, as passed by the City Council and approved by the Mayor of the City on 8 th day of August, 1983, as fully as the same appears and remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, at my office in said City, This 8th day of August, 1983.

Donna York Thomas  
Donna York Thoas, City Clerk



STATE OF MISSOURI }  
COUNTY OF PULASKI }

SS: 5710

FILED FOR RECORD THIS  
9 DAY OF August 1983  
AT 8 O'CLOCK 45 A M  
Wm. H. Jones  
RECORDER

STATE OF MISSOURI )  
COUNTY OF PULASKI )

ISS.

THE RECORDER'S OFFICE

I Wm. H. Jones Circuit Clerk and ex-officio Recorder of Deeds of said County do hereby certify that the within instrument of writing was on 9 day of August A.D. 1983 at 8 o'clock 45 minutes Q M., duly filed for record in this office, and is recorded in the records of this office in Book 328 Page 161

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City of Waynesville, Missouri this 9 day of August A.D. 1983

By Shirley Shackelford Deputy  
Wm. H. Jones Recorder





AN ORDINANCE ANNEXING CERTAIN PROPERTY TO THE CITY OF DIXON,  
MISSOURI, PURSUANT TO THE PROVISIONS OF SECTION 71.012 OF THE REVISED  
STATUTES OF MISSOURI (1978) AS AMENDED:

WHEREAS, certified petitions have been duly filed with the Board  
of Alderman, signed by the owners of all fee interests of record, requesting  
that certain real property, as described below, be annexed to the City  
of Dixon, Missouri, pursuant to and in accordance with the provisions of  
Section 71.012, et. seq., Revised Statutes of Missouri (1978); and

WHEREAS, the Board of Alderman of said City did receive said  
petitions and an order that public hearing(s) be held at the Dixon City  
Hall on the following date(s):

May 27, 1983

so as to afford any interested person, corporation or political subdivision  
the opportunity to present evidence regarding the proposed annexations,  
and further order that notice of the date, time and place of said hearing(s)  
be published in a newspaper of general circulation in the City of Dixon,  
Missouri; and

WHEREAS, after considering all of the evidence presented at said  
hearing(s) both in favor of the petitions for annexation and those who  
were opposed, the Board of Alderman finds that:

1. The area proposed for annexation is contiguous to the existing  
corporate limits of the City of Dixon, Missouri.
2. The petitions for annexation have been duly signed, dated, and  
verified by all of the owners of all fee interests of record in and to  
said property as shown on said petitions.
3. The annexation is reasonable and necessary to the proper  
development of the City.

4. The City of Dixon, Missouri, is able to furnish normal, municipal services to said unincorporated area within a reasonable time after said annexation is to become effective.

5. No parties appeared at any said hearing in opposition to any of the proposed annexations.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1: That the real property described below be and the same is hereby annexed to the City of Dixon, Missouri, said property being more particularly described as follows:

(a) All of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, and 16, in the Hillcrest Subdivison of Pulaski County, Missouri, per plat filed with the Recorder of Deeds for Pulaski County, Missouri, subject to all easements and protective covenants of record;

(b) Also: The West half of the West half of the Northwest Quarter of the Southeast Quarter of the Southwest Quarter and the East half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 24, Township 38 North, Range 11 West of the 5th P.M.;

(c) Also: Lots 1, 2, 3, and 4 of the Northview Subdivision in and to the City of Dixon, Missouri;

(d) Also: Lots 9, 10, 19, 20 and 21 in Block 1 of the Gilbert Sease Subdivision in and to the City of Dixon, Missouri;

(e) Also:

All that part of the West half of the Northeast quarter of the Southwest quarter of the Southwest quarter of Section 24, Township 38 North, Range 11 West of 5th R.M. described as follows: Beginning at the Northwest corner of Northview Subdivision of Pulaski County, Missouri; thence North 20' East 15 feet to the center of County Road on the Subdivisional line (said point being located North 86° 10' West 647.8 feet from the Northeast corner of the Southwest quarter of the Southeast quarter of the Southwest quarter of said Section 24); thence North 86° 10' West 328.68 feet along the centerline of said County Road; thence North 20' East 15 feet to the North line of said County Road; thence North 86° 10' West 120 feet along the North line of said County Road to the true point of beginning of the tract herein described; thence North 20' East 200 feet; thence North 86° 10' West 126.6 feet; thence South 20' West 200 feet to the North line of said County Road; thence South 86° 10' East 126.6 feet along the North line of said County Road to the true point of beginning of the tract herein described. Parcel known as Lot "B" on survey made by J. T. Powell under date of June 13, 1966.  
Subject to any easements of record.

A lot in a tract of land in the West half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (W $\frac{1}{2}$  of NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section Twenty-four (24), Township Thirty-eight (38) North of Range Eleven (11) West of the Fifth (5th P.M.) in Pulaski County Missouri and described as follows: Beginning at the above point of beginning of the above tract thence North 20 degrees East, 200 ft. thence North 86 degrees 10' 100 feet, thence South 20 degrees West, 200 feet, thence South eighty-six degrees 10' East, 100 feet to the point of beginning.

Rev. 3.55 cancelled

Tract "A"

All that part of the West Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 24, Township 38 North, Range 11 West of 5th P. M. in the City of Dixon, Missouri described as follows: Commencing at the Northwest corner of the West Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter of said Section 24 and on Pulaski County Road No. 72; thence South 0°-08'-19" East, 10.6 feet along the West line of said West Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter to the South right-of-way of Pulaski County Road No. 72, the true point of beginning of the tract hereinafter described: thence continuing South 0°-08'-19" East, 215.10 feet along the West line of said West Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter; thence South 85°-17'-42" East, 163.73 feet; thence North 0°-18'-09" West, 214.71 feet to aforesaid South right-of-way of County Road No. 72; thence North 85°-08'-27" West, 163.15 feet along said South right-of-way to the true point of beginning. SUBJECT TO A 7.5 feet utility easement along the South and East lines of said tract, said easement to lie adjacent to, parallel with and extend 7.5 feet North of said South line, and 7.5 feet West of said East line.

Above tract contains 0.80 acres, more or less, per Survey 6270 by Robert L. Elgin, Missouri Registered Land Surveyor, No. 890, dated April 22, 1983.

Tract "B"

All that part of the West Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 24, Township 38 North, Range 11 West of 5th P. M. in the City of Dixon, Missouri described as follows: Commencing at the Northwest corner of the West Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter of said Section 24 and on Pulaski County Road No. 72; thence South 0°-08'-19" East, 10.6 feet along the West line of said West Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter to the South right-of-way of Pulaski County Road No. 72; thence South 85°-08'-27" East, 163.15 feet along said South right-of-way to the true point of beginning of the tract hereinafter described: thence continuing South 85°-08'-27" East, 163.15 feet along said South right-of-way; thence South 0°-26'-01" East, 214.34 feet; thence North 85°-17'-42" West, 163.73 feet; thence North 0°-18'-09" West, 214.71 feet to the true point of beginning.

SUBJECT TO A 7.5 feet utility easement along the South and West line of said tract, said easement to lie adjacent to, parallel with and extend 7.5 feet North of said South line and 7.5 feet East of said West line.

Above tract contains 0.80 acres, more or less, per Survey 6270 by Robert L. Elgin, Missouri Registered Land Surveyor, No. 890, dated April 22, 1983.

Tract "C"

All that part of the West Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 24, Township 38 North, Range 11 West of 5th P. M. in the City of Dixon, Missouri described as follows: Commencing at the Northwest corner of the West Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter of said Section 24 and on Pulaski County Road No. 72; thence South 0°-08'-19" East, 225.7 feet along the West line of said West Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter, thence South 85°-17'-42" East, 163.73 feet to the true point of beginning of the tract hereinafter described: thence continuing South 85°-17'-42" East, 163.73 feet; thence South 0°-28'-01" East, 214.34 feet; thence North 85°-26'-54" West, 164.31 feet; thence North 0°-18'-09" West, 214.71 feet to the true point of beginning.

SUBJECT TO A 7.5 feet utility easement along the North and West lines of said tract, said easement to lie adjacent to, parallel with and extend 7.5 feet South of said North line and 7.5 feet East of said West line.

SUBJECT TO A 35.0 feet roadway easement along the South line of said tract, said easement to lie adjacent to, parallel with and extend 35.0 feet North of said South line.

Above tract contains 0.81 acres, more or less, per Survey 6270 by Robert L. Elgin, Missouri Registered Land Surveyor, No. 890, dated April 22, 1983.

Tract "D"

All that part of the West Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 24, Township 38 North, Range 11 West of 5th P. M. in the City of Dixon, Missouri, described as follows: Commencing at the Northwest corner of the West Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter of said Section 24 and on Pulaski County Road No. 72; thence South  $0^{\circ}-08'-19''$  East, 225.7 feet along the West line of said West Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter to the true point of beginning of the tract hereinafter described; thence continuing South  $0^{\circ}-08'-19''$  East, 215.10 feet along said West line of West Half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter; thence South  $85^{\circ}-26'-54''$  East, 164.31 feet; thence North  $0^{\circ}-18'-09''$  West, 214.71 feet; thence North  $85^{\circ}-17'-42''$  West, 163.73 feet to the true point of beginning.

SUBJECT TO A 7.5 foot utility easement along the North and East lines of said tract, said easement to lie adjacent to, parallel with and extend 7.5 feet South of said North line and 7.5 feet West of said East line.

SUBJECT TO A 35.0 feet roadway easement along the South line of said tract, said easement to lie adjacent to, parallel with and extend 35.0 feet North of said South line. Above tract contains 0.81 acres, more or less, per Survey #870 by Robert L. Elgin, Missouri Registered Land Surveyor, No. 890, dated April 22, 1983.

All that part of the Southeast quarter of the Southwest quarter of the Southwest quarter of Section 24, Township 38 North, Range 11 West of 5th P.M. described as follows: Beginning at the Northeast corner of the North half of the Southwest quarter of the Southeast quarter of the Southwest quarter of said Section 24; thence North  $86^{\circ} 10'$  West 647.8 feet; thence South 15 feet to the Northwest corner of the Northview Subdivision of Pulaski County, Missouri; thence South 269.41 feet to the South line of a forty foot street; thence North  $89^{\circ} 55'$  West 154.46 feet along the South line of said street to the true point of beginning of the tract herein described; thence continuing North  $89^{\circ} 55'$  West 125 feet along the South line of said street; thence South 75 feet; thence South  $89^{\circ} 55'$  East 125 feet; thence North 75 feet to the true point of beginning of the tract herein described. Description per survey made by J. T. Powell under date of December 15, 1971.

All that part of the West half of the Northeast quarter of the Southwest quarter of the Southwest quarter of Section 24, Township 38 North, Range 11 West of 5th P. M. described as follows: Beginning at the Northwest corner of Northview Subdivision of Pulaski County, Missouri; thence North  $20'$  East 15 feet to the center of County Road on the Subdivisional line (said point being located North  $86^{\circ} 10'$  West 647.8 feet from the Northeast corner of the Southwest quarter of the Southeast quarter of the Southwest quarter of said Section 24); thence North  $86^{\circ} 10'$  West 328.68 feet along the centerline of said County Road; thence North  $20'$  East 15 feet to the North line of said County Road; thence North  $86^{\circ} 10'$  West 20 feet along the North line of said County Road to the East line of said  $W\frac{1}{2}$  of  $N\frac{1}{2}$  of  $SW\frac{1}{4}$  of  $SW\frac{1}{4}$ ; thence North  $20'$  East 200 feet along the East line of said  $W\frac{1}{2}$  of  $N\frac{1}{2}$  of  $SW\frac{1}{4}$  of  $SW\frac{1}{4}$  to the true point of beginning of the tract herein described; thence continuing North  $20'$  East 426.4 feet along the East line of said  $W\frac{1}{2}$  of  $N\frac{1}{2}$  of  $SW\frac{1}{4}$  of  $SW\frac{1}{4}$  to the South line of another County Road; thence North  $84^{\circ} 58'$  West 326.6 feet along the South line of said County Road to the West line of said  $N\frac{1}{2}$  of  $SW\frac{1}{4}$  of  $SW\frac{1}{4}$ ; thence South  $20'$  West 633.7 feet along the West line of said  $N\frac{1}{2}$  of  $SW\frac{1}{4}$  of  $SW\frac{1}{4}$  to the North line of first said County Road; thence South  $86^{\circ} 10'$  East 100 feet along the North line of said County Road; thence North  $20'$  East 200 feet; thence South  $86^{\circ} 10'$  East 226.6 feet to the true point of beginning of the tract herein described. Known as Parcel "C" on survey made by J. T. Powell under date of June 13, 1966.  
Subject to any easements of record.  
Containing 3.3 acres more or less.

Section 2: The City Clerk in and for the City of Dixon, Missouri, is hereby instructed to file three certified copies of this Ordinance with the Clerk of Pulaski County, Missouri.


Section 3: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED BY THE BOARD OF ALDERMAN AND MAYOR OF THE CITY OF DIXON, MISSOURI, THIS 10 DAY OF OCTOBER, 1983.

APPROVED:

  
QUENTIN C. DAVIS, MAYOR  
CITY OF DIXON, MISSOURI

ATTEST:

  
Donna York Thomas  
City Clerk

STATE OF MISSOURI       )  
                                  ) ss.  
COUNTY OF PULASKI    )

I, DONNA THOMAS, City Clerk within and for the City of Dixon, in the County of Pulaski, State of Missouri, do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance No. 267 of the said City, as passed by the City Council and approved by the Mayor of the City on the 10 day of October, 1983, as fully as the same appears and remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said City at my office in said City this 10 day of October, 1983.

  
DONNA THOMAS, City Clerk  
City of Dixon, Missouri



STATE OF MISSOURI

COUNTY OF PULASKI

ss.

*Stolte*

FILED FOR RECORD THIS

*19*

DAY OF

*Oct*

19 *83*

AT

*9*

O'CLOCK

*05*

*AM*

*W<sup>m</sup> H. Jones*

RECORDER

STATE OF MISSOURI)

)ss.

THE RECORDER'S OFFICE

COUNTY OF PULASKI)

I *W<sup>m</sup> H. Jones*, Circuit Clerk and ex-officio Recorder of Deeds of said County do hereby certify that the within instrument of writing was on *19* day of *Oct* A.D. 19 *83* at *9* o'clock *05* minutes *AM*, duly filed for record in this office, and is recorded in the records of this office in Book *330* Page *217*

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City of Waynesville, Missouri this *19* day of

By

*Barbara Shackelford*

Deputy

*W<sup>m</sup> H. Jones*

Recorder

Missouri 1983 054459

AN ORDINANCE HIRING AND FIXING THE SALARY THE POSITION OF  
CITY CLEK FOR THE CITY OF DIXON, MISSOURI, FOR A PERIOD OF ONE YEAR

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON,  
MISSOURI, AS FOLLOWS:

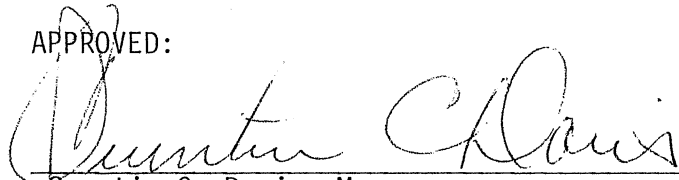
Section One: Said City does hereby hire DONNA YORK as City  
Clerk of the City of Dixon, Missouri, for a period of one (1) year  
commencing November 1, 1983.

Section Two: The said City Clerk shall receive as compensation  
for her services the sum of Five Dollars / fifty cents  
DOLLARS (\$ 5.50 ) per ~~month~~ <sup>Hour</sup> while this Ordinance is in effect.

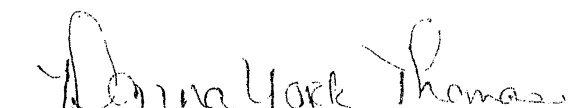
Section Three: This Ordinance shall be in full force and effect  
from and after its passage and approval.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI,  
AND APPROVED BY ITS MAYOR THIS 7th DAY OF NOVEMBER, 1983.

APPROVED:

  
Quentin C. Davis, Mayor

ATTEST:

  
Donna York Thomas  
City Clerk



AN ORDINANCE PERTAINING TO THE SUBJECT MATTER OF MOTOR VEHICLE OPERATORS LICENSES AND VEHICLE LICENSE PLATES.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1: Driving without License:

No person whose operator's or chauffeur's license and driving privilege, either as a resident or non-resident of the State of Missouri, has been cancelled, suspended or revoked under the provisions of Chapters 300 or 564 of the Revised Statutes of Missouri (1978), as amended, shall drive any motor vehicle upon the alleys, streets or highways of the City during the period such license and privilege is cancelled, suspended or revoked.

Section 2: Possession of Operator's License:

No person shall drive a motor vehicle upon the alleys, streets or highways of this City unless such person then and there has in his or her immediate possession a valid motor vehicle operator's license or permit, which license or permit shall be displayed to any officer of this City upon demand. Failure of any chauffeur or operator of a motor vehicle to exhibit his operator's license or permit to any duly authorized officer shall be presumptive evidence that such person is driving without a motor vehicle operator's license.

Section 3: License Plates:

No motor vehicle or trailer shall be operated upon any alley, street or highway of this City unless it shall have displayed thereon the license plate or set of license plates issued by the Director of Revenue of the State of Missouri. Each such plate shall be securely fastened to the motor vehicle in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired.

Section 4: Penalties:

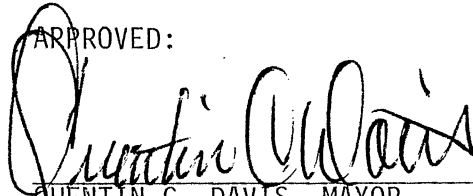
Any person in violation of this Ordinance shall be fined in an amount not to exceed TWO HUNDRED AND NO/100THS DOLLARS (\$200.00) and may be ordered to serve a term in the Dixon City Jail for a period not exceeding two months, or both.

Section 5: Prior Ordinances:


All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED BY THE BOARD OF ALDERMEN AND THE MAYOR OF THE CITY OF DIXON, MISSOURI, THIS 5 DAY OF December, 1983.

APPROVED:

  
QUENTIN C. DAVIS, MAYOR  
CITY OF DIXON, MISSOURI

ATTEST:

  
Donna York Thomas  
City Clerk

*Repealed*

ORDINANCE NO. 270

AN ORDINANCE PERTAINING TO THE SUBJECT MATTER OF NUISANCES.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI,  
AS FOLLOWS:

Section 1: Maintenance, etc., of Nuisances Prohibited.

No person shall cause, maintain or permit, on premises owned or controlled by him, a nuisance, as defined by the laws of this state or by this chapter.

Section 2: Nuisances Enumerated.

The following things are hereby declared to be nuisances; provided, that such listing shall not be deemed exclusive:

(a) Carcasses of animals remaining exposed more than six hours after death.

(b) Ashes, slops, filth, excrement, stones, straw, soot, rubbish, manure, offal, stagnant water, all sorts of decaying animal matter, decaying fruit or vegetables or other vegetable matter, broken kitchenware, wrecked, or abandoned, or parts of worn out automobiles or other machines, scrap iron or other metals, tin cans, old bottles, broken glass, discarded wearing apparel, dead animals, or any other offensive or disagreeable substance or thing, old dilapidated barns, sheds or other buildings left, deposited or caused or permitted to remain, left or deposited in such quantity or in such condition as to be offensive to the sight or smell or a menace to health, safety, peace or comfort or of such a nature as to be or become harbors or breeding places for mosquitoes, ants, flies, rats, mice or other insects, animals or vermin, whether left or deposited upon private premises owned, occupied or controlled by persons causing or permitting the same or upon any public street, sidewalk, alley, parkway, public enclosure or vacant lot; all water, stream and condensation drained from, emitted from or thrown upon any sidewalk, parkway, alley or street from any place occupied by a commercial or business structure or any appurtenances thereto belonging. Also, the creation of dust by the operation of motor vehicles, racing cars, rides, or other motor driven contrivances where the dust is carried beyond the borders of the property whereon the above enumerated vehicles may be operated in such quantities as to interfere with reasonable enjoyment of any property

in the neighborhood.

(c) Factories, slaughterhouses and all places of business causing an offensive odor to a greater extent than is reasonably necessary in the prosecution or carrying on of such business.

(d) Garbage deposited otherwise than in suitable containers for removal by the city.

(e) Green or unsalted hides kept in an exposed or open place.

(f) Hogpens.

(g) Limbs of tree projecting over a sidewalk or street at an height of less than ten feet.

(h) Privies in an overflowing, leaking or filthy condition.

(i) Ponds and pools of unclean water.

(j) The rendering, heating or steaming of any animal or vegetable product or substance in such a manner as to cause disagreeable odors off the premises.

(k) Stables, stalls, sheds, pens or yards in which any horses or cattle have been kept which are in an unclean condition.

(l) All substances or things which cause an odor disagreeable to the surrounding neighborhood.

Section 3: Notice to Owner to Abate or Remove Nuisances.

(a) Whenever the board of aldermen, or its designated officer, shall ascertain or have knowledge that a nuisance exists in or upon any house or premises in the city, such board of aldermen, or its designated officer, shall by written notice served by the city marshall or by any officer designated by the board of aldermen, in the same manner as personal service of process in civil actions, notify the person occupying or having possession or the right to possession of such house or premises to abate or remove such nuisance within the time to be specified in such notice; provided, that if such house or premises is not occupied and the owners having the right of possession are non-residents, the board of aldermen, or its designated officer, shall notify the nonresident owners by posting a notice of such request to abate or remove such nuisance within a time to be specified in such notice upon such house or premises and by sending a copy of such notice by registered mail to the last known address of the nonresident owners.

(b) No person notified as provided in this section shall fail, neglect or refuse to comply with the same within the time specified in such notice. For every day thereafter that such person shall fail, neglect or refuse to comply with the same and for every day thereafter that such person shall fail, neglect or refuse to abate or remove such nuisance, he shall be deemed guilty of a separate offense and shall be proceeded against as in the first instance.

Section 4: Authority of Police, etc., to Enter Premises, etc., for Purpose of Removing or Abating Nuisances.

Police officers and other employees of the city authorized by the board of aldermen or the city marshall are hereby authorized and required to go, in the daytime, in and upon any house, building, lot or premises, whether public or private, for the purpose of removing or abating any nuisance, when abatement of a nuisance is ordered under the provisions of this chapter.

Section 5: City May Abate Nuisances When Owner Fails to Do So; Recovery of Cost by City.

If, upon a trial for the violation of this article, the judge of the municipal court shall find that a violation exists and that the defendant has had proper notice, as provided in this chapter, and that the defendant has failed to abate the nuisance, the judge of the municipal court shall, in addition to the penalty for violating this chapter, make an order directing the officer designated by the board of aldermen to abate such nuisance forthwith, an immediately report the expense thereof to the judge of the municipal court, who shall, as a part of the costs of such prosecution, render judgment against the defendant for the amount of such expense, which shall be collected as other fines and costs; provided, that if the person who shall violate, neglect, fail or refuse to comply with any provision, regulation or requirement of this chapter is a nonresident, the officer designated by the board of alderment shall immediately abate the nuisance and report the expense thereof to the city clerk, and a sum in the amount of such expense shall be collected from such nonresident by levying the same as a special tax against the real property where such nuisance shall have existed.

Section 6: Penalties.

Each person found guilty of violating this ordinance shall be fined not




more than \$300.00 .

Section 7: Prior Ordinances:

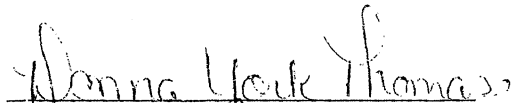
All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED BY THE BOARD OF ALDERMEN AND THE MAYOR OF THE CITY OF DIXON, MISSOURI, THIS 19 DAY OF APRIL, 1984.

APPROVED:

  
QUENTIN C. DAVIS, MAYOR  
CITY OF DIXON, MISSOURI

ATTEST:

  
Donna York Thomas  
City Clerk

ORDINANCE NO. 271

AN ORDINANCE ANNEXING PROPERTY TO THE CITY OF DIXON, MISSOURI, PURSUANT TO THE PROVISIONS OF SECTION 71.012 RSMO.

WHEREAS, a certified petition was duly filed with the Board of Aldermen on the 16 day of April, 1984, signed by the owners of all fee interests of record, requesting that the real property described below be annexed to the City of Dixon, Missouri, pursuant to the provisions of Section 71.012 RSMo, et seq; and

WHEREAS, the Board of Aldermen of the City of Dixon, Missouri, did receive said petition and order that a public hearing be held at the Dixon City Hall on April 18 1984 at 7:00 o'clock p.m. so as to afford any interested person, corporation or political subdivision the opportunity to present evidence regarding the proposed annexation, and further order that notice of the date, time and place of said hearing be published in a newspaper of general circulation in the City of Dixon, Missouri; and

WHEREAS, after considering all of the evidence presented at said hearing both in favor of the petition for annexation and by those who were opposed, the Board of Aldermen find that:

1. The area proposed for annexation is contiguous to the existing corporate limits of the City of Dixon, Missouri.
2. That the petition for annexation has been duly signed and verified by all of the owners of all fee interests of record of said property.
3. That such annexation is reasonable and necessary to the proper development of said city.
4. That the City of Dixon, Missouri, is able to furnish normal municipal services to said unincorporated area within a reasonable time after said annexation is to become effective.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1: That the real property described below be and is hereby annexed to the City of Dixon, Pulaski County, Missouri, said property being more particularly described as follows:

The East half of the East half of the Northwest Quarter, of the Southeast Quarter of the Northwest Quarter and the West half of the Northeast Quarter of the Southwest Quarter of the Southwest Quarter of Section 24, Township 38 North, Range 11 West, of the 5th. P.M. Being seven and one-half acres more or less. Subject to easements.

And:

The Northeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 24, Township 38 North, Range 11 West of the 5th. P.M. Subject to easements.

And:

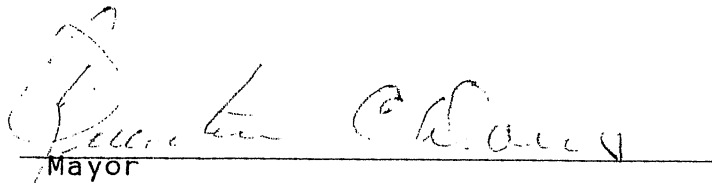
All of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 24, Township 38 North Range 11 West of the 5th. P.M. Being ten acres more or less. Subject to easements.

Section 2: The City Clerk is hereby instructed to file three (3) certified copies of this Ordinance with the Clerk of Pulaski County, Missouri.

Section 3: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI,  
AND APPROVED BY THE MAYOR THIS      day of June, 1984.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk

STATE OF MISSOURI

SS. 95

COUNTY OF PULASKI

FILED FOR RECORD THIS

22 DAY OF June 1984

AT 8 O'CLOCK 30 AM

STATE OF MISSOURI

COUNTY OF PULASKI

RECORDED

INDEXED

22

30

AM

RECORDS & COMMUNICATIONS OFFICE

of the County of Pulaski, Missouri, do hereby certify that the within and foregoing Ordinance of the City of Dixon, Missouri, was duly passed and approved by the Board of Aldermen of the City of Dixon, Missouri, and by the Mayor of the City of Dixon, Missouri, on the 22 day of June, 1984, at 8 o'clock 30 minutes of the morning of the said day, and is hereby filed for record in the office of the Recorder of the County of Pulaski, Missouri, and is hereby certified to the County Clerk of the County of Pulaski, Missouri, for filing in the records of the County of Pulaski, Missouri.

## ORDINANCE 272

AN ORDINANCE PROVIDING FOR THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY OF DIXON, MISSOURI, PROVIDING FOR THE MANDATORY COLLECTION, TRANSPORTATION, STORAGE, PROCESSING AND DISPOSAL OF SOLID WASTE, AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE, INCLUDING THE IMPROPER DISPOSAL OF SOLID WASTE.

WHEREAS, THE CITY OF DIXON, MISSOURI, as a function of its police power, is charged with the responsibility of promoting the health, welfare and safety of its residence by regulating all threats to the comfort, safety and welfare of the populas; and

WHEREAS, the preservation of the public health is recognized as the goal of the highest priority; and

WHEREAS, the accumulation of solid waste, trash, garbage, and other refuse, is a serious threat to the public health and well being of all residents of the City of Dixon, Missouri;

WHEREAS, it is the intent of this Ordinance to remove solid waste from the community not only as a convenience to its residents, but more importantly to protect the public health by regulating the collection and disposal of solid waste thereby eliminating a source of filth, menace and disease.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

### Section 1--Definitions:

The following terms as used in this Ordinance shall have the following definitions:

- (a) City: The City of Dixon, Missouri.
- (b) Collection: The collection, removal and transportation of all solid waste from its place of storage and transporting it to its place of processing or disposal.
- (c) Demolition and construction waste: All waste materials from the construction or destruction of residential, industrial or commercial structures or improvements upon real estate.
- (d) Disposal solid waste container: Any commercially marketed, disposal plastic bag with a capacity of 20 to 35 gallons especially designed, manufactured and sold for the purpose of storing solid waste.
- (e) Garbage: Putrescible animal or vegetable waste resulting from the handling, preparation, cooking, serving or

consumption of food.

(f) Hazardous waste: This term shall include but is not limited to pathological wastes, explosive waste, pesticides, pesticide containers, toxic or radio active materials.

(g) Multi housing facility: Any housing facility containing more than one dwelling unit under one roof.

(h) Occupant: Any person who, alone or jointly or severally with others, shall be in actual possession of any dwelling unit or if any other improved real property, either as an owner or as a tenant.

(i) Person: Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, or organization of any kind.

(j) Processing: This term shall mean the incineration, composting, baling, shredding, salvaging, compacting, or any other process whereby solid waste characteristics are modified or solid waste quantity is reduced.

(k) Refuse: All solid waste.

(l) Residential dwelling unit: Any room or group of rooms located within a structure, and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

(m) Solid waste: All unwanted or discarded waste materials in solid or semi-solid state, including but not limited to garbage, ashes, street refuse, rubble, dead animals, animal and agricultural waste, yard waste, discarded appliances, special waste, industrial waste, demolition and construction waste, and any other waste material produced through commercial activity or residential living. Commercial solid waste shall be all solid waste resulting from the operation of any commercial, industrial, institutional or agricultural establishment, and multiple housing facilities with more than four dwelling units. Residential solid waste shall be solid waste resulting from the maintenance and operation of dwelling units excluding multiple housing facilities with more than four dwelling units.

(n) Solid waste container: Any receptacle used by any person to store solid waste prior to its collection.

(o) Solid waste disposal: The process of discarding solid waste.

## Section 2. Solid Waste Storage:

(a) The occupant of every dwelling unit and of every institutional, commercial or business, industrial or

agricultural establishment producing solid waste within the corporate limits of the City, shall provide sufficient and adequate containers for the storage of all solid waste except bulky rubbish and demolition and construction waste to serve each such dwelling unit and/or establishment; and to maintain such solid waste containers at all times in good repair.

(b) The occupant of every dwelling unit and of every institutional, commercial, industrial, agricultural or business establishment shall place all solid waste to be collected in proper solid waste containers, except as otherwise provided herein, and shall maintain such solid waste containers and the area surrounding them in a clean, neat and sanitary condition at all times.

(c) Residential solid waste shall be stored in containers of not more than 35 gallons nor less than 20 gallons in capacity. Containers shall be leakproof, waterproof, and fitted with a tight lid and shall be properly covered at all times except when depositing waste therein or removing the contents thereof. The containers shall have handles, balls or other suitable lifting devices or features. Containers shall be of a type originally manufactured for residential solid waste, with tapered sides for easy emptying. They shall be of light weight and sturdy construction. The weight of any individual container and contents shall not exceed 60 pounds. Galvanized metal containers, rubber or fiberglass containers, and plastic containers, which do not become brittle in cold weather may be used. Disposable solid waste containers may also be used for storage of residential solid waste.

(d) Commercial solid waste shall be stored in solid waste containers as approved by the City Clerk. The containers shall be waterproof, leakproof and shall be covered at all times except when depositing waste therein or removing the contents thereof; and shall meet all requirements as set forth by Section 6, hereof.

(e) Tree limbs less than 4" in diameter and brush shall be securely tied in bundles not larger than 24" long and 18" in diameter when not placed in storage containers. The weight of any individual bundle shall not exceed 60 pounds.

(f) Yard wastes shall be stored in containers so constructed and maintained as to prevent the dispersal of wastes placed therein upon the premises served, upon adjacent premises, or upon adjacent public rights of way. The weight of any individual container and contents shall not exceed 60 pounds.

(g) Solid waste containers which are not approved will be collected together with their contents and disposed of.

### Section 3. Collection of Solid Waste:

(a) Effective August 1, 1984, the City shall contract with one or more private persons for the collection of all solid

waste in the City. Solid waste shall be collected from all residential dwelling units, multiple housing facilities and commercial establishments in the manner herein provided.

(b) All solid waste stored as herein provided shall be collected. All solid waste collected shall, upon being loaded into collection equipment, become the property of the collection agency.

(c) All solid waste shall be placed at the curb or alley, as practice may dictate, for collection. Any solid waste containers, tree limbs, yard wastes, or other solid waste permitted by this ordinance to be placed at the curb or alley for collection shall not be so placed until the regularly scheduled collection day.

(d) Solid waste collectors, employed by the City or a solid waste collection agency operating under contract with the City, are hereby authorized to enter upon private property for the purpose of collecting solid waste therefrom as required by this Ordinance. Solid waste collectors shall not enter dwelling units or other residential buildings for the purpose of collecting residential solid waste. Commercial solid waste may be removed from within commercial establishments upon request of the owner thereof.

(e) The following collection frequencies shall apply to collections of solid waste within the City:

All residential solid waste shall be collected at least once weekly. All commercial solid waste shall be collected at least once weekly, and may be collected at such lesser intervals as shall be fixed by the City Clerk upon a determination that such lesser intervals are necessary for the preservation of the health or safety of the public.

(f) Residential solid waste containers shall be stored upon the residential premises. Commercial solid waste containers shall be stored upon private property, unless the owner shall have been granted permission from the City to use public property for such purposes. The storage sites shall be well drained fully accessible to collection equipment, public health personnel and fire inspection personnel.

(g) All collection vehicles shall be maintained in a safe, clean and sanitary condition, and shall be so constructed, maintained and operated as to prevent spillage of solid waste therefrom. All vehicles to be used for collection of solid waste shall be constructed with water-tight bodies and with covers which shall be an integral part of the vehicle or shall be a separate cover of suitable material with fasteners designed to secure all sides of the cover to the vehicle and shall be secured whenever the vehicle is transporting solid waste, or, as an alternate, the entire bodies thereof shall be enclosed, with only loading hoppers exposed. No solid waste



shall be transported in the loading hoppers.

(h) Permits shall not be required for the removal, hauling or disposal of earth and rock material from grading or excavation activities, however, all such material shall be conveyed in tight vehicles, trucks or receptacles, so constructed and maintained that none of the material being transported shall spill upon the public rights of way.

(i) Transportation and disposal of demolition and construction wastes shall be in accordance with Sections 4 and 5.

#### Section 4. Disposal of Solid Waste:

(a) Solid wastes shall be disposed of at a processing facility or disposal area approved by the City and complying with all requirements of the Missouri Division of Health.

(b) The City Clerk may classify certain wastes as hazardous wastes which will require special handling and shall be disposed of only in a manner acceptable to the City Clerk and which will meet all local, State and Federal regulations.

#### Section 5. Permits:

(a) No person except the City's Principal Contractor shall engage in the business of collecting, transporting, processing or disposing of solid waste within the corporate limits of the City, without first obtaining an annual permit therefor from the City; provided, however, that this provision shall not be deemed to apply to employees of the holder of any such permit.

(b) No such permit shall be issued until and unless the applicant therefor, in addition to all other requirements set forth, shall file and maintain with the City Clerk evidence of a satisfactory public liability insurance policy, covering all operations of such applicant pertaining to such business and all vehicles to be operated in the conduct thereof, in the amount of not less than \$100,000.00 per person, and in the amount of not less than \$300,000.00 per occurrence, in the event of injury or death of two or more persons in any single accident, and in the amount of not less than \$50,000.00 for damage to property. Such policy may be written to allow the first \$100.00 of liability for damage to property to be deductible. Should any such policy be cancelled, the City Clerk shall be notified of such cancellation by the insurance carrier in writing not less than (10) days prior to the effective date of such cancellation, and provisions to that effect shall be incorporated in such policy, which shall also place upon the company writing such policy the duty to give such notice.

(c) Each applicant for any such permit shall state in his application therefore; (a) the nature of the permit desired, as

to collect, transport, process, or dispose of solid waste or any combination thereof; (b) the characteristics of solid waste to be collected, transported, processed, or disposed; (c) the precise location or locations of solid waste processing or disposal facilities to be used; (d) the number of solid waste vehicles to be operated thereunder; (e) boundaries of the collection area; (f) the name of the person or persons for whom solid waste is to be collected and (g) such other information as required by the City Clerk. In addition, it shall be the duty of such applicant to provide the City Clerk on a monthly basis with an accurate list of a persons for whom solid waste is being collected.

(d) If the application shows that the applicant will collect, transport, process and dispose of solid wastes without hazard to the public health or damage to the environment and in conformity with the laws of the State of Missouri and this ordinance, the City Clerk shall issue the permit authorized by this ordinance. The permit shall be issued for a period of one year, and each applicant shall pay therefore a fee of Fifty (\$50.00). If in the opinion of the City Clerk, modifications can be made to any unacceptable application regarding service, equipment, or mode of operation, so as to bring the application within the intent of this ordinance, the City Clerk shall notify the applicant in writing setting forth the modification to be made.

(e) If the applicant does not make the modifications pursuant to the notice described in 5(d), and if the application does not clearly show that the collection, transportation, processing or disposal of solid wastes will create no public health hazard or be without harmful effects on the environment, the application shall be denied and the applicant shall be notified by the City Clerk in writing of the reason for such denial. Nothing in this section shall prejudice the right of the applicant to reapply after the rejection of his application provided that all aspects of the reapplication comply with the provisions of this ordinance.

(f) The annual permit may be renewed simply upon payment of the fee or fees as designated herein if the applicant's business has not been modified. If modifications have been made, the applicant shall reapply for a permit as set forth in Sections 5(b) and 5(c). No permits authorized by this Ordinance shall be transferrable from person to person.

(g) In order to insure compliance with the laws of this State, this ordinance and the rules and regulations authorized herein, the City Marshall is authorized to inspect all phases of solid waste management within the City. In all instances where such inspections reveal violation of this ordinance, the rules and regulations authorized herein for the storage, collection, transportation, processing or disposal of solid waste or the laws of the State of Missouri, the Marshall shall issue notice for each such violation stating therein the

violation or violations found, together with the time in which corrections shall be made. Such notice shall give five days to effectuate corrective action.

(h) In all cases, when the corrective measures have not been taken within the time specified, the City Clerk shall suspend or revoke the permit or permits involved in the violation, provided, however, that in those cases where an extension of time will permit correction and there is no public health hazard created by the delay, one extension of time not to exceed the original time period may be given.

(i) Any person who feels aggrieved by any notice of violation or order issued pursuant thereto may, within three days of receipt of such notice appeal directly to the City Clerk in writing, setting forth in a concise statement the act being appealed from. An appeal from the decision of the City Clerk may be taken to the Board of Aldermen at the next regular meeting, whose decision shall be final.

(j) The City Clerk may, in case of emergency, authorize a contractor other than the Principal Contractor to engage in the business of collecting, transporting, processing, or disposing of solid waste within the corporate limits of the City. Said emergency contractor shall substantially fulfill the requirements for the Primary Contractor as set forth in this section.

#### Section 6. Prohibited Practices:

It shall be unlawful for any person to: (1) deposit solid waste in any solid waste container of any other person, with the intent of avoiding payment of any contractor's fee or charge. (2) interfere in any manner with solid waste collection equipment, or with solid waste collectors in the lawful performance of their duties as such, whether such equipment or collectors shall be those of a solid waste collection agency operating under contract with the City or under contract with any other person, (3) burn solid waste unless an approved incinerator is provided; (4) dispose of solid waste at any facility or location which is not approved by the Missouri Division of Health; (5) engage in the business of collecting, transporting, processing or disposing of solid waste within the corporate limits of the City without a permit from the City, or operate under an expired permit, or operate after a permit has been suspended or revoked, or (6) fail to otherwise comply with the provisions of this Ordinance.

#### Section 7. Contractor's fee:

The City shall enter into a contract or contracts for a period not to exceed one year with one or more solid waste haulers, to provide uniform waste hauling services to City residents, which contract or contracts shall in all respects otherwise comply with the requirements of this Ordinance. Any

such contract may include a provision requiring the City to collect on behalf of the waste hauler a fixed service charge, to be negotiated by the waste hauler and the City, from each residential dwelling unit. The City shall charge the waste hauler for such service the sum of four percent (4%) of the total service charge. The service charge for collection of residential solid waste shall be in the lowest amount which can be negotiated.

The service charge for each commercial establishment shall be determined, and collected by the waste hauler under contract with the City on the basis of quantity and characteristics of material, point of pickup, and time required to collect the solid waste.

With respect to the collection of residential solid waste, the waste hauler shall be entitled to a separate service charge for each residential dwelling unit. It shall be presumed for purposes of this ordinance that every City non-commercial water meter services an individual residential dwelling unit unless the owner thereof can establish otherwise to the satisfaction of the City Clerk. Payment of the aforesaid service charge shall be the responsibility of the occupant of the residential dwelling unit in whose name the said water meter is registered. The City Clerk shall be responsible for ensuring one service charge is collected for the collection of residential solid waste from each residential dwelling unit producing the same, including from those units not using metered City water. The City Clerk may from time to time make necessary adjustments in billing to reach that end.

Nothing in this Ordinance shall be construed to prevent any person from individually contracting for the collection of solid waste provided that all other requirements of this Ordinance have been met. Upon receipt from any person of written notice that such person has individually contracted for collection of solid waste, which notice shall contain the name and address of the waste hauler, and provided that such waste hauler has a valid permit as above required, the City Clerk shall remove that person from the list of persons for whom solid waste is to be collected and billed for pursuant to the aforesaid City contract.

Any waste collection service and service charge for residential solid waste collection shall be terminated upon presentation of satisfactory proof to the City Clerk that any such dwelling unit or establishment is unoccupied, and shall be commenced upon renewed occupancy thereof.

#### Section 8. Penalties:

Any person violating any of the provisions of this Ordinance, upon conviction, shall be punished by a fine of not less than five dollars (\$5.00) and court costs, nor more than five hundred dollars (\$500.00) and court costs; provided, that each day's violation thereof shall be a separate offense for

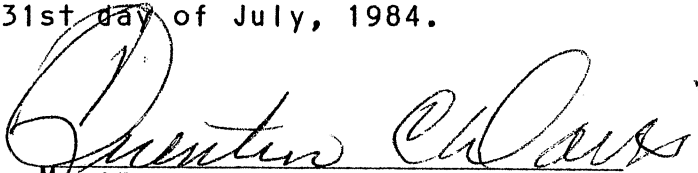
the purpose hereof.

Section 9. Severability Clause:

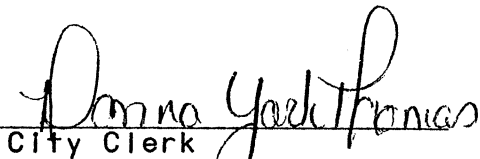
The provisions of this Ordinance are severable and if any provision or part thereof shall be held invalid or unconstitutional or inapplicable to any person or circumstances, such invalidity, unconstitutionality or inapplicability shall not affect or impair the remaining provisions of this Ordinance.

This Ordinance shall become effective July 31, 1984.


PASSED AND APPROVED THIS 31st day of July, 1984.

  
Mayor

ATTEST:

  
City Clerk

Approved as to form and  
legality:

  
Title

ORDINANCE NO. 273

An Ordinance of the City of Dixon, Missouri, authorizing, fixing, and determining a rate of levy on the hundred dollar valuation on all taxable property within the City of Dixon livied and collected upon all property within said City for the year of 1984.

BE IT ORDANIED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, COUNTY OF PULASKI, STATE OF MISSOURI, AS FOLLOWS:

Section 1. That pursuant to the authority and direction of the laws of the State of Missouri, relevant to Cities of the fourth class and pursuant to the authority of the qualified voter at due and proper elections held in said city, that there shall be livied and collected as taxes for the year of 1984, upon all real, personal and mixed property taxable within the City of Dixon, Missouri, at the rate of \$1.85 on the hundred assessed valuation as per the following purposes.

FOR GENERAL REVENUE ON EACH \$100.00 ASSESSED VALUATION .....	\$ 1.00
FOR PUBLIC LIBRARY ON THE HUNDRED DOLLAR ASSESSED VALUATION.....	\$ 0.05
FOR BONDS AND ANNUAL INTEREST ON GENERAL OBLIGATION BONDS ON THE HUNDRED ASSESSED VALUATION.....	\$0.80
TOTAL .....	\$1.85

And the above rate levy on the \$100.00 assessed valuation of taxable property in said City of Dixon, be and is hereby made the true and lawful levy for said City for the year 1984.

Section 2. That the City Clerk is hereby authorized and directed to furnish a certified copy of this ordinance to the Clerk of the County Court of Pulaski County, Missouri, within the time required by law for filling City rates with said Clerk.

Read first, seconded and third time and approved by the following votes

AYES 5

NAYES 0

Passed and Approved this 6 day of August 19 84.

ATTEST:

Donna York Thomas  
Donna York Thomas

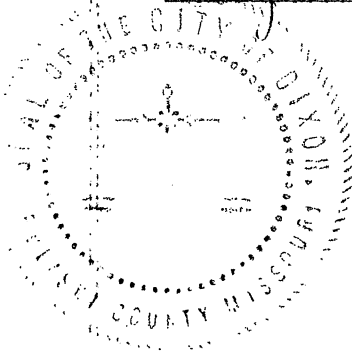
Quentin C. Davis  
Mayor, Quentin C. Davis

State of Missouri, County of Pulaski, City of Dixon

I, Deanna York Thomas, Clerk for the City of Dixon, Pulaski County, State of Missouri, do hereby certify that the above and foregoing is a true and complete copy of the ordinance for the City of Dixon, Missouri, fixing the tax rate for the year 1984, upon all taxable property within said City as fully as same appears recorded in Ordinance record book of said City.

IN TESTIMONY WHEREOF. I have hereunto set my hand and affixed the seal of said City.

Done at my office in the City Hall in Dixon, Missouri, this the 6 day of August, 1984.

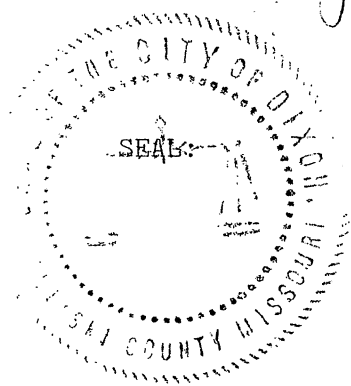


Deanna York Thomas  
City Clerk of Dixon, Missouri

STATE OF MISSOURI )  
 ) S S  
COUNTY OF PULASKI )

I, Donna York Thomas, City Clerk within and for the City of Dixon, in the County of Pulaski, State of Missouri, do hereby certify that the foregoing pages constitute a true and correct copy of ORDINANCE NO. 273 of said City, as passed by the City Council and approved by the Mayor of the City on 8 th, day of August 1984, as fully as the same appears and remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, at my office in said City. This 8th day of August, 1984.



Donna York Thomas  
Donna York Thomas, City Clerk

STATE OF MISSOURI } ss. 543  
COUNTY OF PULASKI }

FILED FOR RECORD THIS  
14 DAY OF August 1984  
AT 8 O'CLOCK 40 AM  
Wm H. Jones  
RECORDER

STATE OF MISSOURI )  
COUNTY OF PULASKI ) ss. THE RECORDER'S OFFICE

I Wm H. Jones, Circuit Clerk and ex-officio Recorder of Deeds of said County do hereby certify that the within instrument of writing was on 14 day of August A.D. 1984 at 8 o'clock 40 minutes PM duly filed for record in this office, and is recorded in the records of this office to Book 336 Page 385

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal of my office in the City of Vinita, Missouri this 14 day of August A.D. 1984  
By Barbara Shackelford Wm H. Jones  
Deputy Recorder



ORDINANCE

274

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF DIXON TO EXECUTE ON BEHALF OF THE CITY OF DIXON, MISSOURI, A CERTAIN AGREEMENT WITH WATT-PARK SANITATION, FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1:

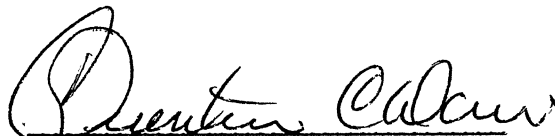
The Mayor of the City of Dixon, Missouri, shall be and is hereby authorized and directed to execute on behalf of the City of Dixon, Missouri, that certain Agreement for the collection and disposal of solid waste which is attached hereto and made a part hereof as is set out at length.

Section 2:


This Ordinance shall be in full force and effect from and after January 7, 1985, and until January 6, 1986.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, and approved by the Mayor this 7th day of January, 1985.

APPROVED:

  
Quentin Davis, Mayor

ATTEST:

  
Donna Thomas, Clerk

  
Approved as to form

Section 9. This ordinance shall become in full force and effect from and after its passage and approval.

FIRST READING ✓ SECOND READING ✓ THIRD READING ✓

PASSED this 4 day of March, 1984.

Quentin Adams  
Mayor

ATTEST:

Donna Thomas  
City Clerk

Approved as to form and content:

\_\_\_\_\_  
City Attorney

## AGREEMENT

THIS AGREEMENT made and entered into this 7th day of January, 1985, by and between the CITY OF DIXON, MISSOURI (hereinafter referred to as "City") and DWIGHT PARKER and SMALL WATSON, Individuals of Dixon, Missouri, doing business as WAT-PARK SANITATION (hereinafter referred to as "Contractor").

### RECITALS:

(a) Ordinance 272 for the City of Dixon, Missouri, authorizes the City to enter into a contract with a solid waste collection agency for the purpose of collecting solid waste and removing the same from the City of Dixon, as required by said Ordinance.

(b) Contractor has for the past several months been providing such service to the City on a month-to-month basis.

(c) As authorized by said Ordinance, City has been collecting on behalf of Contractor its fixed service charge for the collection of such solid waste and has been retaining four percent of the total service charge as its fee for such service.

(d) The parties by this Agreement now desire to enter into a one year contract for the collection by Contractor of solid waste within the aforesaid City.

NOW, THEREFORE, in consideration of the premises, and for the mutual covenants and undertakings hereinafter set forth, the parties do hereby agree as follows:

### Section 1--Definitions:

The following terms as used in this Ordinance shall have the following definitions:

(a) City: The City of Dixon, Missouri.

(b) Collection: The collection, removal and transportation of all solid waste from its place of storage and transporting it to its place of processing or disposal.

(c) Demolition and construction waste: All waste materials from the construction or destruction of residential, industrial or commercial structures or improvements upon real estate.

(d) Disposal solid waste container: Any commercially marketed, disposal plastic bag with a capacity of 20 to 35 gallons especially designed, manufactured and sold for the purpose of storing solid waste.

(e) Garbage: Putrescible animal or vegetable waste resulting from the handling, preparation, cooking, serving or consumption of food.

(f) Hazardous waste: This term shall include but is not limited to pathological wastes, explosive waste, pesticides, pesticide containers, toxic or radio active materials.

(g) Multi-housing facility: Any housing facility containing more than one dwelling unit under one roof.

(h) Occupant: Any person who, alone or jointly or severally with others, shall be in actual possession of any dwelling unit or if any other improved real property, either as an owner or as a tenant.

(i) Person: Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, or organization of any kind.

(j) Processing: This term shall mean the incineration, composting, baling, shredding, salvaging, compacting, or any other process whereby solid waste characteristics are modified or solid waste quantity is reduced.

(k) Refuse: All solid waste.

(l) Residential dwelling unit: Any room or group of rooms located within a structure, and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

(m) Solid waste: All unwanted or discarded waste materials in solid or semi-solid state, including but not limited to garbage, ashes, street refuse, rubbish, dead animals, animal and agricultural waste, yard waste, discarded appliances, special waste, industrial waste, demolition and construction waste, and any waste material produced through commercial activity or residential living. Commercial solid waste shall be all solid waste resulting from the operation of any commercial, industrial, institutional or agricultural establishment, and multiple housing facilities with more than four dwelling units. Residential solid waste shall be solid waste shall be solid waste resulting from the maintenance and operation of dwelling units excluding multiple housing facilities with more than four dwelling units.

(n) Solid waste container: Any receptacle used by any person to store solid waste prior to its collection.

(o) Solid waste disposal: The process of discarding solid waste.

## Section 2--Collection of Solid Waste:

(a) Effective January 7, 1985, Contractor shall collect all solid waste within the City. Solid waste shall be collected from all residential dwelling units, multiple housing facilities and commercial establishments in the manner herein provided.

(b) All solid waste stored as herein provided shall be collected. All solid waste collected shall, upon being loaded into collection equipment, become the property of the Contractor.

(c) All solid waste shall be placed at the curb or alley, as practice may dictate, for collection. Contractor shall pick up and suitably dispose of all solid waste deposited by residents in compliance with Ordinance 272.

(d) Contractor is authorized to enter upon private property for the purpose of collecting solid waste therefrom as required by this Agreement and Ordinance 272. Contractor shall not enter dwelling units or other residential buildings for the purpose of collecting residential solid waste. Commercial solid waste may be removed from within commercial establishments upon request of the owner thereof.

(e) The following collection frequencies shall apply to collections of solid waste within the City: All residential solid waste shall be collected at least once weekly. All commercial solid waste shall be collected at least once weekly and may be collected at such lesser intervals as shall be fixed by the City Clerk upon a determination that such lesser intervals are not detrimental to the preservation of the health or safety of the public.

(f) All collection vehicles shall be maintained in a safe, clean and sanitary condition, and shall be so constructed, maintained and operated as to prevent spillage of solid waste therefrom. All vehicles to be used for collection of solid waste shall be constructed with water-tight bodies and with covers which shall be an integral part of the vehicle or shall be a separate cover of suitable material with fasteners designed to secure all sides of the cover to the vehicle and shall be secured whenever the vehicle is transporting solid waste, or, as an alternative, the entire bodies thereof shall be enclosed, with only loading hoppers exposed. No solid waste shall be transported in the loading hoppers.

### Section 3--Disposal of Solid Waste:

(a) Solid waste shall be disposed of at a processing facility or disposal area approved by the City and complying with all requirements of the Missouri Division of Health.

(b) The City Clerk may classify certain waste as hazardous waste which will require special handling and shall be disposed of only in a manner acceptable to the City Clerk and which will

meet all local, State and Federal regulations.

Section 4--Insurance and Enforcement:

(a) Contractor shall obtain and provide City Clerk with evidence of satisfactory public liability insurance, covering all operations of Contractor pertaining to collection of solid waste, and all vehicles to be operated in the conduct thereof, in the amount of not less than \$100,000.00 per person, and in the amount of not less than \$300,000.00 per occurrence, in the event of injury or death of two or more persons in any single accident, and in the amount of not less than \$50,000.00 damage to property, per occurrence. Such policy may be written to allow the first \$100.00 of liability for damage to property to be deductible. Should any such policy be cancelled, the City Clerk shall be notified of such cancellation by the insurance carrier in writing not less than ten days prior to the effective date of such cancellation, and provisions to that effect shall be incorporated in such policy, which shall also place upon the company writing such policy the duty to give such notice.

(b) Contractor shall comply with all City, State and Federal laws, rules and regulations pertaining to the collection, transportation and disposal of solid wastes. In order to ensure compliance with this Section, the City Marshal is authorized to inspect all phases of Contractor's solid waste management within the City. In all instances where such inspections reveal violation of local law, the rules and regulations authorized herein for storage, collection, transportation, processing or disposal of solid waste, the laws of the State of Missouri, or federal laws, the Marshal shall issue a notice for each such violation stating therein the violation or violations found, together with the time in which corrections shall be made. Such notice shall give five days to effectuate corrective action.

(c) In all cases, when the corrective measures have not been taken within the time specified, the City Clerk may request the City to suspend, or revoke this Agreement.

Section 5--Contractor's Fee:

(a) Contractor's fee for the collection of residential solid waste shall be \$6.25 per month. City agrees to collect on behalf of Contractor this fixed service charge and shall be compensated for providing such service at the rate of \$.25 per residential billing per month. Contractor shall be entitled to a separate service charge for each dwelling unit, as defined by Ordinance 272.

(b) Contractor shall be responsible for negotiating the service fee to be charged commercial establishments for the collection of solid waste. City shall have no responsibility for collecting such commercial service charges for Contractor.

(d) Nothing in this Agreement shall prevent any person from individually contracting for the collection of solid waste provided that all requirements of Ordinance 272 have been met.

Section 6--General Provisions:

(a) Contractor acknowledges that it is an Independent Contractor and that City will have no right to direct the work or details of Contractor's operation except as herein stated. Contractor agrees to indemnify and hold City harmless from any actions, suits or liability which may arise in connection with the performance of Contractor's aforesaid duties, for injury to either person or property.

(b) No amendment to this Agreement shall be effective unless it is placed in a writing and signed by both parties.

(c) Unless renewed, this Agreement shall expire at 11:59 p.m. on January 6, 1986.

IN WITNESS WHEREOF, the parties set their hands on the date first above written.

CITY OF DIXON:

By: Quentin C. Davis  
Quentin Davis, Mayor

ATTEST:

Donna Thomas  
Donna Thomas, Clerk

Dwight M. Parker  
DWIGHT PARKER

Small J. Watson  
SMALL WATSON

CITY OF DIXON, MISSOURI

BILL NO. \_\_\_\_\_

ORDINANCE NO. 275

AN ORDINANCE ADOPTING AND ENACTING A CODE OF ORDINANCES OF THE CITY OF DIXON, MISSOURI, ESTABLISHING THE SAME: PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED: PROVIDING FOR THE MANNER OF AMENDING SUCH CODE OF ORDINANCES: AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1. That this ordinance is hereby adopted and enacted as the "1984 Code of Ordinances, City of Dixon, Missouri".

Section 2. That all provisions of this code shall be in full force and effect from and after the adoption of this ordinance and all ordinances of a general and permanent nature of the City of Dixon, Missouri, and not in such Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of this ordinance except as hereinafter provided. That no resolution of the City, not specifically mentioned, is hereby repealed.

Section 3. That the repeal provided for in Section 2 hereof shall not affect any offenses or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance; nor shall such repeal affect any ordinance or resolution promising or guaranteeing the payment of money for the city, or authorizing the issuance of any bonds of the City, or any evidence of the City's indebtedness, or any contract or obligations assumed by the city; nor shall such repeal affect the administrative ordinances or resolutions of the Board of Aldermen not in conflict or inconsistent with the provisions of such Code; nor shall such repeal affect ordinances establishing positions, classifying employees and setting salaries, not inconsistent with such Code; nor shall such repeal affect any right of franchise granted by any ordinance to any person, firm or corporation; nor shall such repeal affect any ordinances dedicating, naming, establishing, locating, relocating, opening, paving, widening, vacating, etc., any street or public way in the City; nor shall such repeal affect ordinances prescribing through streets, parking limitations, parking prohibitions, one-way traffic, limitations on load of vehicles, or loading zones, not inconsistent with such code; nor shall such repeal affect any ordinance establishing and prescribing the street grades of any street in the City; nor shall such repeal affect any ordinances providing for local improvements and assessing taxes therefor; nor shall such repeal affect any ordinance dedicating or accepting any plat or subdivision in the City; nor shall such repeal affect any ordinance extending the boundaries of the City or reducing the boundaries of the City; nor shall such repeal be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which



Section 4. Any and all additions or amendments to such Code, when passed in such form as to indicate the intention of the Board of Aldermen to make the same a part thereof, shall be deemed to be incorporated in such Code so that reference to the "1984 Code of Ordinances of the City of Dixon" shall be understood and intended to include such additions and amendments.

Section 5. A copy of such Code shall be kept on file in the office of the City Clerk, preserved in loose-leaf form, or in such other form as the City Clerk may consider most expedient. It shall be the express duty of the City Clerk or someone authorized by her/him, to insert in their designated places all amendments or ordinances which indicate the intention of the Board of Aldermen to make the same a part of such Code when the same have been printed or reprinted in page form, and to extract from such Code all provisions which may be from time to time repealed by the Board of Aldermen. This copy of such code shall be available for all persons desiring to examine the same and shall be considered the official Code of Ordinances of the City of Dixon, Missouri.

Section 6. In case of the amendment of any section of such Code for which a penalty is not provided, the general penalty as provided in Section 1-21 of such code shall apply to the section as amended; or in the case such amendment contains provisions for which a penalty other than the aforementioned general penalty is provided in another section in the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended, unless such penalty is specifically repealed therein.

Section 7. It shall be unlawful for any person, firm or corporation in the City to change or amend by additions or deletions any part or portion of such Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Dixon to be misrepresented thereby. Any person, firm or corporation violating this section shall be punished by the provisions contained within this Code of the City of Dixon, Missouri.

Section 8. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 9. This ordinance shall become in full force and effect from and after its passage and approval.

FIRST READING ✓ SECOND READING ✓ THIRD READING ✓

PASSED this 4 day of March, 198<sup>6</sup><sub>5</sub>

Quentin Edwards  
Mayor

ATTEST:

Lorna Thomas  
City Clerk

Approved as to form and content:

\_\_\_\_\_  
City Attorney

Ordinance No. 276

AN ORDINANCE AUTHORIZING GRANTING OF EASEMENT; FIXING  
AN EFFECTIVE DATE

WHEREAS, it has been brought to the attention of the Board of Aldermen of the City of Dixon, Missouri that a commercial building located at the Northeast corner of 5th Street (also known as Missouri Highway #28) and Ellen Street in the City of Dixon, Missouri encroaches onto Ellen Street; And

WHEREAS, the said encroachment has been found and determined by the Board of Aldermen not to impede the use of Ellen Street as a public roadway; And

WHEREAS, the Board of Aldermen has found and determined that to require the removal of the said encroachment would entail unreasonable expense; And

WHEREAS, the Board of Aldermen has found and determined that it would not be detrimental to the best interests of the City of Dixon, or of the inhabitants thereof, to permit the said encroachment to continue to exist and to grant an easement authorizing the said encroachment;

NOW THEREFORE:

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON AS FOLLOWS:

SECTION 1. That as long as the existing concrete block store building situated at the Northeast corner of 5th Street (also known as Missouri Highway #28) and Ellen Street in the City of Dixon, Missouri is in place the encroachment of that building onto the portion of Ellen Street specifically described in Section 2 hereof is sanctioned.

SECTION 2. That the City of Dixon shall grant unto James Clinic and Associates, Inc., a Missouri corporation, and unto its successors and assigns, an easement over that portion of Ellen Street in the City of Dixon described as follows, to-wit:

Beginning at the Southwest corner of Lot 10 in Block 4 of Shelton-Elkins Addition to the City of Dixon, Pulaski County, Missouri, per the plat thereof filed in the Recorder's Office of Pulaski County, Missouri, which point is the intersection of the North right-of-way of 5th Street (also known as Missouri Highway #28) and the East right-of-way of Ellen Street; thence North  $1^{\circ} 57' 40''$  West 18.18 feet along the East right-of-way of said Ellen Street to the South side of a concrete block building and to the true point of beginning of the tract herein described; thence South  $88^{\circ} 28'$  West 1.34 feet along the South side of said building to its Southwest corner; thence North  $1^{\circ} 32'$  West 103.36 feet along the West side of said building to its Northwest corner; thence North  $88^{\circ} 28'$  East 0.57 feet along the North side of said building to the East right-of-way of said Ellen Street; thence South  $1^{\circ} 57' 40''$  East 103.36 feet along the East right-of-way of said Ellen Street to the true point of beginning of the tract herein described; containing 98.3 square feet. Description per survey (R-557) made by Elgin Surveying & Engineering, Inc. under date of June 5, 1985.

for the purpose of permitting the use of the above described real estate by the said existing concrete block building.

SECTION 3. That the Mayor and City Clerk of the City of Dixon are authorized to execute, on behalf of the City of Dixon, appropriate document(s) to evidence the grant of the said easement.

SECTION 4. That this ordinance shall be in full force and effect from and after its passage and approval.

READ THREE TIMES and passed by the Board of Aldermen of the City of Dixon on this 14 day of June, 1985.

John Sheppard  
Mayor  
Acting Mayor

ATTEST:

Donna Thomas  
City Clerk

APPROVED by the mayor this 14 day of June, 1985.

John Sheppard  
Mayor  
Acting Mayor

TO HAVE AND TO HOLD, the same with all Rights, Immunities, Privileges and Appurtenances thereto belonging, unto the said party of the Second Part, and its successors and assigns FOREVER, so that neither the said party of the First Part, nor any other persons, for it or in its name or behalf, shall or will hereafter claim or demand any right, or title to the aforesaid premises, or any part thereof, but they and every one of them shall, by these presents, be excluded and forever barred.

In Witness Whereof, The said party of the First Part has caused these presents to be signed by ~~xxx~~ the acting president of its Board of Aldermen and its ~~corporate~~ official seal to be hereunto affixed, the day and year first above written.

ATTEST:

Donna Thomas  
Donna Thomas, City Clerk

\*Erase this clause in case this Deed is not made in release of some other instrument.

CITY OF DIXON

By: John Sheppard

John Sheppard, acting president of the Board of Aldermen

STATE OF MISSOURI,

} ss.

County of Pulaski

On this 14th day of June

19 85, before me appeared

John Sheppard

to me personally known, who, being by me duly sworn, did say that he is the acting president of the Board of Aldermen of City of Dixon

a municipal

Corporation of the State of

Missouri

, and that the seal affixed to foregoing instrument is the ~~corporate~~ official seal of said

~~Corporation~~ City

, and that said instrument was signed and sealed in behalf of said

~~Corporation~~ City

, by authority of its Board of Directors

~~xxx~~

Board of Aldermen

and John Sheppard

acknowledged said instrument to be the free act and deed of said ~~Corporation~~ City, and he acknowledged that the Mayor of the is now absent from the City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official

seal, at my office in Dixon, Mo.

the day and

year first above written.

My term expires

August 28, 1986

Gregory Campbell

Notary Public

GREGORY P CAMPBELL, Notary Public  
State of Missouri, Pulaski County  
MY COMMISSION EXPIRES AUG. 28, 1986

# QUIT-CLAIM DEED

BY A CORPORATION

THIS INDENTURE, Made on the 14th day of June A. D. One Thousand  
Nine Hundred and eighty-five, by and between  
City of Dixon, a municipal corporation of the State of Missouri

~~xxxxxxxxxxxxxxxxxxxxxxxx~~

party of the First Part and

James Clinic and Associates, Inc., a Missouri corporation  
of the County of Phelps in the State of Missouri  
part y of the Second Part (mailing address of said first named grantee is

107 West Eldon Street, St. James, MO 65559 ):

WITNESSETH, That the said party of the First Part, in consideration of the sum of  
Other Valuable Consideration and TEN & No/100 - - DOLLARS  
to it paid by the said part y of the Second Part, the receipt of which is hereby acknowledged, does by  
these presents, REMISE, RELEASE AND FOREVER QUIT-CLAIM, unto the said part y of the Second Part, the  
following described Lots, Tracts, or Parcels of Land, lying, being and situate in the County of  
Pulaski and State of Missouri to-wit:

An easement over, and right to use as the location of a portion of an existing  
concrete block building, the following described portion of Ellen Street in the City  
of Dixon, Missouri, to-wit:

Beginning at the Southwest corner of Lot 10 in Block 4 of Shelton-Elkins  
Addition to the City of Dixon, Pulaski County, Missouri, per the plat thereof filed  
in the Recorder's Office of Pulaski County, Missouri, which point is the intersection  
of the North right-of-way of 5th Street (also known as Missouri Highway #28) and the  
East right-of-way of Ellen Street; thence North 1° 57' 40" West 18.18 feet along the  
East right-of-way of said Ellen Street to the South side of a concrete block building  
and to the true point of beginning of the tract herein described; thence South 88° 28'  
West 1.34 feet along the South side of said building to its Southwest corner; thence  
North 1° 32' West 103.36 feet along the West side of said building to its Northwest  
corner; thence North 88° 28' East 0.57 feet along the North side of said building  
to the East right-of-way of said Ellen Street; thence South 1° 57' 40" East 103.36  
feet along the East right-of-way of said Ellen Street to the true point of beginning  
of the tract herein described; containing 98.3 square feet. Description per survey  
(R-557) made by Elgin Surveying & Engineering, Inc. under date of June 5, 1985.

NOTE: This easement shall remain in effect as long as the said existing concrete block  
building located on the South 140 feet of Lot 10 in Block 4 of Shelton-Elkins Addition  
to the City of Dixon, Pulaski County, Missouri is in place and encroaches onto Ellen  
Street.

ORDINANCE NO. 277

AN ORDINANCE REQUIRING THE OWNERS OF PROPERTY IN THE CITY OF DIXON, MISSOURI, TO DISPLAY STREET NUMBERS ON THEIR DWELLING OR STRUCTURE; WITH PENALTY PROVISIONS.

WHEREAS, the City of Dixon, Missouri, is an expanding municipality with new streets, subdivisions and construction projects continually being developed; and,

WHEREAS, the Board of Aldermen of the City of Dixon, Missouri is aware of and concerned about the ability of law enforcement, fire protection, and health service agencies being able to locate exact locations of residences, businesses, and other properties situated within the corporate limits of the City of Dixon; and,

WHEREAS, the Board of Aldermen of the City of Dixon, Missouri, is convinced that one of the best means available to assist such agencies in locating properties and residents of the City during times of emergencies is to have clearly posted street numbers on each house, factory, warehouse, business place and all other structures and dwellings in the City of Dixon, Missouri;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI AS FOLLOWS:

Section 1: The owner of each single family, multi-family or other dwelling at which people reside shall display, in a conspicuous place on that portion of such dwelling which faces a public street the street number of such dwelling in arabic numerals at least four inches in height and in colors that contrast with the color of the dwelling upon which such numbers are placed. Such numbers shall be displayed regardless of whether the dwelling is vacant or occupied by tenants.



Section 2: The owner of each business or commercial building, including warehouses, factories, service stations, motels, hotels, shops, shopping centers, garages, office buildings, and all other properties in which commercial or business enterprises are doing business and all government and scholastic buildings, dorms, residences, classroom buildings and structures appurtenant thereto, and all church buildings and structures, shall display, in a conspicuous place on that portion of such structure that faces a public street, the street number of said structure in arabic numerals at least six inches in height and in colors that contrast with the color of the structure upon which such numbers are displayed. Such numbers shall be displayed regardless of whether such structures are vacant or occupied by tenants.

Section 3: The numbers required to be displayed under the provisions of this ordinance shall be those numbers that are determined by the City and United States Postal Service as the mailing address for each such location.

Section 4: The provisions of this ordinance shall be applicable to private and non-dedicated streets situated within developments that require plat approval under the ordinance of the city of Dixon, Missouri.

Section 5: In any instance in which a house or other structure described in this ordinance is situated a distance of 100 feet or more from the roadway, such street number shall be displayed in a like manner as provided herein on a sign located not more than 25 feet from said roadway.

Section 6: It is specifically required by the provisions of this ordinance that arabic numbers be displayed and that the displaying of script, roman or other form of numerical connotation shall not satisfy the requirements of this ordinance.

Section 7: A violation of the requirements of this ordinance shall constitute an offense which shall be punishable by a fine not to exceed \$50.00. Each day that such dwelling or structure shall remain in violation of the requirements of this ordinance shall subject the owner thereof to prosecution for a separate offense.

Section 8: This ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI AND APPROVED BY THE MAYOR THIS 1<sup>ST</sup> DAY OF July, 1985.

APPROVED:

QC Davis  
Quentin Davis, Mayor

ATTEST:

Donna Thomas  
Donna Thomas, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor

An Ordinance of the City of Dixon, Missouri, authorizing, fixing, and determining a rate of levy on the hundred dollar valuation on all taxable property within the City of Dixon levied and collected upon all property within said City for the year of 1985.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, COUNTY OF PULASKI, STATE OF MISSOURI, AS FOLLOWS:

Section 1. That pursuant to the authority and direction of the laws of the State of Missouri, relevant to cities of the fourth class and pursuant to the authority of the qualified voter at due and proper elections held in said City, that there shall be levied and collected as taxes for the year of 1985, upon all real, personal and mixed property taxable within the City of Dixon, Missouri, at the rate of \$1.53 cents on the \$100.00 assessed valuation as per the following purposes.

FOR GENERAL REVENUE ON EACH \$100.00 ASSESSED EVALUATION.....	\$0.40
FOR PUBLIC LIBRARY.....	\$0.02
FOR BONDS AND ANNUAL INTEREST ON GENERAL OBLIGATION	
BONDS ON THE \$100.00 VALUATION.....	\$1.11
TOTAL.....	\$1.53

And that the above rate levy on the \$100.00 assessed valuation of taxable property in said City of Dixon, be and is hereby made the true and lawful levy for said City for the year of 1985.

Section 2. That the City Clerk is hereby authorized and directed to furnish a certified copy of this ordinance to the Clerk of the County Court of Pulaski County, Missouri, within the time required by law for the filing City rates with said Clerk.

Read first, second and third time and approved by the following votes.

AYES 4

NAYES 0

Passed and approved this 15<sup>th</sup> date of August, 1985.

ATTEST:

Donna Thomas  
City Clerk

Quentin C. Davis  
Mayor, Quentin C. Davis

State of Missouri, County of Pulaski, City of Dixon

I, Donna Thomas, Clerk for the City of Dixon, Pulaski County, State of Missouri, do hereby certify that the above and foregoing is a true and complete copy of the ordinance for the City of Dixon, Missouri, fixing the tax rate for the year 1985, Upon all taxable property within said City as fully as same appears recorded in Ordinance record book of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said City.

Done at my office in the City Hall in Dixon, Missouri, this the 15<sup>th</sup> of August August 1985.....

SEAL:

Donna Thomas  
City Clerk, Donna Thomas

ORDINANCE NUMBER 279

AN ORDINANCE ESTABLISHING OPENING AND CLOSING HOURS FOR CERTAIN BUSINESSES SERVING ALCOHOLIC BEVERAGES WITHIN THE CITY OF DIXON, MISSOURI; WITH PENALTY PROVISIONS:

RECITALS:

A. The City of Dixon, Missouri, has an interest in limiting the hours during which alcoholic beverages may be served, sold or otherwise disposed of, in order to ensure the protection of the public health and safety; and

B. It is the desire of the Board of Aldermen for the City by this Ordinance to control and regulate such service, sale and other disposal, and provide penalties for violation hereof.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1: It shall be unlawful for any person to sell, give, serve or otherwise dispose of, for compensation or otherwise, or suffer the same to be done, upon any premises, any form of alcoholic beverage, in any quantity between the hours of twelve o'clock midnight and six o'clock a.m. of any Monday through Thursday, provided, however that sale of alcohol shall be lawful under this ordinance until 1:00 o'clock a.m. each Saturday and Sunday, provided further that no establishment selling, serving or otherwise disposing of alcoholic beverages shall remain open later than 12:00 midnight Monday through Thursday and 1:30 a.m. on Saturday and Sunday.

Section 2: The term "person" as used in this Ordinance shall mean any individual, association, partnership, corporation or other legal entity.

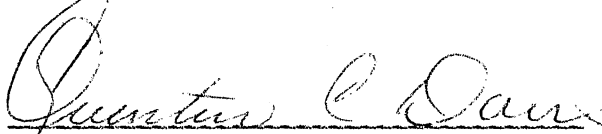
Section 3: The term "alcoholic beverage" as used in this Ordinance shall mean and include alcohol for beverage purposes, alcoholic, spirituous, vinous, fermented, malt, or other liquors, or combinations of liquors, and all preparations or mixtures for beverage purposes, containing in excess of three and two-tenths of alcohol by weight.

Section 4: Any person violating the provisions of this Ordinance shall, upon conviction, be fined not more than FIVE HUNDRED AND NO/100THS DOLLARS (\$500.00) or sentenced to a term of confinement not to exceed THIRTY DAYS (30), or both, for each such offense.

Section 5: This Ordinance shall be in full force and effect from and after the date of its approval.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AND APPROVED BY THE MAYOR THIS 5<sup>th</sup> DAY OF September, 1985.

APPROVED:

  
Quentin Davis, Mayor

ATTEST:

  
Donna Thomas, City Clerk

ORDINANCE NUMBER 280

AN ORDINANCE PROVIDING FOR THE SALE OF WATER BY THE CITY OF DIXON, MISSOURI, TO PUBLIC WATER SUPPLY DISTRICT NUMBER 3 OF PULASKI COUNTY, MISSOURI.

RECITALS:

A. The City of Dixon, Missouri, desires to sell to the Public Water Supply District Number 3 of Pulaski County, Missouri, water produced by said City; and

B. It is the desire of Public Water Supply District Number 3 of Pulaski County, Missouri, to purchase such water from the City of Dixon, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN FOR THE CITY OF DIXON, MISSOURI, AS FOLLOWS:


Section 1: The City of Dixon, Missouri, shall be and is hereby authorized to sell to Public Water Supply District Number 3 of Pulaski County, Missouri, water under the terms and conditions and at the rates specified specifically in the Water Purchase Contract, attached hereto to as Exhibit A, and made a part hereof.

Section 2: The Water Purchase Contract attached hereto as aforesaid shall be and the same is hereby approved and the Mayor of said City is hereby authorized and directed to execute said contract on behalf of City, and the Clerk is hereby authorized and directed to attest the signing of said Contract on behalf of City.

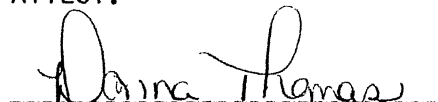
Section 3: This Ordinance shall be in full force and effect from and after its dated approval.

PASSED AND APPROVED BY THE BOARD OF ALDERMAN AND MAYOR OF THE CITY OF DIXON, MISSOURI, THIS 7<sup>th</sup> DAY OF OCTOBER, 1985.

APPROVED:

  
QUENTIN C. DAVIS, MAYOR  
CITY OF DIXON, MISSOURI

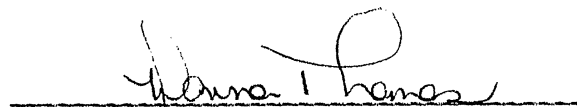
ATTEST:

  
Donna Thomas, City Clerk

STATE OF MISSOURI     )  
                                  ) ss.  
COUNTY OF PULASKI    )

I, DONNA THOMAS, City Clerk within and for the City of Dixon, in the County of Pulaski, State of Missouri, do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance Number 280 of the said City, as passed by the City Council and approved by the Mayor of the City on the 7<sup>th</sup> day of October, 1985, as fully as the same appears and remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said City at my office in said City this 7 day of October, 1985.

  
DONNA THOMAS, City Clerk  
City of Dixon, Missouri

(Corporate Seal)



WATER PURCHASE CONTRACT

THIS AGREEMENT, Made and Entered into this 21 day of October, 1985, by and between the City of Dixon, a municipal corporation of the State of Missouri, hereinafter referred to as Seller, and Public Water Supply District No. 3 of Pulaski County, Missouri, hereinafter referred to as Buyer; WITNESSETH:

WHEREAS, Buyer is organized under the provisions of Chapter 247, RSMo 1969, for the purpose of constructing and operating a public water supply system for inhabitants of certain portions of Pulaski County, Missouri; And

WHEREAS, Buyer is currently engaged in a project to provide a water supply system to furnish water to its customers in a part of Pulaski County, Missouri located in an area located near the City Limits of the City of Dixon; And

WHEREAS, Seller owns and operates a water supply distribution system with a capacity currently capable of serving the present customers of Seller's system and the estimated number of water users to be served under this agreement; And

WHEREAS, by Ordinance No. 280, adopted by the Board of Aldermen and approved by the Mayor of the City of Dixon on the 7 day of October, 1985, the execution of this agreement by the Seller was authorized; And

WHEREAS, by a resolution duly adopted by the Board of Directors of Buyer on the 9 day of October, 1985 the execution of this agreement by the Buyer was authorized;

NOW THEREFORE, in consideration of the foregoing and of the mutual agreements hereinafter set forth, the parties promise and agree as follows:

A. The Seller agrees:

1. To furnish Buyer at the point of delivery hereinafter specified, during the term of this contract or any renewal or extension thereof, potable treated water meeting applicable purity standards of the Missouri Division of Health in such quantity as may be required by Buyer not to exceed 300,000 gallons per month without renegotiation.

2. That water furnished by Seller hereunder will be furnished at a reasonably constant pressure calculated at not less than 35 P.S.I. from an existing 6" inch main supply at a point located at the eastern edge of the present City Limits of the City of Dixon, Missouri. If a greater pressure than that normally available at the point of delivery is required by Buyer then the cost of providing such greater pressure shall be borne by Buyer.

3. To read the meter and equipment (hereinafter described) on or about the 30 day of each month to establish the amount of water furnished the Buyer during the preceding billing period, which shall be a period of approximately thirty (30) days.

4. To furnish the Buyer at its address not later than the 5th day of each month with an itemized statement of the amount of water furnished by Seller to Buyer during the preceding billing period and the sum due for such water.

B. The Buyer agrees:

1. To pay the Seller not later than the 20th day of each month (if the itemized statement required by Paragraph A.4 is received on time) for water delivered in accordance with the following schedule of rates:

- a. \$ 65.00 for the first 50,000 gallons, which amount shall be the minimum bill per month;
- b. 50 cents per 1,000 gallons for water in excess of 50,000 gallons
- c. 45 cents per 1,000 gallons for water in excess of 200,000 gallons

2. To furnish, install, operate and maintain at its own expense at the point of delivery the necessary metering equipment, including a meter house or pit, and required devices of standard type for properly measuring the quantity of water delivered to Buyer, and to calibrate such meter and equipment whenever requested by Seller not more frequently than every twelve (12) months. A meter registering not more than two percent (2 %) above or below the test result shall be deemed accurate. The previous readings of any meter disclosed by test to be inaccurate shall be corrected for the three (3) months previous to such test in accordance with the percentage of inaccuracy found by such tests. If any meter fails to register for any period the amount of water furnished during such period then the amount of water furnished during such period shall be deemed to be the amount of water delivered in the corresponding period immediately prior to the failure, unless Seller and Buyer shall agree upon a different amount.

3. To pay within 30 days after initial delivery of water hereunder the sum of \$ 0 to Seller as compensation for any connection expense incurred by Seller in allowing Buyer to connect the said meter and equipment to Seller's distribution lines.

C. The Seller and Buyer mutually agree:

1. That Buyer shall at all reasonable times have access to the meter and equipment for the purpose of verifying the readings.
2. That all meters and equipment furnished by Buyer hereunder shall remain the property of Buyer and may be removed by Buyer upon the termination of this agreement for any reason; provided, however, that Buyer shall repair any damage to Seller's facilities and equipment caused by such removal.
3. That this contract shall extend for a term of 35 years from the date of the initial delivery of any water as shown by the first bill submitted by Seller to Buyer

and thereafter may be renewed or extended for such term or terms as may be agreed upon by the Seller and Buyer; provided, however, that water furnished under the provisions of Paragraph B.5 hereof shall not be considered to be an initial delivery of water.

4. That at least 30 days prior to the estimated date of completion of construction of the water distribution system of Buyer (for which this contract is being executed) the Buyer will notify the Seller in writing the date for the initial delivery of water hereunder.

5. When requested by Buyer, the Seller will make available to the Buyer or its agents, employees or contractors of Buyer, at the point of delivery, water sufficient for testing, flushing and trench filling the system of Buyer during construction, even though the metering equipment may not have been installed at that time; provided, however, that the amount of water so furnished to Buyer shall be determined by some appropriate means and Buyer shall pay, upon demand, the charge for such water, which charge shall be computed under the regular "commercial" rate schedule then in effect in the City of Dixon. It is understood and agreed that the rate schedule set forth in Paragraph B.1 hereof shall not apply to water furnished for testing, flushing and trench filling the system of Buyer during construction.

6. That Seller will, at all times, operate and maintain its system in an efficient manner and will take such action as may be necessary to furnish Buyer with quantities of water required by Buyer. Temporary or partial failures to deliver water shall be remedied with all possible dispatch. In the event of an extended shortage of water, or if the supply of water available to Seller is otherwise diminished over an extended period of time, the supply of water to Buyer's consumers shall be reduced or diminished in the same ratio or proportion as the supply to Seller's consumers is reduced or diminished.

7. That Buyer will operate and maintain its distribution facilities in an efficient manner and will take such action as may be necessary to conserve water when the need therefor arises.

8. That the provisions of this contract pertaining to the schedule of rates to be paid by Buyer for water delivered by Seller are subject to modification as of each third annual anniversary of the date of the initial delivery of water hereunder. Any increase or decrease in such rates shall be based on a demonstrable increase or decrease in the cost of Seller's performance hereunder, but not including any increased capitalization of Seller's system. Any increase or decrease in rates shall be prospective only. If either party wishes to cause a modification of the rates as herein provided then that party shall give written notice thereof to the other party at least 4 months prior to the

next succeeding fifth annual anniversary of the date of the initial delivery of water hereunder, and thereafter the parties shall promptly exchange all relevant information concerning the costs of Seller's performance hereunder to arrive at the correct amount of the modification in the rates.

9. That this contract is subject to such rules, regulations or laws as may be applicable to similar agreements in the State of Missouri, and the Seller and Buyer will collaborate in obtaining such permits, certificates or the like as may be required to comply therewith; provided, however, that all expenses therefor shall be borne by Buyer.

10. That the construction of the water supply distribution system by Buyer, for which this contract is being executed, is being financed by a loan made or insured by, and/or a grant from, the United States of America, acting through the Farmers Home Administration of the United States Department of Agriculture, and the provisions hereof pertaining to the undertakings of the Buyer are conditioned upon the approval, in writing, of the State Director of the Farmers Home Administration.

11. That in the event of any occurrence rendering the Buyer incapable of performing under this contract, any successor of Buyer, whether the result of legal process, assignment or otherwise, shall succeed to the rights and responsibilities of the Buyer hereunder.

12. Notwithstanding any other provision of this contract, the Buyer may, upon 180 days' written notice to Seller, terminate this contract if the Buyer constructs its own facilities for furnishing water for its customers (in the area for which this contract is being executed).

13. That all notices, statements of account and other communications between the parties hereto shall be in writing and shall be mailed, by first class mail, postage prepaid, to the respective parties at the following address:

For Seller: P.O. Box 177, Dixon Mo 65459;

For Buyer: P. O. Box 156, Crocker, MO 65452

or to such other address as may be furnished by the respective parties.

IN WITNESS WHERE the parties hereto, acting under authority of their respective governing bodies, as of the date first above stated, have caused this contract to be duly executed in several counterparts, each of which shall constitute an original.

CITY OF DIXON, a municipal corporation

By:

Quentin Calais  
Mayor

ATTEST:

Donna Thomas  
City Clerk



PUBLIC WATER SUPPLY DISTRICT NO. 3 of PULASKI  
COUNTY, MISSOURI

By:

Walter Dickens

President

ATTEST:

Joy J. Cantrell  
Clerk

STATE OF MISSOURI )  
                          ) SS  
COUNTY OF PULASKI )

On this 7 day of NOV, 19 85 before me personally appeared  
Walter Dickens to me personally known and who, being by me duly sworn,  
states: that he is President of Public Water Supply District No. 3 of Pulaski County,  
Missouri, a public water supply district organized under the provisions of Chapter 247,  
RSMo 1969, and that the foregoing instrument was signed and sealed on behalf of the said  
public water supply district by authority of its Board of Directors, and that the same is  
the free act and deed of the said public water supply district.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal  
the day and year above written.

My commission expires

Dec 16, 1985

Clay Morgan

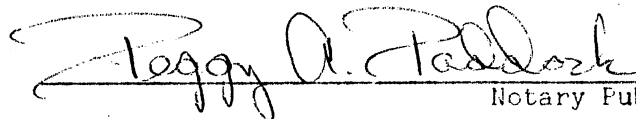
Notary Public

STATE OF MISSOURI )  
                              ) SS  
COUNTY OF PULASKI )

On this 21<sup>st</sup> day of October, 19 85 before me personally appeared Quentin C. Davis, to me personally known and who, being by me duly sworn, state that he is the Mayor of the City of Dixon, a municipal corporation of the State of Missouri, and that the foregoing instrument was signed and sealed on behalf of the said City by authority of its Board of Aldermen and that the same is the free act and deed of the said City.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year above written.

My commission expires June 10, 1989.

  
Notary Public

*Peggy A. Paddock, Notary Public  
Pulaski County, State of Missouri  
My Commission Expires June 10, 1989*

ORDINANCE NUMBER 281

AN ORDINANCE ANNEXING CERTAIN PROPERTY TO THE CITY OF DIXON, MISSOURI, PURSUANT TO THE PROVISIONS OF SECTION 71.012 OF THE REVISED STATUTES OF MISSOURI (1978) AS AMENDED:

WHEREAS, certified petitions have been duly filed with the Board of Alderman, signed by the owners of all fee interests of record, requesting that certain real property, as described below, be annexed to the city of Dixon, Missouri, pursuant to and in accordance with the provisions of Section 71.012, et. seq., Revised Statutes of Missouri (1978); and

WHEREAS, the Board of Alderman of the City did receive said petitions and an order that public hearing(s) be held at the Dixon City Hall on the following date(s):

Petition was accepted by the City Council of the City of Dixon, Special hearing was held at 7:00 p.m. on September 26, 1985

so as to afford any interested person, corporation or political subdivision the opportunity to present evidence regarding the proposed annexations, and further order that notice of the date, time and place of said hearing(s) be published in a newspaper of general circulation in the City of Dixon, Missouri; and

WHEREAS, after considering all of the evidence presented at said hearing(s) both in favor of the petitions for annexation and those who were opposed, the Board of Alderman finds that:

1. The area proposed for annexation is contiguous to the existing corporate limits of the City of Dixon, Missouri.
2. The petitions for annexation have been duly signed, dated, and verified by all of the owners of all fee interests of record in and to said property as shown on said petitions.

3. The annexation is reasonable and necessary to the proper development of the City.

4. The City of Dixon, Missouri, is able to furnish normal, municipal services to said unincorporated area within a reasonable time after said annexation is to become effective.

5. No parties appeared at any said hearing in opposition to any of the proposed annexations.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1: That the real property described below be and the same is hereby annexed to the City of Dixon, Missouri, said property being more particularly described as follows:

All that part of the Northeast quarter of the Southeast quarter lying North of County Road of Section 23, Township 38 North, Range 11 West of the 5th P.M., Pulaski County, Missouri, described as follows: Beginning at the Southeast corner of the Northeast quarter of the Southeast Quarter of Section 23, Township 38 North, Range 11 West of the 5th P.M. thence West 80' along the North line of County Road to the true point of beginning of the tract herein described; West 125'; North 105'; East 125'; South 105'; to the true point of beginning of the tract in Pulaski County, Missouri.


Section 2: The City Clerk in and for the City of Dixon, Missouri, is hereby instructed to file three certified copies of this Ordinance with the Clerk of Pulaski County, Missouri.


Section 3: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED BY THE BOARD OF ALDERMAN AND MAYOR OF THE CITY OF  
DIXON, MISSOURI, THIS 7 DAY OF OCTOBER, 1985.



APPROVED:

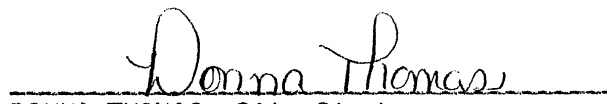
  
Quentin C. Davis, Mayor  
City of Dixon, Missouri

ATTEST:  
  
Donna Thomas, City Clerk

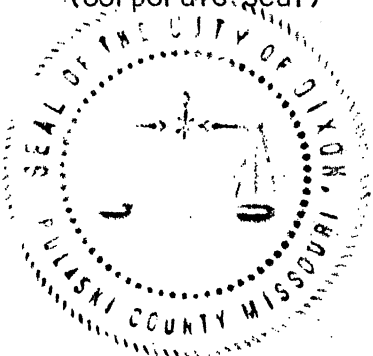
STATE OF MISSOURI     )  
                                  ) ss.  
COUNTY OF PULASKI    )

I, DONNA THOMAS, City Clerk within and for the City of Dixon, in the County of Pulaski, State of Missouri, do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance No. 281 of the said City, as passed by the City Council and approved by the Mayor of the City on the 7 day of October, 1985, as fully as the same appears and remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said City at my office in said City this 7<sup>th</sup> day of October, 1985.

  
DONNA THOMAS, City Clerk  
City of Dixon, Missouri

(Corporate Seal)



TATE

COUNTY OF PULASKI

4710

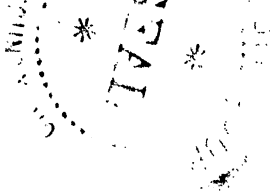
FILED FOR RECORD THIS

7 DAY OF Nov 19 85

AT 10 O'CLOCK 30 A M

Wm. A. Jones

RECORDER



RECORDED

189.

THIS RECORDER'S OFFICE

COUNTY OF PULASKI

I Wm. A. Jones, Circuit Clerk and ex-officio Recorder of Deeds of said County hereby certify that the within instrument of writing was on 7 day of Nov. A.D. 19 85 at 10 o'clock 30 minutes A.M. duly filed for record in this office, and is recorded in the records of this office book 350 Page 199

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City of Waynesville, Missouri this 7 day of Nov. A.D. 19 85

By Nancy Doolin Deputy Wm. A. Jones Recorder

AN ORDINANCE HIRING AND FIXING THE SALARY FOR THE CITY CLERK FOR A PERIOD OF ONE (1) YEAR.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1: Said City does hereby hire DONNA THOMAS as City Clerk of the City of Dixon for a period of one (1) year, commencing on November 1, 1986.

Section 2: The said City Clerk shall receive as compensation for her services the sum of FIVE AND 50/100THS DOLLARS (\$5.50) per hour.

Section 3: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

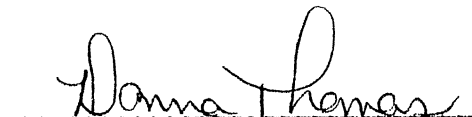
PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AND APPROVED BY THE MAYOR THIS 2 DAY OF December 85.

APPROVED:

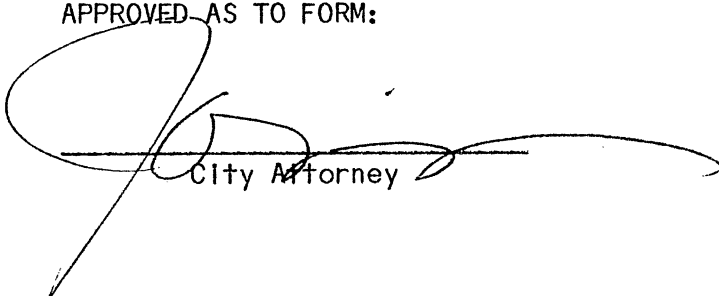


QUENTIN C. DAVIS, MAYOR  
CITY OF DIXON, MISSOURI

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney

ORDINANCE NO. 283

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF DIXON, MISSOURI, TO EXECUTE ON BEHALF OF SAID CITY THAT CERTAIN AGREEMENT FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

SECTION 1:

The Mayor of the City is hereby authorized and directed to execute on behalf of the City that certain Agreement for the collection and disposal of solid waste within the City which is attached hereto and approved as if set out at length.

SECTION 2:

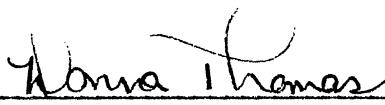
This Ordinance shall be in full force and effect from and after January 7, 1986, through January 6, 1987.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, and approved by the Mayor this 6th day of January, 1986

APPROVED:

  
Quentin Davis, Mayor

ATTEST:

  
Donna Thomas, Clerk



## AGREEMENT

THIS AGREEMENT made and entered into this 7th day of January, 1986, by and between the CITY OF DIXON, MISSOURI (hereinafter referred to as "City") and SMALL WATSON, individual of Dixon, Missouri, doing business as WATSON SANITATION (hereinafter referred to as "Contractor").

### RECITALS:

(a) Ordinance 272 for the City of Dixon, Missouri, authorizes the City to enter into a contract with a solid waste collection agency for the purpose of collecting solid waste and removing the same from the City of Dixon, as required by said Ordinance.

(b) Contractor has for the past several months been providing such service to the City on a month-to-month basis.

(c) As authorized by said Ordinance, City has been collecting on behalf of Contractor its fixed service charge for the collection of such solid waste and has been retaining four percent of the total service charge as its fee for such service.

(d) The parties by this Agreement now desire to enter into a one year contract for the collection by Contractor of solid waste within the aforesaid City.

NOW, THEREFORE, in consideration of the premises, and for the mutual covenants and undertakings hereinafter set forth, the parties do hereby agree as follows:

### Section 1--Definitions:

The following terms as used in this Ordinance shall have the following definitions:

(a) City: The City of Dixon, Missouri.

(b) Collection: The collection, removal and transportation of all solid waste from its place of storage and transporting it to its place of processing or disposal.

(c) Demolition and construction waste: All waste materials from the construction or destruction of residential, industrial or commercial structures or improvements upon real estate.

(d) Disposal solid waste container: Any commercially marketed, disposal plastic bag with a capacity of 20 to 35 gallons especially designed, manufactured and sold for the purpose of storing solid waste.

(e) Garbage: Putrescible animal or vegetable waste resulting from the handling, preparation, cooking, serving or consumption of food.

(f) Hazardous waste: This term shall include but is not limited to pathological wastes, explosive waste, pesticides, pesticide containers, toxic or radio active materials.

(g) Multi-housing facility: Any housing facility containing more than one dwelling unit under one roof.

(h) Occupant: Any person who, alone or jointly or severally with others, shall be in actual possession of any dwelling unit or if any other improved real property, either as an owner or as a tenant.

(i) Person: Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, or organization of any kind.

(j) Processing: This term shall mean the incineration, composting, baling, shredding, salvaging, compacting, or any other process whereby solid waste characteristics are modified or solid waste quantity is reduced.

(k) Refuse: All solid waste.

(l) Residential dwelling unit: Any room or group of rooms located within a structure, and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

(m) Solid waste: All unwanted or discarded waste materials in solid or semi-solid state, including but not limited to garbage, ashes, street refuse, rubbish, dead animals, animal and agricultural waste, yard waste, discarded appliances, special waste, industrial waste, demolition and construction waste, and any waste material produced through commercial activity or residential living. Commercial solid waste shall be all solid waste resulting from the operation of any commercial, industrial, institutional or agricultural establishment, and multiple housing facilities with more than four dwelling units. Residential solid waste shall be solid waste shall be solid waste resulting from the maintenance and operation of dwelling units excluding multiple housing facilities with more than four dwelling units.

(n) Solid waste container: Any receptacle used by any person to store solid waste prior to its collection.

(o) Solid waste disposal: The process of discarding solid waste.

## Section 2--Collection of Solid Waste:

(a) Effective January 7, 1985, Contractor shall collect all solid waste within the City. Solid waste shall be collected from all residential dwelling units, multiple housing facilities and commercial establishments in the manner herein provided.

(b) All solid waste stored as herein provided shall be collected. All solid waste collected shall, upon being loaded into collection equipment, become the property of the Contractor.

(c) All solid waste shall be placed at the curb or alley, as practice may dictate, for collection. Contractor shall pick up and suitably dispose of all solid waste deposited by residents in compliance with Ordinance 272.

(d) Contractor is authorized to enter upon private property for the purpose of collecting solid waste therefrom as required by this Agreement and Ordinance 272. Contractor shall not enter dwelling units or other residential buildings for the purpose of collecting residential solid waste. Commercial solid waste may be removed from within commercial establishments upon request of the owner thereof.

(e) The following collection frequencies shall apply to collections of solid waste within the City: All residential solid waste shall be collected at least once weekly. All commercial solid waste shall be collected at least once weekly and may be collected at such lesser intervals as shall be fixed by the City Clerk upon a determination that such lesser intervals are not detrimental to the preservation of the health or safety of the public.

(f) All collection vehicles shall be maintained in a safe, clean and sanitary condition, and shall be so constructed, maintained and operated as to prevent spillage of solid waste therefrom. All vehicles to be used for collection of solid waste shall be constructed with water-tight bodies and with covers which shall be an integral part of the vehicle or shall be a separate cover of suitable material with fasteners designed to secure all sides of the cover to the vehicle and shall be secured whenever the vehicle is transporting solid waste, or, as an alternative, the entire bodies thereof shall be enclosed, with only loading hoppers exposed. No solid waste shall be transported in the loading hoppers.

### Section 3--Disposal of Solid Waste:

(a) Solid waste shall be disposed of at a processing facility or disposal area approved by the City and complying with all requirements of the Missouri Division of Health.

(b) The City Clerk may classify certain waste as hazardous waste which will require special handling and shall be disposed of only in a manner acceptable to the City Clerk and which will

meet all local, State and Federal regulations.

#### Section 4--Insurance and Enforcement:

(a) Contractor shall obtain and provide City Clerk with evidence of satisfactory public liability insurance, covering all operations of Contractor pertaining to collection of solid waste, and all vehicles to be operated in the conduct thereof, in the amount of not less than \$100,000.00 per person, and in the amount of not less than \$300,000.00 per occurrence, in the event of injury or death of two or more persons in any single accident, and in the amount of not less than \$50,000.00 damage to property, per occurrence. Such policy may be written to allow the first \$100.00 of liability for damage to property to be deductible. Should any such policy be cancelled, the City Clerk shall be notified of such cancellation by the insurance carrier in writing not less than ten days prior to the effective date of such cancellation, and provisions to that effect shall be incorporated in such policy, which shall also place upon the company writing such policy the duty to give such notice.

(b) Contractor shall comply with all City, State and Federal laws, rules and regulations pertaining to the collection, transportation and disposal of solid wastes. In order to ensure compliance with this Section, the City Marshal is authorized to inspect all phases of Contractor's solid waste management within the City. In all instances where such inspections reveal violation of local law, the rules and regulations authorized herein for storage, collection, transportation, processing or disposal of solid waste, the laws of the State of Missouri, or federal laws, the Marshal shall issue a notice for each such violation stating therein the violation or violations found, together with the time in which corrections shall be made. Such notice shall give five days to effectuate corrective action.

(c) In all cases, when the corrective measures have not been taken within the time specified, the City Clerk may request the City to suspend, or revoke this Agreement.

#### Section 5--Contractor's Fee:

(a) Contractor's fee for the collection of residential solid waste shall be \$6.25 per month. City agrees to collect on behalf of Contractor this fixed service charge and shall be compensated for providing such service at the rate of \$.25 per residential billing per month. Contractor shall be entitled to a separate service charge for each dwelling unit, as defined by Ordinance 272.

(b) Contractor shall be responsible for negotiating the service fee to be charged commercial establishments for the collection of solid waste. City shall have no responsibility for collecting such commercial service charges for Contractor.

(d) Nothing in this Agreement shall prevent any person from individually contracting for the collection of solid waste provided that all requirements of Ordinance 272 have been met.

Section 6--General Provisions:

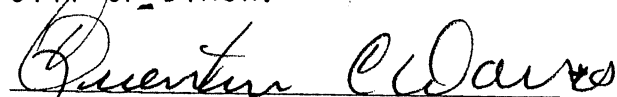
(a) Contractor acknowledges that it is an independent Contractor and that City will have no right to direct the work or details of Contractor's operation except as herein stated. Contractor agrees to indemnify and hold City harmless from any actions, suits or liability which may arise in connection with the performance of Contractor's aforesaid duties, for injury to either person or property.

(b) No amendment to this Agreement shall be effective unless it is placed in a writing and signed by both parties.

(c) Unless renewed, this Agreement shall expire at 11:59 p.m. on January 6, 1987.

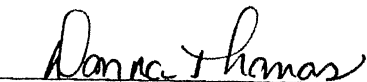
IN WITNESS WHEREOF, the parties set their hands on the date first above written.

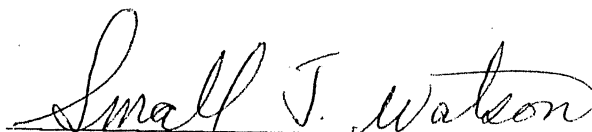
CITY OF DIXON:



By: Quentin Davis, Mayor

ATTEST:

  
Donna Thomas, Clerk



Small Watson

ORDINANCE 284

AN ORDINANCE ANNEXING CERTAIN PROPERTY INTO THE CITY OF DIXON, MISSOURI, PURSUANT TO THE PROVISIONS OF SECTION 71.012 OF THE REVISED STATUTES OF MISSOURI ( 1978 ) AS AMENDED:

Whereas, certified petitions have been duly filed with the Board of Aldermen, signed by the owners of all fee interests of record, requesting that certain real property, as described below, be annexed to the City of Dixon, Missouri, pursuant to and in accordance with the provisions of Section 71.012, et. seq. Revised Statutes of Missouri (1978); and

Whereas, the Board of aldermen of the City of Dixon did receive said petitions and an order that a public hearing (s) be held at the Dixon City Hall on the following date (s):

Petition was accepted by the City Council of the City of Dixon, Special Hearing was held at 2:00 p.m. on January 23rd, 1986.

as to afford any interested person, corporation or political subdivision the opportunity to present evidence regarding the proposed annexations, and further order that notice of date, time and place of said hearing (s) be published in a newspaper of general circulation in the City of Dixon, Missouri; and

Whereas, after considering all the evidence presented at said hearing (s) both in favor of the petitions for annexation and those who were opposed, the Board of Aldermen finds that:

1. The area proposed for annexation is contiguous to the existing corporate limits of the City of Dixon, Missouri.

2. The petitions for annexation have been duly signed, dated and verified by all of the owners of the fee interest of record in and to said property as shown on said petitions.

3. The annexation is reasonable and necessary to the proper development of the City.

4. The City of Dixon, Missouri, is able to furnish normal, municipal services to said unincorporated area within a reasonable time after said annexations is to become effective.

5. No parties appeared at any said hearing in opposition to any proposed annexations.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

All that part of the Southeast quarter of the Southeast quarter of Section 23, Township 38 North, Range 11 West of the 5th P.M. described as follows: Beginning at the Southeast corner of said forty; thence North 603.1 feet along the East line of said forty; thence South  $87^{\circ} 01'$  West 494 feet to the true point of beginning of the tract herein described; thence South  $87^{\circ} 01'$  West 80 feet; thence North  $5^{\circ} 54'$  West 200 feet; thence North  $87^{\circ} 01'$  East 80 feet; thence South  $5^{\circ} 54'$  East 200 feet to the true point of beginning of the tract herein described. Subject to any easements of record. This deed subject to deed of trust recorded in Book No. 214 at page 372 in the Pulaski County Missouri recorder's office. Deed of Trust dated December 13, 1967.

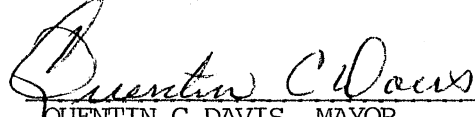
Section 1: That the real property described above be and the same is hereby annexed to the City of Dixon, Missouri, said property being more particularly described.

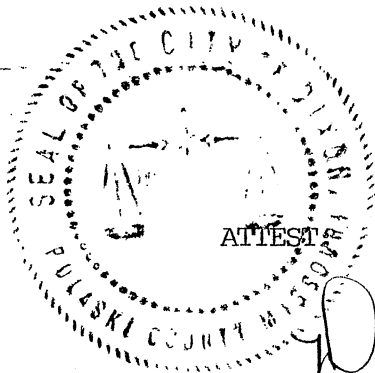
Section 2: The City Clerk in and for the City of Dixon, Missouri, is hereby instructed to file three certified copies of this ordinance with the Clerk of Pulaski County, Missouri.


Section 3. This Ordinnace shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED BY THE BOARD OF ALDERMEN AND MAYOR OF THE CITY OF DIXON, MISSOURI, THIS 3<sup>rd</sup> DAY OF FEBRUARY, 1986.

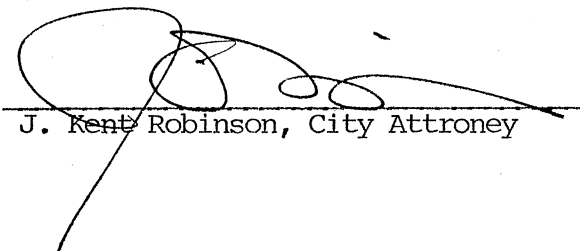
APPROVED:

  
QUENTIN C DAVIS, MAYOR



  
DONNA THOMAS, CITY CLERK

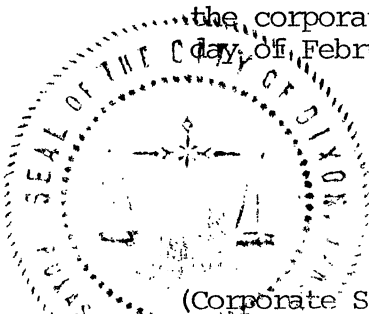
Approved as to form and content:

  
J. Kent Robinson, City Attroney

STATE OF MISSOURI           )  
  ) ss.  
COUNTY OF PULASKI        )

I, Donna Thomas, City Clerk within and for the City of Dixon, in the County of Pulaski, State of Missouri, do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance Number 284 of the said City, as passed by the City Council and approved by the Mayor of the City on the 3 day of February, 1986, as fully as the same appears and remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City at my office in said City this 3 day of February, 1986.



(Corporate Seal)

  
Donna Thomas, City Clerk





PETITION REQUESTING ANNEXATION BY CITY OF DIXON

We, the undersigned JOSEPH E. & ETHEL M. and BEYDLER, husband and wife, for our petition to the Board of Aldermen of the City of Dixon, Missouri state and allege as follows:

1. That we are the owners of all fee interests of record in the real estate in Pulaski County, Missouri described as follows, to-wit:

*attached to back*

2. That the said real estate is not now a part of any incorporated municipality.

3. That the said real estate is contiguous to the existing corporate limits of the City of Dixon, Missouri.

4. That we request that the said real estate be annexed to, and be included within the corporate limits of, the City of Dixon, Missouri, as authorized by the provisions of Section 71.012, RSMo.

5. That we request the Board of Aldermen of the City of Dixon to cause the required notice to be published and to conduct the public hearing required by law and to thereafter adopt an ordinance extending the limits of the City of Dixon to include the above described real estate.

Dated this second day of January 1986

Joseph E. Beydler

E. Ethel 277 Beydler

STATE OF MISSOURI )  
COUNTY OF PULASKI ) SS

COUNTY OF POLASKI)

On this second day of January 1986 before me personally appeared Joseph E. and Evelyn D. Brydles husband and wife, to me known to be the persons described in and who executed the foregoing and who, being first duly sworn on oath, acknowledged that they executed the same as their free act and deed.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year above written.

My commission expires September 10, 1986.

Harold G. Schickel  
Harold G. Schickel  
Notary Public

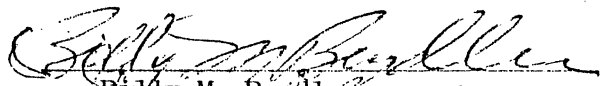
All that part of the Southeast quarter of the Southeast quarter of Section 23, Township 38 North, Range 11 West 5th P.M. described as follows: Beginning at the Southeast corner of said forty; thence North 603.1 feet along the East line of said forty; thence South 87° 01' West 494 feet to the true point of beginning of the tract herein described; thence South 87° 01' West 80 feet; thence North 5° 54' West 200 feet; thence North 87° 01' East 80 feet; thence South 5° 54' East 200 feet to the true point of beginning of the tract herein described. Subject to any easements of record.

This deed subject to deed of trust recorded in Book No. 214 at Page 372 in the Pulaski County Missouri recorder's office. Deed of Trust dated December 13, 1967.

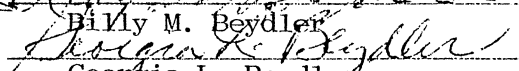
TO HAVE AND TO HOLD, The premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto the said part ies of the second part, and unto their heirs and assigns forever; the said GRANTORS hereby covenanting that they are lawfully seized of an indefeasible estate in the premises herein conveyed; that they have good right to convey the same; that the said premises are free and clear of any incumbrances done or suffered by them or those under whom they claim, and that they will Warrant and Defend the title to the said premises unto the said part ies of the second part, and unto their heirs and assigns, forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, The said part ies of the first part have hereunto set their hands and seals, the day and year first above written.

~~Signed, Sealed and Delivered in Presence of Us~~

 [SEAL.]

Billy M. Beydler

 [SEAL.]

Georgia L. Beydler

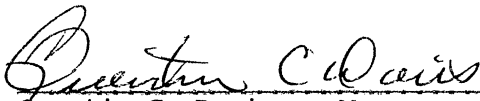
[SEAL.]

[SEAL.]

RESOLUTION 285


Be it resolved by the governing body of the City of Dixon,  
Missouri, as follows:

That the Mayor of the City of Dixon,  
Missouri is hereby authorized on behalf of the City of Dixon,  
Missouri, to enter into a agreement with the Missouri Division of  
Highway Safety for the purpose of making safety improvements under  
the Highway Safety Act of 1978, Section 402.

  
\_\_\_\_\_  
Quentin C. Davis, Mayor

I, Donna Thomas, City Clerk of the City of  
Dixon, Missouri, do hereby certify that the fore-  
going is a true and correct copy of a resolution enacted by the  
governing body of said City on the 3rd day of February, 1986.

Seal:

  
\_\_\_\_\_  
Donna Thomas, City Clerk

BILL NO. \_\_\_\_\_

ORDINANCE NO. 286

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK ON BEHALF OF THE CITY OF DIXON, MISSOURI TO ENTER INTO A LOAN AGREEMENT WITH CORD MOVING & STORAGE CO., INC. FOR FINANCING OF THE CONSTRUCTION OF WAREHOUSE FACILITY.

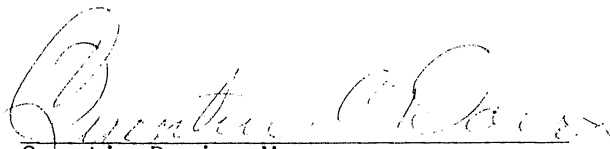
BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI AS FOLLOWS:

Section 1. The Mayor and City Clerk on behalf of the City of Dixon, Missouri are hereby authorized to enter into a Loan Agreement with Cord Moving & Storage Co., Inc., for financing of the construction of a warehouse facility in Dixon, Missouri. A copy of the Loan Agreement is attached hereto and identified as Exhibit A.


Section 2. This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approved by the Mayor.

Section 3. All Ordinances or parts of ordinances in conflict herewith are hereby repealed.

READ THREE TIMES and passed and approved by the Board of Aldermen of the City of Dixon, Missouri, and approved by the Mayor this 12<sup>th</sup> day of February, 1986.

  
Quentin Davis, Mayor

ATTEST:

  
Donna Thomas, City Clerk

## LOAN AGREEMENT

This Agreement, made and entered into by and between the City of Dixon, Missouri, a municipal corporation, hereinafter referred to as First Party, and Cord Moving & Storage Co., Inc., hereinafter referred to as Second Party,

WITNESSETH:

WHEREAS, First Party has applied to the Department of Consumer Affairs, Regulation and Licensing, a Department of the State of Missouri (Department), for grant assistance under the Community Development Block Grant Program (CDBG) and has obtained a commitment from the Department to provide funds to First Party in the amount of \$210,000.00 evidenced by the provision of the Grant Agreement dated December 3, 1985, bearing Project No. 85-MO-05, which document is incorporated herein by reference; and

WHEREAS, Second Party is in need of funds to finance the expansion of Cord Moving & Storage Co., Inc., Dixon, Missouri; and

WHEREAS, First Party is authorized and desires to loan Second Party that portion of the funds set out below derived from the CDBG Grant in accordance with the terms and conditions contained in the aforesaid Grant Agreement; and

WHEREAS, this Loan Agreement is expressly made contingent upon First Party actually receiving funds from the Department of Consumer Affairs under CDBG Grant bearing Project No. 85-MO-05, and further is expressly made contingent upon approval of this Loan Agreement by the Department of Consumer Affairs;

NOW, THEREFORE, in consideration of the premises and the mutual representations, covenants and agreements herein contained, First Party and Second Party do hereby represent, covenant and agree as follows:

1. First Party agrees as follows:

a. To lend to Second Party the sum of \$210,000.00 upon the following terms and conditions:

- (1) Second Party shall execute a promissory note in favor of First Party in the amount of \$210,000.00, together with interest at the rate of 5% per annum, said note to be secured by First Deed of Trust covering real estate in Pulaski County, Missouri.
- (2) Said sum of \$210,000.00 shall be distributed to Second Party pursuant to and in accordance with the terms of the Grant Agreement mentioned above and shall be utilized by Second Party in accordance with the budget format attached to the Grant Agreement.
- (3) Second Party shall supply to First Party a copy of the construction contract before commencement of work.

(4) Second Party shall obtain the personal guarantee of Martin Ryan for full prompt payment of the promissory note.

(5) No payments of principal or interest shall be required until one year after the first request of funds by Second Party. Quarterly payments of principal and interest shall commence at the end of one year after payment of funds to Second Party.

b. First Party agrees to improve the area streets and utilities as proposed by the City Engineer. First Party shall spend a minimum of \$80,000.00 on infrastructure improvements.

2. In order to induce First Party to make the loan described above, Second Party makes the following representations:

a. That it will comply with all Federal and State regulations imposed by the Federal Department of Housing and Urban Development and the Missouri Department of Community and Economic Development.

b. That it will require building contractor to utilize under privileged workers within the community, using the area JTPA program.

c. That it will utilize under privileged workers within the community, using the area JTPA program, in hiring workers for the proposed expansion.

d. That it has the lawful power and authority to enter into this Loan Agreement and to carry out its obligations hereunder and by proper corporate action has been duly authorized to execute and deliver this Loan Agreement acting by and through its duly authorized officers.

e. That the execution and delivery of this Loan Agreement, the consummation of the transactions contemplated hereby and the performance of or compliance with the terms and conditions of this Loan Agreement by Second Party will not conflict with or result in a breach of any of the terms, conditions or provisions of or constitute a default under any mortgage, deed of trust, loan agreement or other corporate restriction or of any agreement or instrument to which Second Party is a party or by which it or any of its property is bound or the Company's Articles of Incorporation or By-Laws or any order, rule or regulation of any court or governmental body applicable to Second Party or any of its property or result in the creation or imposition of any prohibited lien, charge or encumbrance of any nature whatsoever upon any of the property or assets of Second Party under the terms of any instrument or agreement to which Second Party is a party.

f. That the project being financed by these loan funds will to the best of Second Party's knowledge comply with all presently applicable building and zoning, health and safety ordinances and laws and all other applicable laws, rules and regulations.

g. That the project referred to above is located wholly within the corporate limits of the City of Dixon, Missouri.

h. That Second Party has acquired fee simple title to the project site.



3. Second Party agrees as follows:

a. To continue to operate Cord Moving & Storage Co., Inc.

b. To keep and maintain books, records and other documents relating directly to the receipt and disbursement of the grant funds and to permit any duly authorized representative of the Controller General of the United States or appropriate officer of the Department or appropriate officer or agent of the First Party, at all reasonable times to have access to and the right to inspect, copy, audit, and examine all such books, records and other documents of Second Party until the completion of all closeout procedures respecting the grant and the final settlement and conclusion of all issues arising out of said grant.

c. ~~To provide First Party with an annual audited financial statement prepared by a licensed CPA and to further provide quarterly financial statements prepared by a licensed CPA firm:~~ see amended item 3.c., attached

4. The parties further agree:

a. That nothing contained in the Grant Agreement mentioned above or in this Agreement or any act of the Department, the First Party or Second Party shall be deemed or construed by any of the parties to create any relationship of third party beneficiary, principal and agent, limited or general partnership, or joint venture or of any association or relationship involving the Secretary or the Department.

b. That First Party shall not be liable to Second Party for completion of or failure to complete any activities which are a part of the project, except those specified in the CDBG Grant Agreement.

5. Both parties agree that loan disbursements shall be made to Second Party in accordance with the requirements contained in the grant agreement.

6. Both parties agree that to the best of their knowledge no member, officer or employee of the First Party or its designees or agents, no member of the governing body of the locality in which the program is situated, and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his tenure or for one year thereafter shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under this Agreement.

7. Should this agreement, or the receipt of the grant funds by First Party from the state, be found by any state or federal court, to be unlawful or unconstitutional, then this agreement shall be null and void, and the note described in paragraph 1 of this agreement shall become due and payable immediately.

IN WITNESS WHEREOF, the parties hereto have caused this Loan Agreement to be executed in their respective corporate names and their respective corporate seals to be hereunto affixed and attested by their duly authorized officers, all as of the 15th day of January, 1986.

CITY DIXON MISSOURI  
(First Party)

By:

Quentin C. Davis  
Mayor

CORD MOVING & STORAGE CO., INC.  
(Second Party)

By:

Martin Ryan, President

(SEAL) -

ATTEST:

Donna K. Thomas  
City Clerk

(SEAL)

ATTEST:

Phillip K. Dull  
Secretary

Item 3.c. - As Amended

To provide First Party with an annual reviewed financial statement prepared by a licensed CPA. The Second Party, upon request from First Party, will also provide internally prepared quarterly financial statements.

AN ORDINANCE VACATING PORTION OF STREETS AND ALLEYS  
IN SANTEE'S ADDITION; FIXING AN EFFECTIVE DATE

WHEREAS, there has been presented to the Board of Aldermen of the City of Dixon, Missouri, a petition from Edwin N. Hauck and Inez B. Hauck and Hephzibah Holiness Church, a Missouri not for profit corporation, requesting the Board of Aldermen to vacate the hereinafter described portion of certain streets and alleys in Santee's Addition; And

WHEREAS, the said petitioners include all of the fee owners of land which fronts or is adjacent to the said portion of the streets and alleys requested to be vacated; And

WHEREAS, the Board of Aldermen has determined that it is necessary and expedient to vacate the portion of the streets and alleys hereinafter described; And

WHEREAS, the Board of Aldermen has determined that no damages will be sustained by any of the inhabitants of the City of Dixon or by the owners of any property therein as a result of the hereinafter described portion of streets and alleys; NOW  
THEREFORE:

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON AS FOLLOWS:

SECTION 1. That the following streets and alleys as shown on the plat of Santee's Addition to the Town (now City) of Dixon, Pulaski County, Missouri (as filed in the Recorder's Office of Pulaski County, Missouri), to-wit:

A. All that part of Poplar Street lying West of said Pulaski County Road No. 83 (also known as Jones Creek County Road);

B. All that part of Sycamore Street lying West of said Pulaski County Road No. 83 (also known as Jones Creek County Road);

C. All that part of Hickory Street lying West of a line described as follows: Beginning at the Southeast corner of Lot 11 in Block 1 of said Santee's Addition; thence South 02° 05' 10" West 60 feet to the Northeast corner of Lot 6 in Block 6 of said Santee's Addition;

D. All that part of Oak Street lying South of the North line of Hickory Street;

E. All that part of Walnut Street lying North of said Pulaski County Road No. 83 (also known as Jones Creek County Road) and lying South of a line described as follows: Beginning at the Northwest corner of Lot 9 in Block 1 of said Santee's Addition; thence North 87° 54' 50" West 80 feet to the Northeast corner of Lot 16 in Block 2 of said Santee's Addition;

F. All of the alley in the center of Block 4 of said Santee's Addition;

G. All of the alley in the center of Block 5 of said Santee's Addition;

H. All that part of the alley in the center of Block 6 of said Santee's Addition lying West of a line described as follows: Beginning at the Southeast corner of Lot 6 in said Block 6; thence South 02° 05' 10" West 20 feet to the Northeast corner of Lot 11 in said Block 6;

I. All that part of the alley in the center of Block 7 of said Santee's Addition lying West of said Pulaski County Road No. 83 (also known as Jones Creek Road);

J. All of the alley in the center of Block 8 of said Santee's Addition;

K. All of the alley in the center of Block 9 of said Santee's Addition.

are hereby declared to be vacated and are hereby forever freed of the burden of public use.

SECTION 2. That the City Clerk is authorized and directed to cause a certified copy of this ordinance to be recorded in the Office of the Recorder of Deeds of Pulaski County, Missouri.

SECTION 3. That this ordinance shall be in full force and effect from and after its passage and approval.

READ THREE TIMES and passed by the Board of Aldermen on this 2nd. day of

June, 1986.

Quentin C. Davis  
Mayor

ATTEST:

Donna Thomas  
City Clerk

APPROVED by the Mayor this 2 day of June, 1986.

Quentin C. Davis  
Mayor

An Ordinance of the City of Dixon, Missouri, authorizing fixing, and determining a rate of levy on the hundred dollar valuation on all taxable property within the City of Dixon levied and collected upon all property within said City for the Years of 1986.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, COUNTY OF PULASKI, STATE OF MISSOURI, AS FOLLOWS:

Section 1. That pursuant to the authority and direction of the laws of the State of Missouri, relevant to Cities of the fourth class and pursuant to the authority of the qualified voter at due and proper elections held in said City, that there shall be levied and collected as taxes for the year of 1986, upon all Real, Personal and mixed property taxable within the City of Dixon, Missouri, at the rate of \$.81 cents on the \$100.00 assessed valuation as per the following purposes.

FOR GENERAL REVENUE ON EACH \$100.00 ASSESSED EVALUATION.....\$0.40

FOR PUBLIC LIBRARY.....\$0.02

FOR BONDS AND ANNUAL INTEREST ON GENERAL OBLIGATION

BONDS ON THE \$100.00 VALUATION .....\$0.39

TOTAL.....\$0.81

And that the above rate levy on the \$100.00 assessed valuation of taxable property in said City of Dixon, be and is hereby made the true and lawful levy for said City for the year 1986.

Section 2. That the City Clerk is hereby authorized and directed to furnish a certified copy of this Ordinance to the Clerk of the County Court of Pulaski County, Missouri, within the time required by law for the filing City rates within said Clerk.

Read first, second and third time and approved by the following votes.

AYES 5 NAYES 0

Passed and approved this 25 date of August, 1986.

ATTEST:

Donna Thomas  
City Clerk

Quentin C. Davis  
Mayor, Quentin C. Davis

State of Missouri, County of Pulaski, City of Dixon

I, Donna Thomas, Clerk for the City of Dixon, Pulaski County, State of Missouri, do hereby certify that the above and foregoing is a true and complete copy of the Ordinance for the City of Dixon, Missouri, fixing the Tax Rate for the years 1986. Upon all taxable property within said City as fully as same appears recorded in Ordinance record book of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said City.

Done at my Office in the City Hall in Dixon, Missouri, this the 25 of August 1986.

**AN ORDINANCE ESTABLISHING PENALTIES FOR DELINQUENT PROPERTY TAXES  
WITHIN THE CITY OF DIXON, MISSOURI:**

WHEREAS, The City of Dixon, Missouri, is a City of the Fourth Class,  
and

WHEREAS, said City is authorized by law to levy and collect certain  
taxes on real estate within the city limits of said City, and

WHEREAS, said taxes are due and payable prior on the last day of each  
calendar year and become delinquent on January 1 of each year, and

WHEREAS, it is detrimental to the interests of the City when taxes  
become delinquent, and

WHEREAS, it is the intent of the Board of Alderman of the City to  
encourage prompt payment of said taxes and to penalize delinquent payment,

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN FOR THE CITY  
OF DIXON, MISSOURI, AS FOLLOWS:**

Section 1: Each tract of land in the back tax book, in addition  
to the amount of tax delinquent, shall be charged with a penalty  
of twenty percent of each year's delinquency except that the  
penalty on lands redeemed prior to sale shall not exceed two  
percent per month or fractional part thereof.

Section 2: The penalty described above shall become  
effective, and apply to, all taxes which become delinquent on  
and after January 1, 1987.

**PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AND  
APPROVED BY THE MAYOR THIS 8TH DAY OF SEPTEMBER, 1986.**

**APPROVED:**

  
**QUENTIN DAVIS, MAYOR**

**ATTEST:**

  
**DONNA THOMAS, CLERK**

ORDINANCE NUMBER 290

**AN ORDINANCE PROVIDING FOR COURT COSTS IN MUNICIPAL ORDINANCE VIOLATION CASES ARISING OUT OF A VIOLATION OF THE ORDINANCE OF THE CITY OF DIXON, MISSOURI:**

WHEREAS, the City of Dixon is a City of the Fourth Class, and

WHEREAS, said City is authorized by law to provide for court costs in cases involving violations of its ordinances, and

WHEREAS, said court costs are necessary to defray the expenses of operating the court, and

WHEREAS, it is the intent of the Board of Alderman of the City to provide for the assessment of court costs to defray expenses of the court,

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN FOR THE CITY OF DIXON, MISSOURI, AS FOLLOWS:**

Section 1: In all cases for each municipal ordinance violation filed before a municipal judge in which the defendant is found guilty or pleads guilty, there shall be assessed court costs in the amount of TWELVE DOLLARS AND 00/100 (\$12.00).

Section 2: The costs described above shall be in addition to service costs, witness fees, jail costs, or any other costs authorized by law, but shall be in lieu of other court or judge costs or fees.

Section 3: The costs described above shall be collected by the municipal clerk and disbursed as provided for in subsection 1 of Section 479.080, RSMo.


Section 4: This ordinance shall become effective immediately upon approval and the costs authorized herein shall be assessed in all cases filed after approval.

Section 5: By passing this ordinance, it shall act to repeal the previously existing ordinance controlling court costs in municipal ordinance violation cases.



PASSED BY THE BOARD OF ALDERMAN OF THE CITY OF DIXON,  
MISSOURI, AND APPROVED BY THE MAYOR THIS 8TH DAY OF SEPTEMBER, 1986.

APPROVED:

  
QUENTIN DAVIS, MAYOR

ATTEST:

  
DONNA THOMAS, CLERK

ORDINANCE NO. 291

AN ORDINANCE ANNEXING CERTAIN PROPERTY INTO THE CITY OF DIXON, MISSOURI, PURSUANT TO THE PROVISIONS OF SECTION 71.012 OF THE REVISED STATUTES OF MISSOURI (1978) AS AMENDED:

Whereas, certified petitions have been duly filed with the Board of Aldermen, signed by the owners of all fee interests of record, requesting that certain real property, as described below, be annexed to the City of Dixon, Missouri, pursuant to and in accordance with the provisions of SECTION 71.012, et. seq. Revised Statutes of Missouri (1978); and

Whereas, the Board of Aldermen of the City of Dixon did receive said petitions and an order that a public hearing (s) be held at the Dixon City Hall on the following date (s):

Petition was accepted by the City Council of the City of Dixon, Special hearing was held at 7:00P.M. on June the 23rd, 1986.

as to afford any interested person, corporation or political subdivision the opportunity to present evidence regarding the proposed annexations, and further order that notice of date, time and place of said hearing (s) be published in a newspaper of general circulation in the City of Dixon, Missouri; and

Whereas, after considering all the evidence presented at said hearing (s) both in favor of the petitions for annexation and those who were opposed, the Dixon Board of Aldermen finds that:

1. The area proposed for annexation is contiguous to the existing corporate limits of the City of Dixon, Missouri.

2. The petitions for annexation have been duly signed, dated and verified by all the owners of the fee interest of record in and to said property as shown on said petitions.

3. The annexation is reasonable and necessary to the proper development of the City of Dixon, Missouri.

4. The City of Dixon, Missouri, is able to furnish normal, municipal services to said unincorporated area within a reasonable time after said annexations is to become effective.

5. No parties appeared at any said hearing in opposition to any proposed annexations.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

All of the West half of the East half of the North half of the Northwest quarter of the Southwest quarter of the Southwest quarter of Section 24, Township 38 North, Range 11 West of the 5th P.M.: containing  $1\frac{1}{4}$  acres, more or less. Subject to any easements of record.

Section 1: That the real property described above be and the same is hereby annexed to the City of Dixon, Missouri, said property being more particularly described.

Section 2: The City Clerk in and for the City of Dixon, Missouri, is hereby instructed to file three certified copies of the ordinance with the Clerk of Pulaski County, Missouri.

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

PASSED AND APPROVED BY THE BOARD OF ALDERMEN AND MAYOR OF THE CITY OF DIXON, MISSOURI, THIS 22 DAY OF SEPTEMBER, 1986.

ATTEST:

Donna Thomas  
Donna Thomas, City Clerk

APPROVED:

Quentin C. Davis  
Quentin C. Davis, Mayor

Approved as to form and content:

J. Kent Robinson

STATE OF MISSOURI                    )  
  ) ss.  
COUNTY OF PULASKI                 )

I, Donna Thomas, City Clerk within and for the City of Dixon, in the County of Pulaski, State of Missouri, do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance Number 290 of the said City, as passed by the City Council and approved by the Mayor of the City on the 22 day of September, 1986, as fully as the same appears and remains of record in my office.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE CORPORATE SEAL OF THE CITY AT MY OFFICE IN SAID CITY THIS 22 DAY OF SEPTEMBER, 1986.



Donna Thomas  
Donna Thomas, City Clerk

STATE OF MISSOURI)

COUNTY OF PULASKI

SS: 161

FILED FOR RECORD THIS

26 DAY OF Sept. 19 86  
AT 10 O'CLOCK 00 A M

Wm H. Jones  
RECORDER  
Nancy Doolin Rec

STATE OF MISSOURI)

)ss.

THE RECORDER'S OFFICE

COUNTY OF PULASKI)

Wm H. Jones Circuit Clerk and ex officio Recorder of Deeds  
of said County do hereby certify that the within instrument of writing was on  
26 day of September A.D. 19 86 at 10 o'clock 00  
minutes A M., duly filed for record in this office, and is recorded in the records of  
this office in Book 360 Page 717

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official  
seal at my office in the City of Waverly, Mo., this 26 day of

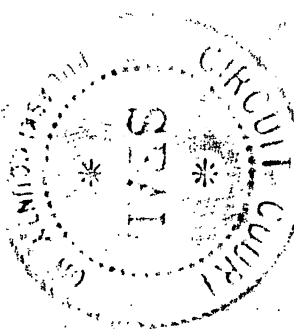
Sept. A.D. 19 86

By Nancy Doolin

Deputy

Wm H. Jones

Recorder



copyd.  
City of Dixon  
P.O. Box 177

AN ORDINANCE ANNEXING PROPERTY TO THE CITY OF DIXON, MISSOURI, PURSUANT TO THE PROVISIONS OF SECTION 71.012 RSMO.

WHEREAS, a certified petetion was duly filed with the Board of Aldermen on the 11 day of Sept., 1986, signed by the owners of all fee interests of record, requesting that the real property described below be annexed to the City of Dixon, Missorui, pursuant to the provisions of Section 71.012 RSMO, et seq: and

WHEREAS, the Board of Aldermen of the City of Dixon, Missouri, did receive said petetion and order that a public hearing be held at the Dixon City Hall on October 6th, 1986, at 7:00P.M. so as to afford any interested person, corporation or political subdivision the opportunity to present evidence regarding the proposed annexation, and futher order that notice of the date, time and place of said hearing be published in a newspaper of general circulation in the City of Dixon, Missouri; and

WHEREAS, after considering all the above evidence presented at said hearing both in favor of the petetion for annexation and by those who were opposed, the Board of Aldermen find that:

1. The area proposed for annexation is contiguous to the existing corporate limits of the City of Dixon, Missouri.
2. That the petetion for annexation has been duly signed and verified by all of the owners of all fee interests of record of said property.
3. That such annexation is reasonable and necessary to the proper development of said City.
4. That the City of Dixon, Missouri, is able to furnish normal municipal services to said unincorporated area within a reasonable time after said annexation is to become effective.

OF DIXON, MISSOURI, AS FOLLOWS:

Section 1: That the real property described above and is hereby annexed to the City of Dixon, Missouri, said property being more particularly described as follows:

All the East 10' of Lot 6, All Lot 7 in Block 2  
of the Gilbert Sease Addition, in Pulaski County  
Missouri.

And

All that part of the Northeast quarter of the Southeast quarter lying North of the County Road of Section 23, Township 38 North, Range 11 West of the 5th P.M., Pulaski County, Missouri described as follows: Beginning at the SE Corner of the Northeast quarter of the Southeast quarter of Section 23, Township 38 North, Range 11 West; thence West 225' along the North side of the County Road to true point of Beginning of the tract herein described; thence West 110 feet; North 100 feet; East 110 feet; South 100 feet; to the true point of beginning of the tract herein described in Pulaski County, Missouri.

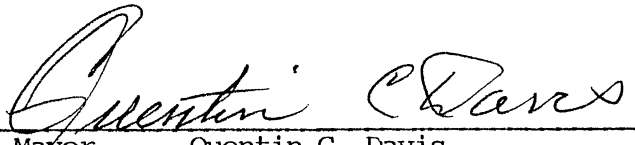
Section 2: The City Clerk is hereby instructed to file three (3) certified copies of this Ordinance with the Clerk of Pulaski County, Missouri.

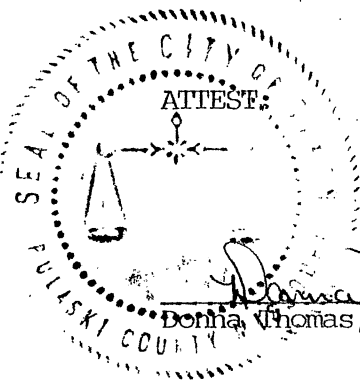
Section 3: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

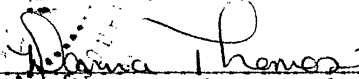
PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AND

APPROVED BY THE MAYOR THIS 3rd DAY OF November, 1986.

APPROVED:

  
\_\_\_\_\_  
Mayor Quentin C. Davis



  
\_\_\_\_\_  
Donna Thomas, City Clerk

STATE OF MISSOURI )  
                                  ) SS  
COUNTY OF PULASKI )

I Donna Thomas, City Clerk within and for the City of Dixon, in the County of Pulaski, State of Missouri, do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance No. 292 of said City, as passed by the City Council and approved by the Mayor of the City of Dixon on the 3rd day of Nov., 1986, as fully as the same appears and remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, at my office in said City, This 3rd day of November, 1986.



STATE OF MISSOURI

COUNTY OF PULASKI

SS. 1096

FILED FOR RECORD THIS

4th DAY OF Dec. 19 86  
AT 10 O'CLOCK 00 A M

Wm H. Jones  
RECORDER  
Nancy Doolen

Donna Thomas  
Donna Thomas

City Clerk

STATE OF MISSOURI)

)SS.

THE RECORDER'S OFFICE

COUNTY OF PULASKI)

Wm H. Jones, Circuit Clerk and ex-officio Recorder of Deeds  
of said County do hereby certify that the within instrument of writing was on  
4 day of December A.D. 86 at 10 o'clock 00  
minutes PM. File # 362 831

I, Wm H. Jones, have hereunto set my hand and seal of my official  
and at my office in the City of Waynesville, Missouri this 4th day of

Dec. A.D. 19 86  
By Nancy Doolen Wm H. Jones  
Deputy Recorder



City of Dixon  
Box 177

WHEREAS, after considering all the above evidence presented at said hearing both in favor of the petition and by those who were apposed, the Board of Aldermen find that:

1. The area proposed for annexation is contiguous to the existing corporate limits of the City of Dixon, Missouri.
2. That the petition for annexation has been duly signed and verified by all of the owners of all fee interests of record of said property.
3. That such annexation is reasonable and necessary to the proper development of said City.
4. That the City of Dixon, Missouri, is able to furnish normal municipal services to said unincorporated area within a reasonable time after said annexation is to become effective.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:


SECTION 1: That the real property described below be and is hereby annexed to the City of Dixon, Missouri, said property being more particularly described as follows:

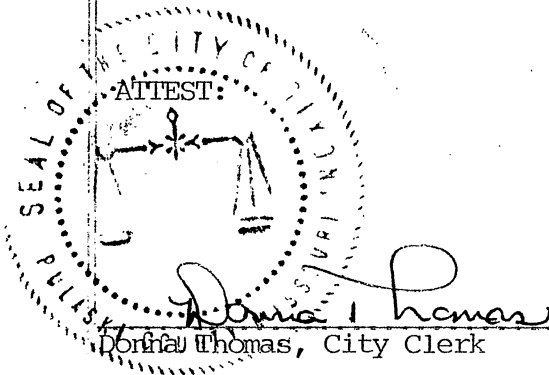
All that part of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 24, Township 38 North, Range 11 West of the 5th.P.M., Pulaski County, Missouri, more particularly described as follows: Starting at the NE Corner of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 24; Thence along the east line thereof, S 0 deg. 40' 23" West, 442.27' to the Southeast corner of "TALL OAKS" Plat No. 1 a recorded Subdivision. Said point being the place of beginning of the description; Thence continue S 0 deg. 40' 23" West, 215.06'; Thence North 84 deg. 46' West, 693.86' to the East line of a Public Road; Thence along said line, North 1 deg. 21' 19" East, 215.06' to the South line of "Cedar Lane" a 40' wide street; Thence along the South line of said "Cedar Lane", South 84 deg. 45' East, 676.24' to the place of beginning. Containing a total of 3.38 Acres more or less. Exception being; A 15 foot wide tract of land off the South and East sides. reserved for Road Purposes.

SECTION 2. The City Clerk is hereby instructed to file Three (3) certified copies of this Ordinance with the Clerk of Pulaski County, Missouri.

SECTION 3. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

APPROVED :

  
Mayor      Quentin C. Davis



STATE OF MISSOURI )  
                                  )SS  
COUNTY OF PULASKI )

I Donna Thomas, City Clerk within and for the City of Dixon,  
in the County of Pulaski, State of Missouri, do hereby certify that the  
foregoing pages constitute a true and correct copy of Ordinance NO. 293  
of said City, as passed by the City Council and approved by the Mayor of the  
City of Dixon on the 1st day of December, 1986, as fully as the same  
appears and remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, at my office in said City, This 1st day of December, 1986

Donna Thomas

Donna Thomas, City Clerk

STATE OF MISSOURI)

ss.

1097

COUNTY OF PULASKI

FILED FOR RECORD THIS

4th DAY OF Dec. 19 86  
AT 10 O'CLOCK 05 A.M.

Wm H. Jones

RECORDER

Nancy Doolen

STATE OF MISSOURI)

)ss.

THE RECORDER'S OFFICE

COUNTY OF PULASKI)

Wm H. Jones

Circuit Clerk and ex-officio Recorder of Deeds

of said County do hereby certify that the within instrument of writing was on

4 day of December A.D. 19 86 at 10 o'clock 05

minutes 11 M., duly filed for record in this office, and is recorded in the records of

this office in Book 362 Page 833

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City of Waynesville, Missouri this 4th day of Dec. A.D. 19 86

By Nancy Doolen Deputy Wm H. Jones Recorder



City of Dixon

ORDINANCE NUMBER 298

AN ORDINANCE HIRING AND FIXING THE SALARY OF THE CITY CLERK FOR A PERIOD OF TWO YEARS.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1: Said City does hereby hire Donna Thomas as City Clerk of the City of Dixon, Missouri, for a period of two years, commencing on November 1, 1986, and continuing until November 1, 1988.


Section 2: The said City Clerk shall receive as compensation for her services the sum of Six Dollars AND 50/100TH DOLLARS (\$ 6.50 ) per year, payable monthly, commencing December 1, 1986.

Section 3: The compensation paid to said City Clerk shall be reviewed again on November 1, 1987, for such modification as the Board of Aldermen may deem appropriate.

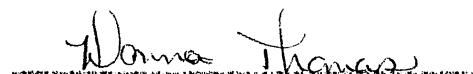
Section 4: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AND APPROVED BY THE MAYOR THIS 3RD DAY OF NOVEMBER, 1986.

APPROVED:

  
QUENTIN DAVIS, MAYOR

ATTEST:

  
DONNA THOMAS, Clerk

ORDINANCE NO. 295

AN ORDINANCE ANNEXING PROPERTY TO THE CITY OF DIXON, MISSOURI, PURSUANT TO THE PROVISIONS OF SECTION 71.012 RSMO.

WHEREAS, a certified petition was duly filed with the Board of Aldermen on the 1st. day of December, 1986, signed by the owners of all fee interests of record, requesting that the real property described below be annexed to the City of Dixon, Missouri, pursuant to the provisions of Section 71.012 RSMO, et seq: and

WHEREAS, the Board of Aldermen of the City of Dixon, Missouri, did receive said petition and order that a public hearing be held at the Dixon City Hall on December 10th, 1986 at 7:00 P.M. so as to afford any interested person, corporation or political subdivision the opportunity to present evidence regarding the proposed annexation, and further order that notice of the date, time and place of said hearing be published in a newspaper of general circulation in the City of Dixon, Missouri; and

WHEREAS, after considering all the above evidence presented at said hearing both in favor of the petition and by those who were opposed, the Board of aldermen find that:

1. The area proposed for annexation is contiguous to the existing corporate limits of the City of Dixon, Missouri.
2. That the petition for annexation has been duly signed and verified by all of the owners of all fee interests of record of said property.
3. That such annexation is reasonable and necessary to the proper development of said City.
4. That the City of Dixon, Missouri, is able to furnish normal municipal services to said unincorporated area within a reasonable time after said annexation is to become effective.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

SECTION 1. That the real property describe below be and is hereby annexed to the City of Dixon, Missouri, said property being more particularly described as follows:

East half of East half of the Northwest quarter of Southwest quarter of Section 24, Township 38 North, of Range 11 West of the 5th. PM. Containing 10 acres more or less.

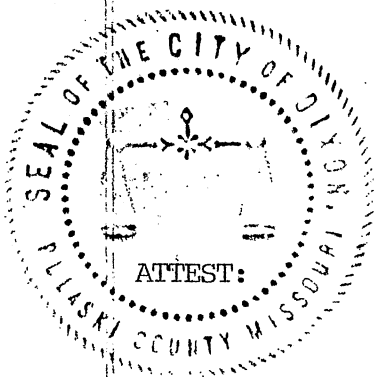
AND

West half of the Southeast quarter of the Northwest quarter of the Southwest quarter of Section 24, Township 38 North, of Range 11 West of the 5th PM. Containing 5 acres more or less.

SECTION 2. The City Clerk is hereby instructed to file Three (3) certified copies of this Ordinance with the Clerk of Pulaski County, Missouri.

SECTION 3. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

Quentin C. Davis  
Mayor, Quentin C. Davis



STATE OF MISSOURI )  
 ) SS  
COUNTY OF PULASKI )

I Donna Thomas, City Clerk within and for the City of Dixon, in the County of Pulaski, State of Missouri, do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance No. 295 of the said City, as passed by the City Council and approved by the Mayor of the City of Dixon on the 10 day of December, 1986, as fully as the same appears and remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, at my office in said City, this 10 day of December, 1986

Donna Thomas, City Clerk



STATE OF MISSOURI)

ss.

1678

COUNTY OF PULASKI

FILED FOR RECORD THIS  
26<sup>th</sup> DAY OF Jan. 19 87  
AT 9 O'CLOCK 25 A.M.

Wm H. Jones  
RECORDER

Nancy Doolin

STATE OF MISSOURI)

)ss.

THE RECORDER'S OFFICE

COUNTY OF PULASKI

Wm H. Jones

Circuit Clerk and ex-officio Recorder of Deeds

do hereby certify that the within instrument of writing was on

26<sup>th</sup> DAY OF JANUARY A.D. 19 87 at 9 o'clock 25

Filed for record in this office, and is recorded in the books of

364 Page 673

IN WITNESS WHEREOF, I have hereunto set my hand and seal, my official

place being the County of Pulaski, Missouri, this 26<sup>th</sup> day of

By

Nancy Doolin  
Deputy

Wm H. Jones  
Recorder

City of Dixon  
P.O. Box 177

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF DIXON, MISSOURI, TO EXECUTE ON BEHALF OF SAID CITY THAT CERTAIN AGREEMENT FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

SECTION 1:

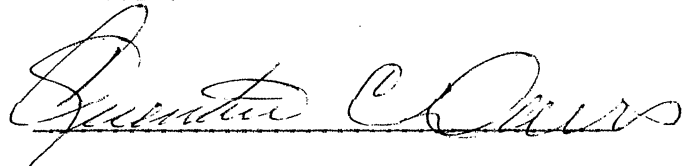
The Mayor of the City is hereby authorized and directed to execute on behalf of the City that certain Agreement for the collection and disposal of solid waste within the City which is attached hereto and approved as if set out at length.

SECTION 2:

This Ordinance shall be in full force and effect from and after January 7, 1987, through January 6, 1988.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, and approved by the Mayor this 5th day of January, 1987.

APPROVED:

A handwritten signature in cursive script, appearing to read "Quentin C. Davis", written over a horizontal line.

Quentin C. Davis. Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "Donna Thomas", written over a horizontal line.  
Donna Thomas, City Clerk

## AGREEMENT

THIS AGREEMENT made and entered into this 7th day of January, 1986, by and between the CITY OF DIXON, MISSOURI (hereinafter referred to as "City") and SMALL WATSON, Individual of Dixon, Missouri, doing business as WATSON SANITATION (hereinafter referred to as "Contractor").

### RECITALS:

(a) Ordinance 272 for the City of Dixon, Missouri, authorizes the City to enter into a contract with a solid waste collection agency for the purpose of collecting solid waste and removing the same from the City of Dixon, as required by said Ordinance.

(b) Contractor has for the past several months been providing such service to the City on a month-to-month basis.

(c) As authorized by said Ordinance, City has been collecting on behalf of Contractor its fixed service charge for the collection of such solid waste and has been retaining four percent of the total service charge as its fee for such service.

(d) The parties by this Agreement now desire to enter into a one year contract for the collection by Contractor of solid waste within the aforesaid City.

NOW, THEREFORE, in consideration of the premises, and for the mutual covenants and undertakings hereinafter set forth, the parties do hereby agree as follows:

### Section 1--Definitions:

The following terms as used in this Ordinance shall have the following definitions:

(a) City: The City of Dixon, Missouri.

(b) Collection: The collection, removal and transportation of all solid waste from its place of storage and transporting it to its place of processing or disposal.

(c) Demolition and construction waste: All waste materials from the construction or destruction of residential, industrial or commercial structures or improvements upon real estate.

(d) Disposal solid waste container: Any commercially marketed, disposal plastic bag with a capacity of 20 to 35 gallons especially designed, manufactured and sold for the purpose of storing solid waste.

(e) Garbage: Putrescible animal or vegetable waste resulting from the handling, preparation, cooking, serving or consumption of food.

(f) Hazardous waste: This term shall include but is not limited to pathological wastes, explosive waste, pesticides, pesticide containers, toxic or radio active materials.

(g) Multi-housing facility: Any housing facility containing more than one dwelling unit under one roof.

(h) Occupant: Any person who, alone or jointly or severally with others, shall be in actual possession of any dwelling unit or if any other improved real property, either as an owner or as a tenant.

(i) Person: Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, or organization of any kind.

(j) Processing: This term shall mean the incineration, composting, baling, shredding, salvaging, compacting, or any other process whereby solid waste characteristics are modified or solid waste quantity is reduced.

(k) Refuse: All solid waste.

(l) Residential dwelling unit: Any room or group of rooms located within a structure, and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

(m) Solid waste: All unwanted or discarded waste materials in solid or semi-solid state, including but not limited to garbage, ashes, street refuse, rubbish, dead animals, animal and agricultural waste, yard waste, discarded appliances, special waste, industrial waste, demolition and construction waste, and any waste material produced through commercial activity or residential living. Commercial solid waste shall be all solid waste resulting from the operation of any commercial, industrial, institutional or agricultural establishment, and multiple housing facilities with more than four dwelling units. Residential solid waste shall be solid waste shall be solid waste resulting from the maintenance and operation of dwelling units excluding multiple housing facilities with more than four dwelling units.

(n) Solid waste container: Any receptacle used by any person to store solid waste prior to its collection.

(o) Solid waste disposal: The process of discarding solid waste.

#### Section 2--Collection of Solid Waste:

(a) Effective January 7, 1985, Contractor shall collect all solid waste within the City. Solid waste shall be collected from all residential dwelling units, multiple housing facilities and commercial establishments in the manner herein provided.

(b) All solid waste stored as herein provided shall be collected. All solid waste collected shall, upon being loaded into collection equipment, become the property of the Contractor.

(c) All solid waste shall be placed at the curb or alley, as practice may dictate, for collection. Contractor shall pick up and suitably dispose of all solid waste deposited by residents in compliance with Ordinance 272.

(d) Contractor is authorized to enter upon private property for the purpose of collecting solid waste therefrom as required by this Agreement and Ordinance 272. Contractor shall not enter dwelling units or other residential buildings for the purpose of collecting residential solid waste. Commercial solid waste may be removed from within commercial establishments upon request of the owner thereof.

(e) The following collection frequencies shall apply to collections of solid waste within the City: All residential solid waste shall be collected at least once weekly. All commercial solid waste shall be collected at least once weekly and may be collected at such lesser intervals as shall be fixed by the City Clerk upon a determination that such lesser intervals are not detrimental to the preservation of the health or safety of the public.

(f) All collection vehicles shall be maintained in a safe, clean and sanitary condition, and shall be so constructed, maintained and operated as to prevent spillage of solid waste therefrom. All vehicles to be used for collection of solid waste shall be constructed with water-tight bodies and with covers which shall be an integral part of the vehicle or shall be a separate cover of suitable material with fasteners designed to secure all sides of the cover to the vehicle and shall be secured whenever the vehicle is transporting solid waste, or, as an alternative, the entire bodies thereof shall be enclosed, with only loading hoppers exposed. No solid waste shall be transported in the loading hoppers.

### Section 3--Disposal of Solid Waste:

(a) Solid waste shall be disposed of at a processing facility or disposal area approved by the City and complying with all requirements of the Missouri Division of Health.

(b) The City Clerk may classify certain waste as hazardous waste which will require special handling and shall be disposed of only in a manner acceptable to the City Clerk and which will

meet all local, State and Federal regulations.

Section 4--Insurance and Enforcement:

(a) Contractor shall obtain and provide City Clerk with evidence of satisfactory public liability insurance, covering all operations of Contractor pertaining to collection of solid waste, and all vehicles to be operated in the conduct thereof, in the amount of not less than \$100,000.00 per person, and in the amount of not less than \$300,000.00 per occurrence, in the event of injury or death of two or more persons in any single accident, and in the amount of not less than \$50,000.00 damage to property, per occurrence. Such policy may be written to allow the first \$100.00 of liability for damage to property to be deductible. Should any such policy be cancelled, the City Clerk shall be notified of such cancellation by the insurance carrier in writing not less than ten days prior to the effective date of such cancellation, and provisions to that effect shall be incorporated in such policy, which shall also place upon the company writing such policy the duty to give such notice.

(b) Contractor shall comply with all City, State and Federal laws, rules and regulations pertaining to the collection, transportation and disposal of solid wastes. In order to ensure compliance with this Section, the City Marshal is authorized to inspect all phases of Contractor's solid waste management within the City. In all instances where such inspections reveal violation of local law, the rules and regulations authorized herein for storage, collection, transportation, processing or disposal of solid waste, the laws of the State of Missouri, or federal laws, the Marshal shall issue a notice for each such violation stating therein the violation or violations found, together with the time in which corrections shall be made. Such notice shall give five days to effectuate corrective action.

(c) In all cases, when the corrective measures have not been taken within the time specified, the City Clerk may request the City to suspend, or revoke this Agreement.

Section 5--Contractor's Fee:

(a) Contractor's fee for the collection of residential solid waste shall be \$8.00 per month. City agrees to collect on behalf of Contractor this fixed service charge and shall be compensated for providing such service at the rate of \$.25 per residential billing per month. Contractor shall be entitled to a separate service charge for each dwelling unit, as defined by Ordinance 272.

(b) Contractor shall be responsible for negotiating the service fee to be charged commercial establishments for the collection of solid waste. City shall have no responsibility for collecting such commercial service charges for Contractor.

(d) Nothing in this Agreement shall prevent a person from individually contracting for the collection of solid waste provided that all requirements of Ordinance 272 have been met.

SECTION 6-----General Provisions:

(a) Contractor acknowledges that is an Independent Contractor and that City will have no right to direct the work or details of Contractor's operation except as herein stated. Contractor agrees to indemnify and hold City harmless from any actions, suits or liability which may arise in connection with the performance of Contractor's aforesaid duties, for injury to either person or property.

(b) No amendment to this agreement shall be effective unless it is placed in a writing and signed by both parties.

(c) Unless renewed, this agreement shall expire at 11:59 P.M. on January 6, 1988.

IN WITNESS WHEREOF, the parties set their hands on the date first above written.

CITY OF DIXON:



By. Quentin C. Davis, Mayor

ATTEST:



Donna Thomas, City Clerk



Small Watson , Wat-Park Sanitation

ORDINANCE NO. 297

AN ORDINANCE ESTABLISHING PENALTIES FOR POSSESSION OF  
INTOXICANTS BY A MINOR:

WHEREAS, the City of Dixon, Missouri, is a City of the Fourth Class, and

WHEREAS, said City is authorized by law to set penalties for violations of its Ordinances, and

WHEREAS, it is in the best interests of said City to regulate possession of intoxicants within its boundaries, and

WHEREAS, it is in the best interests of said City to restrict the possession of intoxicants to those persons of legal age, and

WHEREAS, it is the intent of the Board of Aldermen to prohibit the possession of intoxicants by minor persons,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

1. Any person under the age of twenty-one (21) years who shall purchase, attempt to purchase, or has in his or her possession any intoxicating liquor, as defined in Section 311.020, RSMo, shall be guilty of violating the provisions of this ordinance and shall be punished pursuant to the provisions of Sections 311.325, 311.880, 558.011, 560.016, and 79.470 of the Revised Statutes of Missouri.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AND APPROVED BY THE MAYOR THIS 20 DAY OF

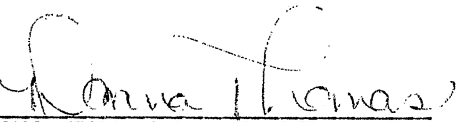
July, 1987.



APPROVED:

  
QUENTIN DAVIS, MAYOR

ATTEST:

  
DONNA THOMAS, CLERK

ORDINANCE NUMBER 2 . 298

An Ordinance of the City of Dixon, Missouri, authorizing, fixing and determining a rate of levy on the hundred dollar valuation on all taxable property within the City of Dixon levied and collected upon all property within said City for the year of 1987.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, COUNTY OF PULASKI, STATE OF MISSOURI, AS FOLLOWS:

Section 1. That pursuant to the authority and direction of the laws of the State of Missouri, relevant to Cities of the Fourth Class and pursuant to the authority of the qualified voter at due and proper elections held in said City, that there shall be levied and collected as taxes for the year 1987, upon all Real Estate, personal and mixed property taxable within the City of Dixon, Missouri, at the rate of \$0.41 cents on the \$100.00 assessed valuation as per the following purposes.

GENERAL REVENUE ON EACH \$100.00 ASSESSED EVALUATION .....	\$0.39
FOR PUBLIC LIBRARY.....	\$0.02
FOR BONDS AND ANNUAL INTEREST ON GENERAL OBLIGATION	
BONDS ON THE \$100.00 VALUATION.....	\$0.00
TOTAL .....	0.41

And that the above rate levy on the \$100.00 assessed valuation of taxable property in said City of Dixon, be and is hereby made the true and lawful levy for said City of the year 1987.

Section 2. That the City Clerk is hereby authorized and directed to furnish a certified copy of this Ordinance to the Clerk of the County Court of Pulaski County, Missouri, within the time required by law for the filling City rates within said Clerk.

Read first, second and third time and approved by the following vote:

AYES 6 NAYES 0

PASSED AND APPROVED THIS 3 DATE OF AUGUST, 1987.

ATTEST:

Donna Thomas  
Donna Thomas  
City Clerk

Quentin C. Davis  
Mayor, Quentin C. Davis

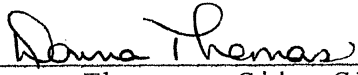
State of Missouri, County of Pulaski, City of Dixon

I, Donna Thomas, clerk for the City of Dixon, Pulaski County, State of Missouri, do hereby certify that the above and foregoing is a true and complete copy of the Ordinance for the City of Dixon, Missouri, fixing the tax rate for the year 1987. Upon all taxable property within said City as fully as same appears recorded in Ordinance record book of said City.

IN TESTIMONY WHEREOF. I have hereunto set my hand and affixed the Seal of said City.

Done at my office in the City Hall in Dixon, Missouri, this the 3 day of August 1987.

SEAL

  
\_\_\_\_\_  
Donna Thomas, City Clerk

# City of Dixon

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P.O. Box 177  
Dixon, Mo. 65459-0177

August 13, 1987

Pulaski County Clerk Office  
Waynesville, Missouri 65583

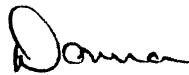
REF: City of Dixon 1987 Tax Levy

Dear Stephanie,

Please accept this ordinance numbered 299 as the corrected certified copy of the City of Dixon, Dixon, Missouri 1987 tax levy per \$100.00 assessed valuation at 0.41.

This levy comes directly from the State Auditor Office in Jefferson City, Missouri.

Sincerely,



Donna Thomas  
City Clerk

AN ORDINANCE ESTABLISHING PENALTIES FOR OPERATING A  
MOTOR VEHICLE WITHOUT FINANCIAL RESPONSIBILITY:

WHEREAS, the City of Dixon, Missouri, is a City of the Fourth  
Class, and

WHEREAS, said City is authorized by law to set penalties for  
violations of its Ordinances, and

WHEREAS, it is in the best interests of said City to regulate  
operation of motor vehicles within its boundaries, and

WHEREAS, it is in the best interests of said City to require  
the maintenance of financial responsibility during the operation of  
motor vehicles; and

WHEREAS, it is the intent of the Board of Aldermen to require  
the maintenance of financial responsibility,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR  
THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

1. No owner of a motor vehicle registered in this state shall  
operate, within the corporate limits of the City of Dixon, such  
vehicle or authorize any other person to operate the vehicle unless  
the owner maintains financial responsibility. Further, no person  
shall operate, within the corporate limits of the City of Dixon, a  
motor vehicle owned by another with the knowledge that the owner  
has not maintained financial responsibility unless such operator  
has financial responsibility which covers the operation of  
another's vehicle.

2. The owner of a motor vehicle shall maintain financial responsibility through a motor vehicle liability insurance policy or through any other means described in Section 303.160, RSMo.

3. An insurance identification card as described in Section 303.024, RSMo, shall be carried in the insured motor vehicle at all times and shall be displayed by the operator thereof upon the demand of any peace officer who shall lawfully stop said vehicle in the performance of his duties. An insurance policy, binder, receipt containing policy information, or any documentation proving financial responsibility under the means described in Section 303.160 shall be satisfactory in lieu of an insurance identification card.

4. Any person who is found to have violated the provisions of this Ordinance shall be punished pursuant to the provisions of Sections 302.024, 302.205, 302.370.5 and 79.470 of the Revised Statutes of Missouri and shall be fined not more than Five Hundred dollars (\$500.00) or imprisoned for not more than ninety days, or both.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON,  
MISSOURI; AND APPROVED BY THE MAYOR THIS 3 DAY OF

August, 1987.

APPROVED:

Quentin Davis  
QUENTIN DAVIS, MAYOR

ATTEST:

Donna Thomas  
DONNA THOMAS, CLERK

ORDINANCE NO. 300

AN ORDINANCE ESTABLISHING PENALTIES FOR OPERATING AN  
UNLICENCED MOTOR VEHICLE:

WHEREAS, the City of Dixon, Missouri, is a City of the Fourth Class, and

WHEREAS, said City is authorized by law to set penalties for violations of its Ordinances, and

WHEREAS, it is in the best interests of said City to regulate operation of motor vehicles within its boundaries, and

WHEREAS, it is in the best interests of said City to restrict the operation of unregistered or unlicensed motor vehicles; and

WHEREAS, it is the intent of the Board of Aldermen to restrict the operation of unregistered or unlicensed motor vehicles,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

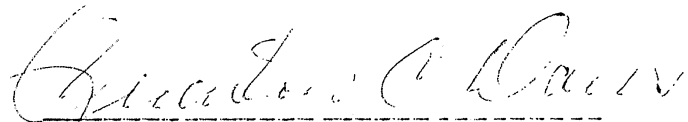
1. No person shall operate, upon the public roads, streets, or alleyways, within the corporate limits of the City of Dixon, any vehicle which has not been legally registered and licensed by the State of Missouri and properly displays such license State license.

2. "Vehicle" shall include any self propelled vehicle not operated exclusively on tracks, all-terrain vehicles, tractors, truck, van, automobile, motorcycle, motorized bicycle, motorized tricycle, or bus, all as defined by Section 301.010, RSMo.

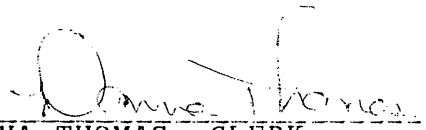
3. Any person who is found to have violated the provisions of this Ordinance shall be punished pursuant to the provisions of Sections 301.020, 310.130.7, 558.011, 560.016, and 79.470 of the Revised Statutes of Missouri.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON,  
MISSOURI, AND APPROVED BY THE MAYOR THIS 3 DAY OF  
August, 1987.

APPROVED:

  
QUENTIN DAVIS, MAYOR

ATTEST:

  
DONNA THOMAS, CLERK



ORDINANCE 301


AN ORDINANCE ADOPTING A SOLID WASTE MANAGEMENT PLAN, IMPLEMENTATION TIMETABLE AND PROVIDING ENFORCEMENT POWER REGARDING SOLID WASTE WITHIN THE CORPORATE LIMITS OF THE CITY OF DIXON, MISSOURI.

BE IT ORDAINED BY THE BOARD OF ALDERMEN, CITY COUNCIL OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

- SECTION 1. That the attached Solid Waste Management Plan be adopted.
- SECTION 2. The City of Dixon, Missouri shall approach the subject of solid waste on a 10-year implementation timetable.
- SECTION 3. The City of Dixon, Missouri shall have the enforcement power to regulate solid waste management within its corporate limits.
- SECTION 4. That all ordinances or parts of ordinances inconsistent herewith are hereby appealed.
- SECTION 5. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

APPROVED AND PASSED THIS 26 DAY OF OCTOBER, 1987, BY THE DIXON BOARD OF ALDERMEN.

ATTEST:

  
\_\_\_\_\_  
City Clerk, Donna Thomas

  
\_\_\_\_\_  
Mayor, Quentin C. Davis

ORDINANCE NO. 302

AN ORDINANCE TO ESTABLISH A  
WATER METER INSTALLATION FEE

WHEREAS, the City of Dixon, Missouri, has determined that it's material costs for installing a water meter for water service to a residence or building is approximately \$151.00, and

WHEREAS, the maximum charge for such installation is now set at \$50.00 by ordinance, and

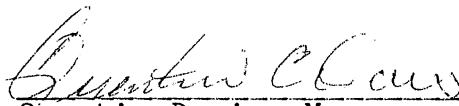
WHEREAS, the City of Dixon, Missouri, has determined that an increase in such fee is necessary to cover its expenses.

BE IT THEREFORE ORDAINED, ENACTED AND DETERMINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI AS FOLLOWS:

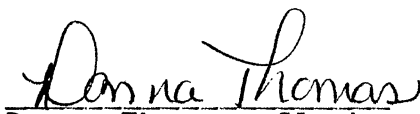
1. Section 27-3 of the Dixon City Code is hereby amended to delete the phrase: "an amount not to exceed \$50.00 dollars," and
2. In lieu of the above phrase shall be added the phrase: "in the amount of ONE HUNDRED FIFTY DOLLARS (\$150.00)."

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AND  
APPROVED BY THE MAYOR THIS 7 DAY OF December, 1987.

APPROVED:

  
\_\_\_\_\_  
Quentin Davis, Mayor

ATTEST:

  
\_\_\_\_\_  
Donna Thomas, Clerk

ORDINANCE 303

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF DIXON,  
MISSOURI TO EXECUTE ON BEHALF OF SAID CITY THAT CERTAIN AGREEMENT  
FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE:

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON,  
MISSOURI, AS FOLLOWS:

SECTION 1:

The Mayor of the City of Dixon is hereby authorized and directed to  
execute on behalf of the City that certain agreement for the collection  
and disposal of solid waste within the City which is attached hereto  
and approval as if set out at length.

SECTION 2.

This Ordinance shall be in full force and effect from and after  
January 7, 1988 through January 6, 1991.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI  
and approved by the Mayor this 7 day of December, 1987.

APPROVED :

Gerard C. Warr

ATTEST:

Donna Thomas  
Donna Thomas, City Clerk

## AGREEMENT

THIS AGREEMENT made and entered into this 7th day of January, 1986, by and between the CITY OF DIXON, MISSOURI (hereinafter referred to as "City") and SMALL WATSON, Individual of Dixon, Missouri, doing business as WATSON SANITATION (hereinafter referred to as "Contractor").

### RECITALS:

(a) Ordinance 272 for the City of Dixon, Missouri, authorizes the City to enter into a contract with a solid waste collection agency for the purpose of collecting solid waste and removing the same from the City of Dixon, as required by said Ordinance.

(b) Contractor has for the past several months been providing such service to the City on a month-to-month basis.

(c) As authorized by said Ordinance, City has been collecting on behalf of Contractor its fixed service charge for the collection of such solid waste and has been retaining four percent of the total service charge as its fee for such service.

(d) The parties by this Agreement now desire to enter into a one year contract for the collection by Contractor of solid waste within the aforesaid City.

NOW, THEREFORE, in consideration of the premises, and for the mutual covenants and undertakings hereinafter set forth, the parties do hereby agree as follows:

### Section 1--Definitions:

The following terms as used in this Ordinance shall have the following definitions:

(a) City: The City of Dixon, Missouri.

(b) Collection: The collection, removal and transportation of all solid waste from its place of storage and transporting it to its place of processing or disposal.

(c) Demolition and construction waste: All waste materials from the construction or destruction of residential, industrial or commercial structures or improvements upon real estate.

(d) Disposal solid waste container: Any commercially marketed, disposal plastic bag with a capacity of 20 to 35 gallons especially designed, manufactured and sold for the purpose of storing solid waste.

(e) Garbage: Putrescible animal or vegetable waste resulting from the handling, preparation, cooking, serving or consumption of food.

(f) Hazardous waste: This term shall include but is not limited to pathological wastes, explosive waste, pesticides, pesticide containers, toxic or radio active materials.

(g) Multi-housing facility: Any housing facility containing more than one dwelling unit under one roof.

(h) Occupant: Any person who, alone or jointly or severally with others, shall be in actual possession of any dwelling unit or if any other improved real property, either as an owner or as a tenant.

(i) Person: Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, or organization of any kind.

(j) Processing: This term shall mean the incineration, composting, baling, shredding, salvaging, compacting, or any other process whereby solid waste characteristics are modified or solid waste quantity is reduced.

(k) Refuse: All solid waste.

(l) Residential dwelling unit: Any room or group of rooms located within a structure, and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

(m) Solid waste: All unwanted or discarded waste materials in solid or semi-solid state, including but not limited to garbage, ashes, street refuse, rubbish, dead animals, animal and agricultural waste, yard waste, discarded appliances, special waste, industrial waste, demolition and construction waste, and any waste material produced through commercial activity or residential living. Commercial solid waste shall be all solid waste resulting from the operation of any commercial, industrial, institutional or agricultural establishment, and multiple housing facilities with more than four dwelling units. Residential solid waste shall be solid waste shall be solid waste resulting from the maintenance and operation of dwelling units excluding multiple housing facilities with more than four dwelling units.

(n) Solid waste container: Any receptacle used by any person to store solid waste prior to its collection.

(o) Solid waste disposal: The process of discarding solid waste.

#### Section 2--Collection of Solid Waste:

(d) Nothing in this Agreement shall prevent a person from individually contracting for the collection of solid waste provided that all requirements of Ordinance 272 have been met.

SECTION 6-----General Provisions:

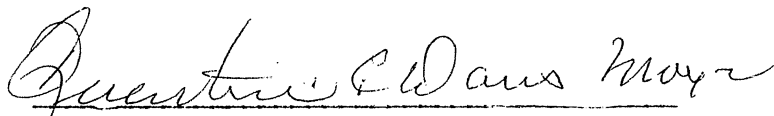
(a) Contractor acknowledges that is an Independent Contractor and that City will have no right to direct the work or details of Contractor's operation except as herein stated. Contractor agrees to indemnify and hold City harmless from any actions, suits or liability which may arise in connection with the performance of Contractor's aforesaid duties, for injury to either person or property.

(b) No amendment to this agreement shall be effective unless it is placed in a writing and signed by both parties.

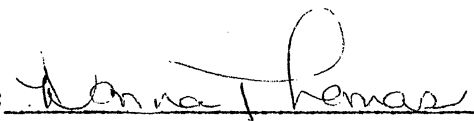
(c) Unless renewed, this agreement shall expire at 11:59 P.M. on January 6, 1991.

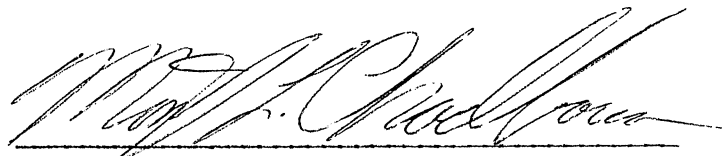
IN WITNESS WHEREOF, the parties set their hands on the date first above written.

CITY OF DIXON:

  
By. Quentin C. Davis, Mayor

ATTEST:

  
Donna Thomas, City Clerk

  
Small Watson , Wat-Park Sanitation

meet all local, State and Federal regulations.

#### Section 4--Insurance and Enforcement:

(a) Contractor shall obtain and provide City Clerk with evidence of satisfactory public liability insurance, covering all operations of Contractor pertaining to collection of solid waste, and all vehicles to be operated in the conduct thereof, in the amount of not less than \$100,000.00 per person, and in the amount of not less than \$300,000.00 per occurrence, in the event of injury or death of two or more persons in any single accident, and in the amount of not less than \$50,000.00 damage to property, per occurrence. Such policy may be written to allow the first \$100.00 of liability for damage to property to be deductible. Should any such policy be cancelled, the City Clerk shall be notified of such cancellation by the insurance carrier in writing not less than ten days prior to the effective date of such cancellation, and provisions to that effect shall be incorporated in such policy, which shall also place upon the company writing such policy the duty to give such notice.

(b) Contractor shall comply with all City, State and Federal laws, rules and regulations pertaining to the collection, transportation and disposal of solid wastes. In order to ensure compliance with this Section, the City Marshal is authorized to inspect all phases of Contractor's solid waste management within the City. In all instances where such inspections reveal violation of local law, the rules and regulations authorized herein for storage, collection, transportation, processing or disposal of solid waste, the laws of the State of Missouri, or federal laws, the Marshal shall issue a notice for each such violation stating therein the violation or violations found, together with the time in which corrections shall be made. Such notice shall give five days to effectuate corrective action.

(c) In all cases, when the corrective measures have not been taken within the time specified, the City Clerk may request the City to suspend, or revoke this Agreement.

#### Section 5--Contractor's Fee:

(a) Contractor's fee for the collection of residential solid waste shall be \$8.00 per month. City agrees to collect on behalf of Contractor this fixed service charge and shall be compensated for providing such service at the rate of \$.25 per residential billing per month. Contractor shall be entitled to a separate service charge for each dwelling unit, as defined by Ordinance 272.

(b) Contractor shall be responsible for negotiating the service fee to be charged commercial establishments for the collection of solid waste. City shall have no responsibility for collecting such commercial service charges for Contractor.

(a) Effective January 7, 1985, Contractor shall collect all solid waste within the City. Solid waste shall be collected from all residential dwelling units, multiple housing facilities and commercial establishments in the manner herein provided.

(b) All solid waste stored as herein provided shall be collected. All solid waste collected shall, upon being loaded into collection equipment, become the property of the Contractor.

(c) All solid waste shall be placed at the curb or alley, as practice may dictate, for collection. Contractor shall pick up and suitably dispose of all solid waste deposited by residents in compliance with Ordinance 272.

(d) Contractor is authorized to enter upon private property for the purpose of collecting solid waste therefrom as required by this Agreement and Ordinance 272. Contractor shall not enter dwelling units or other residential buildings for the purpose of collecting residential solid waste. Commercial solid waste may be removed from within commercial establishments upon request of the owner thereof.

(e) The following collection frequencies shall apply to collections of solid waste within the City: All residential solid waste shall be collected at least once weekly. All commercial solid waste shall be collected at least once weekly and may be collected at such lesser intervals as shall be fixed by the City Clerk upon a determination that such lesser intervals are not detrimental to the preservation of the health or safety of the public.

(f) All collection vehicles shall be maintained in a safe, clean and sanitary condition, and shall be so constructed, maintained and operated as to prevent spillage of solid waste therefrom. All vehicles to be used for collection of solid waste shall be constructed with water-tight bodies and with covers which shall be an integral part of the vehicle or shall be a separate cover of suitable material with fasteners designed to secure all sides of the cover to the vehicle and shall be secured whenever the vehicle is transporting solid waste, or, as an alternative, the entire bodies thereof shall be enclosed, with only loading hoppers exposed. No solid waste shall be transported in the loading hoppers.

### Section 3--Disposal of Solid Waste:

(a) Solid waste shall be disposed of at a processing facility or disposal area approved by the City and complying with all requirements of the Missouri Division of Health.

(b) The City Clerk may classify certain waste as hazardous waste which will require special handling and shall be disposed of only in a manner acceptable to the City Clerk and which will



AN ORDINANCE PROVIDING FOR THE RENEWAL OF A FRANCHISE GRANTED TO GASCOSAGE ELECTRIC COOPERATIVE, A CORPORATION, TO USE THE STREETS, ROADS, ALLEYS, SIDEWALKS AND OTHER PUBLIC PLACES OF THE CITY OF DIXON, MISSOURI FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY FOR A PERIOD OF TEN (10) YEARS; PROVIDING FOR PUBLIC HEARING.

WHEREAS, Ordinance No. 161 of the City of Dixon, Missouri entitled:

"AN ORDINANCE GRANTING A FRANCHISE TO GASCOSAGE ELECTRIC COOPERATIVE, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, ACQUIRE, OPERATE AND MAINTAIN ELECTRIC FACILITIES IN THE CITY OF DIXON, MISSOURI, FOR A PERIOD OF TEN (10) YEARS AND TO FURNISH ELECTRICITY TO THE CITY AND THE INHABITANTS THEREOF, AND TO USE THE STREETS, ROADS, ALLEYS AND OTHER PUBLIC PLACES WITHIN THE CITY."

was passed and approved on the 12th day of May, 1975 and ratified by special election of the 18th day of June, 1975; and,

WHEREAS, the laws of the State of Missouri provide that no franchise or right to occupy or use the streets, highways, bridges or public places in any city shall be renewed or extended except by ordinance, with notice and public hearing.

NOW, THEREFORE, BE IT ORDAINED by the Board of Alderman of the City of Dixon, Missouri as follows:

Section 1. That Ordinance 161 shall be renewed and extended for a period of TEN (10) years from the date of final approval of this Ordinance.

Section 2. Before final passage of this ordinance, the City Clerk shall prepare a notice of public hearing thereupon and cause it, along with a true copy of the Ordinance, including the full text of the franchise under consideration, to be published once a week for four (4) consecutive weeks in a daily newspaper or for four (4) consecutive weeks in a weekly newspaper published or distributed in the city, the first publication to be at least thirty (30) days before, and the last publication within ten (10) days of, the date fixed by the City Council for the public hearing.

Section 3. The notice shall give the date, time and place of the public hearing, and shall contain a statement of the substance and effect of the proposed Ordinance, and a further statement that the Ordinance, as introduced, or a true copy thereof, may be inspected and copied at the office of the City Clerk during regular business hours. The public hearing shall be at a regular, adjourned or called meeting of the City Council, at which all interested persons will be heard in person or by attorney.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval for a period of TEN (10) years.

PASSED AND APPROVED this 4 day of January, 1988.

Burt C. Davis  
Mayor

(Seal)

ATTEST:

Donna Thomas  
City Clerk

Done by authority of the Board of Alderman 4 January, 1988.

Burt C. Davis  
Mayor

(Seal)

ATTEST:

Donna Thomas  
City Clerk

owed  
Gascosage

An Ordinance of the City of Dixon, Missouri, authorizing, fixing and determining a rate of levy on the hundred dollar valuation on all taxable property within the City of Dixon levied and collected upon all property within said City for the year of 1988.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, COUNTY OF PULASKI, STATE OF MISSOURI, AS FOLLOWS:

SECTION 1. That pursuant to the authority and direction of the laws of the State of Missouri, relevant to Cities of the fourth class and pursuant to the authority of the qualified voter at due and proper elections held in said City, that there shall be levied and collected as taxes for the year 1988, upon all Real Estate, personal and mixed property taxable within the City of Dixon, Missouri, at the rate of \$0.99 cents on the \$100.00 assessed valuation as per the following purposes.

GENERAL REVENUE ON EACH \$100.00 ASSESSED VALUATION.....\$0.39....

FOR PUBLIC LIBRARY on each \$100.00 assessed valuation.....\$0.02....

FOR BONDS AND ANNUAL INTEREST ON GENERAL OBLIGATION BONDS  
ON THE \$100.00 valuation.....\$0.58....

TOTAL RATE.....\$0.99....

and that the above rate levy on the \$100.00 assessed valuation of taxable property in said City of Dixon, be and is hereby made the true and lawful levy for said City of the year 1988.

SECTION 2. That the City Clerk is hereby authorized and directed to furnish a certified copy of this Ordinance to the Clerk of the County Court of Pulaski County, Missouri, within the time required by law for the filling City rates within said Clerk.


READ first, second and third time and approved by the following votes:

Aye 4 Nay 0

PASSED AND APPROVED THIS 29 DAY OF AUGUST, 1988.

ATTEST:

  
Donna Thomas, City Clerk

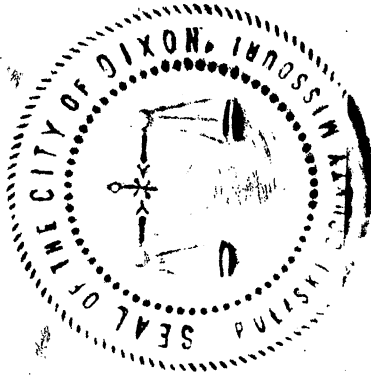
  
Quentin C. Davis, Mayor

State of Missouri, County of Pulaski, City of Dixon

Donna Thomas, clerk for the City of Dixon, Pulaski County, State of Missouri, do hereby certify that the above and foregoing is a true and complete copy of the Ordinance for the City of Dixon, Missouri, fixing the tax rate for the year 1988. Upon all taxable property within said City as fully as same appears recorded in Ordinance record book of said City.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the Seal of Said City.

Done at my office in the City hall in Dixon, Missouri, this 29 day of August, 1988.



Donna Thomas  
Donna Thomas, City Clerk

STATE OF MISSOURI  
COUNTY OF PULASKI

ISS 978

THE RECORDER'S OFFICE  
1800

I Kenneth H. Miller, Circuit Clerk and ex-officio Recorder of Deeds of said County do hereby certify that the within instrument of writing was on 30th day of August A.D. 19 88 at 9 o'clock 25 minutes PM, duly filed for record in this office, and is recorded in the records of this office in Book 356 Page 689.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City of Waynesville, Missouri this 30th day of August A.D. 19 88.

By Shelly Brown Kenneth H. Miller  
Deputy Recorder

ORDINANCE NO. 305

AN ORDINANCE TO ABANDON CERTAIN EASEMENTS ACROSS REAL PROPERTY LOCATED IN THE CITY OF DIXON, MISSOURI

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1. Quenton Davis and Charlene Davis have petitioned the City of Dixon to release and abandon certain easements heretofore granted to the city.

Section 2. The easements in question are over, across, and upon a certain tract of real property located in the County of Pulaski, State of Missouri, to-wit:

A part of Lot 2, and all of Lots 3, 4, 5 and 6 in VEL-MAR SUBDIVISION, an Addition to the City of Dixon, Pulaski County, Missouri, per the plat thereof filed in the Recorder's Office of Pulaski County, Missouri; and a part of the Northwest quarter of Southeast quarter of Southwest quarter of Section 24, Township 38 North, Range 11 West of 5th P.M.; and all being particularly described as follows: Beginning at the Southeast corner of said Northwest quarter of Southeast quarter of Southwest quarter; thence North 54 40' West 49.44 feet to intersection of the West line of a County Road and the North line of Country Club Street, which point is the Southeast corner of parcel described in instrument recorded in Book 368, Page 49 in the Recorder's Office of Pulaski County, Missouri; thence North 86 16'28" West 207.8 feet along the North line of said Country Club Street; thence North 1 40' East 277.4 feet to the true point of beginning of the tract herein described; thence North 84 04' West 392.3 feet; thence North 1 40' East 324.45 feet to the North line of Lot 2 in said Vel-Mar Subdivision; thence South 84 50' East 600 feet along the North line of said Vel-Mar Subdivision to the Northeast corner of said Lot 6 in Vel-Mar Subdivision; thence South 1 40' West 186.25 feet along the West line of said County Road (and partly along the East line of said Lot 6) to the Northeast corner of said parcel described in instrument recorded in Book 368, Page 49; thence North 86 17' West 207.8 feet to the Northwest corner of last said parcel; thence South 1 40' West 138.2 feet to the true point of beginning of the tract herein described; containing 3.81 acres more or less.

Description per survey made by E. A. Mueller under date of February 15, 1989. Subject to any easements and restrictive covenants of record.

Section 3. One of the easements in question is a blanket sewer easement recorded at Book 394, Page 802, of the records of the recorder of deeds for Pulaski County, Missouri.

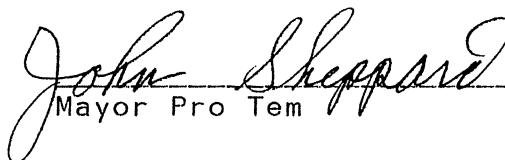
Section 4. One of the easements is a utility easement along the south side of lots 1, 2, 3, 4, 5, and 6, and along the east side of lot 3, in Vel-Mar Subdivision, an addition to the City of Dixon, Pulaski County, Missouri, per the plat thereof filed in the Recorder's office in Pulaski County, Missouri.

Section 5. One of the easements is a parcel of land twenty (20) feet on each side intended to be used for a pump station and located in the Northeast corner of lot 3 in said Vel-Mar Subdivision.

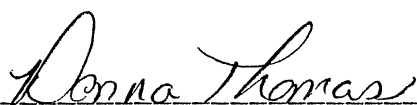
Section 6. The Board of Aldermen of the City of Dixon, Missouri, has determined that the release, abandonment, and vacation, of the easements described above is necessary in order to promote the best interests of the City of Dixon.

Section 7. The City of Dixon, Missouri, hereby releases, abandons, and vacates the easements described above.

Passed and approved by the Board of Aldermen of the City of Dixon, Missouri, this 5th day of July, 1989.

  
\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

  
\_\_\_\_\_  
City Clerk

ORDINANCE NO. 305

Authorizing the execution of a long-term real estate Lease between the City of Dixon, Missouri, and the Dixon Senior citizens/Dixon Keenagers, a Not-for-Profit Corporation of Missouri.

WHEREAS, the City of Dixon, Missouri is the sole owner of a tract of land known as the Dixon City Park, located within the City limits thereof; and

WHEREAS, the Dixon Senior Citizens/Dixon Keenagers, is a General Not-for-Profit Corporation duly organized and existing under the laws of the State of Missouri, which corporation desires to establish a nutrition center and a center for senior citizen activities, and all activities related thereto, and desires to build a permanent structure for those purposes; and

WHEREAS, the City of Dixon, Missouri, deems it appropriate to make available to said Corporation a tract of land within said Dixon City Park for the purpose of erecting a permanent structure thereon, and to furnish to said Corporation certain services, accommodations, and facilities in connection therewith.

Be it Ordained by the Council of the City of Dixon, Missouri, as follows:

Section 1: that portion of the Dixon City Park described as follows, to-wit:

SEE EXHIBIT A ATTACHED

shall be leased by the City of Dixon, Missouri, to the Dixon Senior Citizens/Dixon Keenagers, a Not-for-Profit organization of



the State of Missouri for a term of ninety-nine (99) years, at the rate of One Dollar (\$1.00) per year, the terms and conditions of said Lease being set forth in a Lease Agreement attached hereto, incorporated herein, and for all purposes made a part of this Ordinance by reference thereto.

Section 2: That all ordinances, or parts of ordinances, in conflict herewith be and the same are hereby repealed.

Section 3: that this ordinance shall be in full force and effect from and after the date of its passage and approval.

Passed and approved by the council this 13 day of March, 1989.

Quentin C Davis  
MAYOR

ATTEST:

Donna Thomas  
CITY CLERK

ORDINANCE NO. 305

Authorizing the execution of a long-term real estate Lease between the City of Dixon, Missouri, and the Dixon Senior citizens/Dixon Keenagers, a Not-for-Profit Corporation of Missouri.

WHEREAS, the City of Dixon, Missouri is the sole owner of a tract of land known as the Dixon City Park, located within the City limits thereof; and

WHEREAS, the Dixon Senior Citizens/Dixon Keenagers, is a General Not-for-Profit Corporation duly organized and existing under the laws of the State of Missouri, which corporation desires to establish a nutrition center and a center for senior citizen activities, and all activities related thereto, and desires to build a permanent structure for those purposes; and

WHEREAS, the City of Dixon, Missouri, deems it appropriate to make available to said Corporation a tract of land within said Dixon City Park for the purpose of erecting a permanent structure thereon, and to furnish to said Corporation certain services, accommodations, and facilities in connection therewith.

Be it Ordained by the Council of the City of Dixon, Missouri, as follows:

Section 1: that portion of the Dixon City Park described as follows, to-wit:

SEE EXHIBIT A ATTACHED

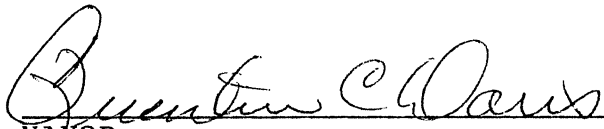
shall be leased by the City of Dixon, Missouri, to the Dixon Senior Citizens/Dixon Keenagers, a Not-for-Profit organization of

the State of Missouri for a term of ninety-nine (99) years, at the rate of One Dollar (\$1.00) per year, the terms and conditions of said Lease being set forth in a Lease Agreement attached hereto, incorporated herein, and for all purposes made a part of this Ordinance by reference thereto.

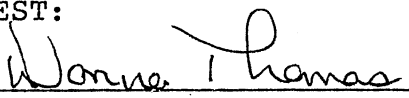
Section 2: That all ordinances, or parts of ordinances, in conflict herewith be and the same are hereby repealed.

Section 3: that this ordinance shall be in full force and effect from and after the date of its passage and approval.

Passed and approved by the council this 13 day of March, 1989.

  
MAYOR

ATTEST:

  
CITY CLERK

LEASE

THIS LEASE, made and entered into on March 13, 1989, by and between the CITY OF DIXON, MISSOURI, a municipal corporation, hereinafter referred to as Lessor, and Dixon Senior Citizens/Dixon Keenagers, a Not-for-Profit Corporation of Missouri, hereinafter referred to as the Lessee.

SECTION I

Lessor herewith leases to Lessee, and Lessee herewith leases from Lessor, for the purpose of erecting and operating a senior citizen center and nutrition center, and all matters relating thereto, the following-described premises, to-wit:

SEE ATTACHED EXHIBIT A.

As used herein, the term "premises" refers to the real property above described and to any improvements located thereon from time to time during the term thereof.

SECTION II

The term of this Lease shall be for a period of ninety-nine (99) years, commencing on April 1<sup>st</sup>, 1989.

SECTION III

The rental for said term shall be the sum of ONE DOLLAR (\$1.00) per year, payable annually in advance, commencing April 1<sup>st</sup>, 1989, and upon the same day of each year thereafter.

SECTION IV

Lessor covenants that it is seized of the demised premises in fee simple, and has the full right to make this Lease, and

that Lessee shall have quiet and peaceable possession of the demised premises during the term hereof.

#### SECTION V

Lessee shall not use, or permit the demised premises or any part thereof, to be used for any purpose or purposes other than the purpose or purposes for which the demised premises are hereby leased; and Lessee shall, at its sole cost, comply with all requirements pertaining to the demised premises of any insurance organization or company necessary for the maintenance of insurance covering any building and appurtenance at any time located upon the demised premises.

#### SECTION VI

Lessee may encumber by mortgage or deed of trust, or other proper instrument, its leasehold interest and estate in the demised premises, together with all buildings and improvements placed by Lessee thereon, as security for any indebtedness of Lessee. The execution of any such mortgage, or deed of trust, or other instrument, or the foreclosure thereof, or any sale thereunder, either by judicial proceedings or by virtue of any power reserved in such mortgage or deed of trust, or conveyance by Lessee to the holder of such indebtedness, or the exercising of any right, power, or privilege reserved in any mortgage or deed of trust, shall not be held as a violation of any of the terms or conditions hereof, or as an assumption by the holder of such indebtedness personally of the obligations hereof. No such encumbrance, foreclosure, conveyance, or exercise of right, shall relieve Lessee from its liability hereunder.

If Lessee shall encumber its leasehold interest and estate in the demised premises, and if Lessee, or the holder of the indebtedness secured by such encumbrance, shall give notice to Lessor of the existence thereof and the address of such holder, then Lessor will mail or deliver to such holder, at such address, a duplicate copy of all notices in writing which Lessor may, from time to time, give to or serve on Lessee under and pursuant to the terms and provisions hereof. Such copy shall be mailed or delivered to such holder at, or as near as possible to, the same time such notices are given to or served on Lessee. Such holder may, at its option, at any time before the rights of the Lessees shall be terminated as provided herein, pay any of the rents due hereunder, or pay any taxes and assessments, or do any other act or thing required of Lessee by the terms hereof, or do any act or thing that may be necessary and proper to be done in the observance of the covenants and conditions hereof, or to prevent the termination hereof. All payments so made, and all things so done and performed by such holder shall be as effective to prevent a foreclosure of the rights of Lessee thereunder as the same would have been if done and performed by Lessee.

#### SECTION VII

The construction of any building upon the aforementioned premises by Lessee shall comply with and abide by all legally enforceable federal, state, county, municipal, and other governmental statutes, ordinances, laws, and regulations affecting same.

#### SECTION VIII

Lessee shall, throughout the term of this Lease, at its own cost, and without expense to Lessor, keep and maintain all permanent buildings and improvements of every kind which may be a part thereof in good, sanitary, and neat order, condition and repair, and shall comply with and abide by all legally enforceable federal, state county, municipal, and other governmental statutes, ordinances, laws and regulations affecting same.

#### SECTION IX

Lessee shall fully and promptly pay for all heating and cooling, utilities, telephone service, and public utilities of every kind furnished to the premises throughout the term hereof, and lessor shall have no responsibility for any part thereof. However, Lessor shall pay any taxes assessed against said property.

#### SECTION X

Lessee shall keep the premises, and all buildings and other improvements thereon free and clear of any and all mechanics', materialmen's and other liens for or arising out of or in connection with work and labor done, services performed, or materials or appliances used or furnished for or in connection with any operations of Lessee.

#### SECTION XI

Lessor shall not be liable for any loss, injury, death, or damage to persons or property which at any time may be suffered or sustained by Lessee, or by any person whosoever may at any

time be using or occupying or visiting the demised premises except, however, as to any loss, injury, death, or damage arising by reason of the negligence or misconduct of Lessor, its agents, or employees. Furthermore, this provision shall not obligate Lessee as to any of Lessor's patrons who might continue to use the demised area as a public park.

#### SECTION XII

In the event of the termination of this Lease by reason of the total or partial taking of the premises by eminent domain, then in any such condemnation proceedings lessor and Lessee shall be free to make claim against the condemning or taking authority for the amount of any damage done to them, respectively, as a result thereof.

In the event of a partial taking of the premises, and this Lease is not terminated, then Lessee shall have the right to make claim against the condemning or taking authority for all damages done unto it.

However, Lessor shall not, at any time throughout the term of this Lease, exercise any powers of eminent domain over the demised premises thereby nullifying the intent and purpose of this leasehold agreement.

Neither shall Lessor zone, or re-zone, the demised premises in such a manner as to nullify the intent and purpose of this leasehold agreement.

#### SECTION XIII

In the event of partial and/or total destruction of the building to be erected by Lessee, Lessee shall have the sole



option of repairing and/or rebuilding same, and if said option is not exercised by Lessee, this agreement shall automatically become void, and of no further force and effect, and the premises shall automatically revert to Lessor; subject, however, to the terms and provisions of Section XIV.

#### SECTION XIV

Upon termination of this Lease for any cause, Lessee shall peaceably and quietly quit and surrender up to Lessor the premises herein, leaving the demised premises in a tenantable condition. Ownership of all interest in the real estate, including the structure and fixtures, shall revert to Lessor. Lessee shall have the right to remove all personal property from the building.

#### SECTION XV

Lessee shall not be deemed to be in default hereunder in the payment of rent, or the payment of any other monies as herein required, unless Lessor shall first give to Lessee thirty (30) days written notice of such default, and Lessee fails to cure such default within thirty (30) days, or if the default is of such a nature that it cannot be cured within thirty (30) days, Lessee fails to commence to cure such default within such period of thirty (30) days, or fails thereafter to proceed to the curing of such default with all possible diligence.

#### SECTION XVI

Lessee shall have the right, by written notice to Lessor given at least thirty (30) days prior to the expiration of any yearly period of this term, to terminate this Lease and surrender

its leasehold interest hereunder to Lessor, and on such effective date Lessee shall be relieved from all further liability hereunder, and shall deliver possession of the demised premises to Lessor; subject, however, to the provisions of Section XIV.

#### SECTION XVII

Any holding over after the expiration of the term of this Lease, with consent of Lessor, shall be construed to be tenancy from year to year, and shall otherwise be upon the terms and conditions herein specified, so far as applicable.

#### SECTION XVIII

All notices, demands, or other writings in this Lease provided to be given, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when made in writing and deposited in the United States mail, registered and postage prepaid, and addressed as follows:

TO LESSOR: The Mayor, City Hall, Dixon, Missouri

TO LESSEE: Dixon Senior Citizens / Dixon Keenagers Inc..

The address to which any notice, demand, or other writing may be given or made, or sent to any part as above provided, may be changed by written notice given by such party as above provided.

#### SECTION XIX

In the event that at any time during the term hereof, Lessor shall receive from any third party a bona fide offer to purchase the premises at a price and on terms acceptable to the Lessor, Lessor shall give written notice to Lessee of the name and

address of third party and the price and terms, and Lessees shall have ninety (90) days thereafter in which to execute a written agreement with Lessor for the purchase of the premises at such price and on such terms. If Lessor shall so notify lessee, and Lessee shall fail to execute such agreement within a ninety (90) day period, Lessor shall thereafter be free to sell the property to the third party making the offer on the same terms and conditions set forth in such offer, and if the property is so sold to such party, then said sale shall be subject to all rights of Lessee hereunder, and said sale shall in no way operate as a forfeiture of this leasehold agreement.

If the property is not sold to the party making the offer, then Lessor shall give Lessee the same right to purchase the property on receiving any subsequent offer from any third party that is acceptable to Lessor; provided, however, that nothing herein contained shall in any way limit the right of Lessor to transfer or convey the premises on the dissolution of Lessor, or otherwise, for a nominal or no consideration, but in any of those events, Lessee shall still have the first right of refusal to purchase the property in the event of such a transfer or conveyance.

#### SECTION XX

The covenants and conditions herein contained shall, subject to the provisions as to assignment, transfer and subletting, apply to and bind the respective successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

CITY OF DIXON, MISSOURI

By:

Quentin C. Davis  
MAYOR

ATTEST

Donna Thomas  
CITY CLERK

DIXON SENIOR CITIZENS/DIXON KEENAGERS

By:

J. E. Breyer  
PRESIDENT

ATTEST

Mildred Collins  
SECRETARY

STATE OF MISSOURI

)  
) ss  
)

COUNTY OF PULASKI

On this 13 day of March, 1989, before me personally appeared Quentin Davis, Mayor, and Donna, City Clerk, both officers of the City of Dixon, Missouri, a municipal corporation, who severally acknowledged that as such Mayor and as such City Clerk, and for and on behalf of the City of Dixon, Missouri, they each signed and delivered the foregoing Ground Lease on the day and year herein written, pursuant to the authority of an ordinance adopted by the City Council for the City of Dixon, Missouri, a municipal corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notary seal at my office in Dixon, Missouri, the day and year last above written.

Harold E. Schumacher  
NOTARY PUBLIC

My commission expires: Sept. 10, 1990

STATE OF MISSOURI

)

) SS

COUNTY OF PULASKI

)

On this 13 day of March, 1989, before me appeared J. E. Bynell, to me personally known, who being by me duly sworn, did say that he is President of the Dixon Senior Citizens/Dixon Keenagers, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and seal in behalf of said corporation by authority of its board of directors and said J. E. Bynell acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notary seal at my office in Dixon, Missouri, the day and year last above written.

Hugh G. Schirbaum  
NOTARY PUBLIC

My commission expires: Sept 10, 1990

An Ordinance of the City of Dixon, Missouri, authorizing, fixing and determining a rate of the levy on the hundred dollar valuation on all taxable property within the City of Dixon levied and collected upon all property within said City for the year of 1989.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, COUNTY OF PULASKI, STATE OF MISSOURI, AS FOLLOWS:

SECTION 1. That pursuant to the authority and direction of the laws of the State of Missouri, relevant to Cities of the fourth class and pursuant to the authority of the qualified voter at due and proper election held in said City, that there shall be levied and collected as taxes for the year 1989, upon all Real Estate, Personal and Mixed property taxable within the City of Dixon, Missouri, at the rate of \$0.99 cents on the \$100.00 assessed valuation as per the following

GENERAL REVENUE ON EACH \$100.00 ASSESSED VALUATION.....	\$0.39....
FOR PUBLIC LIBRARY ON EACH \$100.00 ASSESSED VALUATION.....	\$0.02....
FOR BONDS AND ANNUAL INTEREST ON GENERAL OBLIGATION BONDS ON THE \$100.00 ASSESSED VALUATION.....	\$0.14....
TOTAL RATE.....	\$0.55....

and that the above rate levy on the \$100.00 assessed valuation of taxable property in said City of Dixon, be and is hereby made a true and lawful levy for said City of the year 1989.

SECTION 2. That the City Clerk is hereby authorized and directed to furnish a certified copy of this ordinance to the Clerk of the County Court of Pulaski County, Missouri, within the time required by law for the filling City taxes within said Court.

Read first, second and third time and approved by the following votes:

AYE 5 NAY 0

PASSED AND APPROVED THIS 21 DAY OF AUGUST, 1989.



Donna Thomas  
Donna Thomas, City Clerk

Quentin C. Davis  
Quentin C. Davis Mayor

State of Missouri, County of Pulaski, City of Dixon

I, DONNA THOMAS, Clerk for the City of Dixon, Pulaski County, State of Missouri, do hereby certify that the above and foregoing is a true and complete copy of the ordinance for the City of Dixon, Missouri, fixing the tax rate for the year 1989. Upon all taxable property within said City as fully as same appears recorded in Ordinance record book of said City.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the SEAL of SAID CITY.

Done at my office in the City Hall in Dixon, Missouri, this 24 day of August, 1989.

Donna Thomas  
Donna Thomas, City Clerk

IN THE RECORDER'S OFFICE

STATE OF MISSOURI  
COUNTY OF PULASKI

) 6357

I Beth Carroll

Recorder of said county, do hereby certify that the within instrument of writing was, on the 28 day of August A.D. 1989, at 9 o'clock and 55 minutes A M, duly filed for record in this office and is recorded in the records of this office, in Book 400, at Page 328.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal, at Waynesville, Missouri, the day and year above written.

Beth Carroll Recorder of Deeds. BY: Connie Hatley  
Deputy

Pd 900 City of Dixon PO Box 177 Dixon, MO

AN ORDINANCE VACATING A PORTION OF ELM STREET;  
FIXING AN EFFECTIVE DATE

BE IT ORDAINED by the Board of Aldermen of the City of Dixon as follows:

SECTION 1. The Board of Aldermen finds and determines that:

- A. Elm Street is a publicly dedicated street as shown on the Plat of the Original Town of Dixon, Pulaski County, Missouri;
- B. Elm Street has a width of 80 feet as depicted on the said Plat, but a much narrower strip is actually used as a public street;
- C. The portion of Elm Street which is hereinafter described is not now, and has never been, used as a public street and no public funds have been expended thereon;
- D. The owner of the real estate adjacent to the hereinafter described portion of Elm Street has filed a written request that the hereinafter described portion of Elm Street be vacated;
- E. It is expedient to vacate the hereinafter described portion of Elm Street;
- F. No damages will be sustained by the citizens of the City of Dixon or by the owners of property therein as a result of vacation of the hereinafter described



portion of Elm Street.

SECTION 2. That the portion of Elm Street described as follows, to-wit:

Beginning at the Northeast corner of Block 10 of the Original Town (now City) of Dixon, Pulaski County, Missouri; thence East 20.0 feet along the South right-of-way of 6th Street (as the said 6th Street is shown on the plat of said Original Town of Dixon, Missouri); thence South 80.0 feet parallel with the East line of said Block 10; thence West 20 feet parallel with the said South right-of-way of 6th Street to the East line of said Block 10; thence North 80.0 feet along the East line of said Block 10 to the point of beginning.

is hereby vacated and shall hereafter be forever free of the rights acquired by the public as a result of the dedication of the same as a portion of a public street, except that the City of Dixon reserves an easement over the said real estate for installatin, repair, maintenance, removal and relocation of utilities.

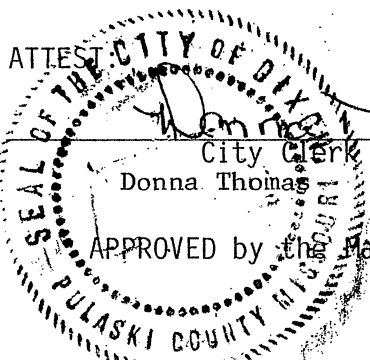
SECTION 3. The City Clerk is authorized and directed to cause a certified copy of this ordinance to be recorded in the Office of the Recorder of Deeds of Pulaski County, Missouri.

SECTION 4. This ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the Board of Aldermen on this 14 day of Sept., 1989.

John Sheppard  
Mayor

John Sheppard



Donna Thomas  
City Clerk  
Donna Thomas

APPROVED by the Mayor on this 14 day of Sept, 1989.

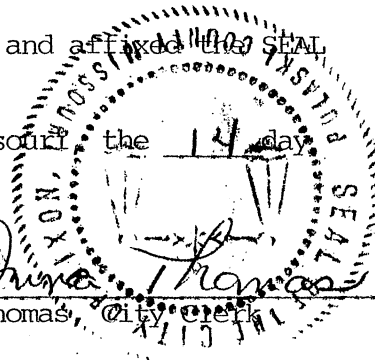
John Sheppard  
Mayor

John Sheppard

I, Donna Thomas, Clerk for the City of Dixon, Pulaski County, State of Missouri, do hereby certify that the above and foregoing is a true and complete copy of the ordinance for the City of Dixon, Missouri.

In TESTIMONY WHEREOF I have hereunto set my hand and affixed the SEAL of said CITY.

Done at my office in the City Hall in Dixon, Missouri, the 14 day of Sept., 1989.



Donna Thomas  
City Clerk  
Donna Thomas

IN THE RECORDER'S OFFICE

STATE OF MISSOURI )  
COUNTY OF PULASKI )

6676

I Beth Carroll

Recorder of said county, do hereby certify that the within instrument of writing was, on the 18 day of September A.D. 1989, at 10 o'clock and 55 minutes AM, duly filed for record in this office and is recorded in the records of this office, in Book 400, at Page 558.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal, at Waynesville, Missouri, the day and year above written.

Beth Carroll

Recorder of Deeds. BY:

Connie Hartley, DC

Deputy

Pd 12<sup>00</sup> WCM

AN ORDINANCE ANNEXING PROPERTY TO THE CITY OF DIXON, MISSOURI, PURSUANT TO THE PROVISIONS OF SECTION 71.102 RSMO.

WHEREAS, a certified petition was duly filed with the Board of Aldermen on the 7th day of August, 1989, signed by the owner of all fee interest of record, requesting that the real property described below be annexed to the City of Dixon, Missouri, Pursuant to the provisions of Section 71.012 RSMO, et seq: and

WHEREAS, the Board of Aldermen of the City of Dixon, Missouri, did receive said petition and order that a public hearing be held at the Dixon City Hall on August 21st, 1989 at 7:00p.m. so as to afford any interested person, corporation or political subdivision the opportunity to present evidence regarding the proposed annexation, and further order that notice of the date, time and place of said hearing be published in a newspaper of general circulation in the City of Dixon, Missouri; and

WHEREAS, after considering all the above evidence presented at said hearing both in favor of the petition and by those who were apposed, the Board of Aldermen find that:

1. The area proposed for annexation is contiguous to the existing corporate limits of the City of Dixon, Missouri.
2. That the petition for annexation has been duly signed and verified by all of the owners of all fee interests of record of said property.
3. That such annexation is reasonable and necessary to the proper development of said City.
4. That the City of Dixon, Missouri, is able to furnish normal municipal services to said unincorporated area within a reasonable time after said annexation is to become effective.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

Section 1: That the real property described below be and is hereby annexed to the City of Dixon, Missouri, said property being more particularly described as follows:

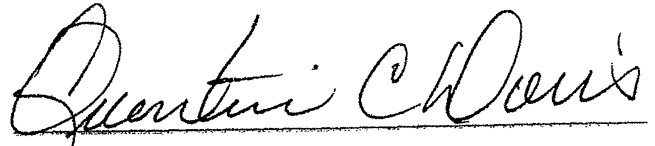
All that part of the Southeast quarter of the Southwest of the Southeast quarter of Section 24, township 38 north, Range 11 West of the 5th P.M. lyinh South of Missouri Highway #28 and North of the right-of-way of Burlington-Northern Railroad (formerly known as St. Louis San Francisco Railroad) described as follows: Beginning at the intersection of the South right-of-way line of said Highway #28 and the East line of said southeast quarter of the Southwest quarter of the Southeast quarter; thence South 77 deg. 15 min. West 60.2 feet and South 78 deg. 40 min. West 105.8 feet along the South right-of-way line of said highway #28 to Station 697+45.3; thence South 6 deg. 08 min. East 99.52 feet to the North right-of-way of said Railroad; thence North 89 deg. 10 min. West 164 feet along the North right-of-way of said Railroad to the true point of beginning of the tract

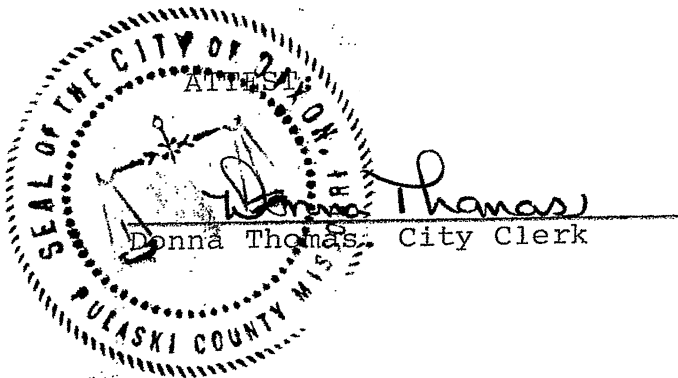
herein described; thence continuing North 89 deg. 10 min. West 352.4 feet along the North right-of-way of said Railroad to the West line of said Southeast quarter of Southwest quarter of Southeast quarter; thence North 1 deg. 06 min. East 28.7 feet along the West line of said Southeast quarter of Southwest quarter of the Southeast quarter to the South right-of-way line of said Highway #28; thence North 83 deg. 45 min. East 352.4 feet along the South right-of-way line of said Highway #28; thence North 80 deg. 45min. East along the South right-of-way line of said Highway #28.

SECTION 2. The City Clerk is hereby instructed to file Three (3) certified copies of this ordinance with the Clerk of Pulaski County, Missouri.

SECTION 3. This ordinance shall be in full force and effect from and after the date of its passage and approval.

APPROVED:

  
Mayor, Quentin C. Davis



STATE OF MISSOURI )  
COUNTY OF PULASKI ) SS

I Donna Thomas, City Clerk within and for the City of Dixon, in the County of Pulaski, State of Missouri, do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance number 308 of the said City, as passed by the City Council and approved by the Mayor of the City of Dixon on the 6<sup>th</sup> day of November, 1989, as fully as the same appears and remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, at my office in said City, This 6<sup>th</sup> day of November, 1989



Donna Thomas  
Donna Thomas, City Clerk

STATE OF MISSOURI  
COUNTY OF PULASKI

IN THE RECORDER'S OFFICE

I Beth Carroll

Recorder of said county, do hereby certify that the within instrument of writing was, on the 28 day of December A.D. 1989, at 9 o'clock and 05 minutes A.M., duly filed for record in this office and is recorded in the records of this office, in Book 404, at Page 698.

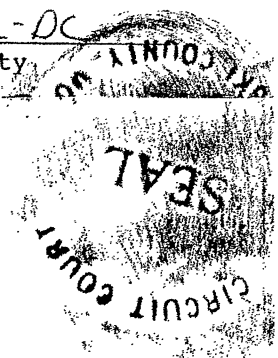
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal, at Waynesville, Missouri, the day and year above written.

Beth Carroll

Recorder of Deeds. BY:

Connie Hattley-DC

Deputy



ORDINANCE NUMBER

30

309

AN ORDINANCE ANNEXING PROPERTY TO THE CITY OF DIXON, MISSOURI  
PURSUANT TO THE PROVISIONS OF SECTION 71.012 RSMO.

WHEREAS, a certified petition was duly filed with the Board of Aldermen on the 2nd day of November, 1989, signed by the owners of all fee interests of record, requesting that the real property described below be annexed to the City of Dixon, Missouri, pursuant to the provisions of Section 71.012 RSMO, et seq: and

WHEREAS, the Board of Aldermen of the City of Dixon, Missouri, did receive said petition and order that a Public Hearing be held at the Dixon City Hall on December 4th, 1989 at 7:00P.M. so as to afford any interested person, corporation or political subdivision the opportunity to present evidence regarding the proposed annexation, and further order that a notice of the date, time and place of said hearing be published in a newspaper of general circulation in the City of Dixon, Missouri: and

WHEREAS, after considering all above evidence presented at said hearing both in favor of the petition and by those who were opposed, the Board of Aldermen find that:

1. The area proposed for annexation is contiguous to the existing corporate limits of the City of Dixon, Missouri
2. That the petition for annexation has been duly signed and verified by all of the property owners of all fee interests of record of said property.
3. That such an annexation is reasonable and necessary to the proper development of said City.
4. That the City of Dixon, Missouri, is able to furnish normal municipal services to said unincorporated area within a reasonable time after said annexation is to become effective.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

SECTION 1. That the real property described below be and is hereby annexed to the City of Dixon, Missouri, said property being more particularly described as follows:

All that part of the Northeast quarter of the Southwest quarter of Section 24, Township 38 North, Range 11 West of the 5th P.M. described as follows: Beginning at the Southwest corner of said forty ; thence North 15 feet along the West line of said forty to the North right-of-way line of a County road; thence South 86 10 feet; East 125 feet along the North line of said County road to the true point of beginning of the tract herein described; thence continuing South 86 10 feet East 251 feet along the North line of said County road; thence North 350 feet; thence North 86 10 feet West 251 feet; thence South 350 feet to the true point of beginning of the tract herein described. Subject to any easements of record.

AND

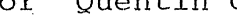
All that part of the Northeast quarter of the Southwest quarter of Section 24, Township 38 North, Range 11 West of the 5th P.M. described as follows: Beginning at the Southwest corner of said Northeast quarter of the Southwest quarter; thence North 15 feet along the West line of said Northeast quarter of the Southwest quarter to the North right-of way line of public road and to the true point of beginning of the tract herein described; thence South 86 10 feet East, 125 feet along the North right-of-way line of said road, thence North 350 feet parallel with the West line of said Northeast quarter of the Southwest quarter, thence North 86 10 feet West, 125 feet to the West line of said Northeast quarter of the Southwest quarter, thence South 350 feet along the West line of the Northeast quarter of the Southwest quarter to the true point of beginning of the tract herein described. (same as the West 125 feet of tract #1 on survey made by J.T. Powell under date of September 10, 1966) Subject to any easements of record.

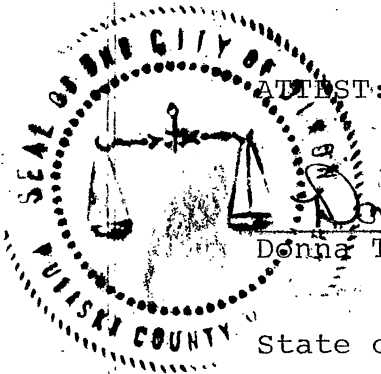


SECTION 2. The City Clerk is hereby instructed to File (3) certified copies of this ordinance with the Clerk of Pulaski County, Missouri.

SECTION 3. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

APPROVED:

  
Mayor Quentin C. Davis

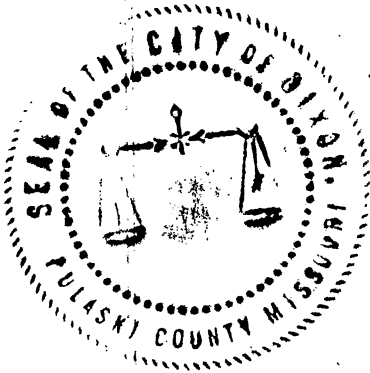


State of Missouri) )  
County of Pulaski) SS

I Donna Thomas, City Clerk within and for the City of Dixon, in the County of Pulaski, State of Missouri, do hereby certify that the foregoing pages constitute a true and correct copy of Ordinance number 309 of the said City, as passed by the City Council and approved by the Mayor of the City of Dixon, Missouri on the 4th day of December, 1989, as fully as the same appears and remains of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, at my office in said City, This 4th day of December, 1989.

Donna Thomas  
Donna Thomas, City Clerk



IN THE RECORDER'S OFFICE

STATE OF MISSOURI  
COUNTY OF PULASKI

I Beth Canoll

Recorder of said county, do hereby certify that the within instrument of writing was, on the 28 day of December A.D. 1989, at 9 o'clock and 00 minutes AM, duly filed for record in this office and is recorded in the records of this office, in Book 404, at Page 696.

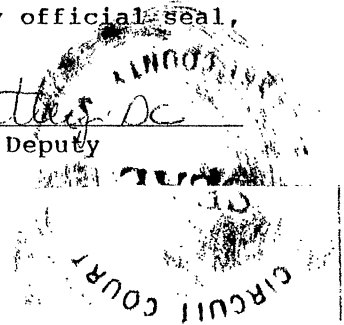
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal, at Waynesville, Missouri, the day and year above written.

Beth Canoll

Recorder of Deeds. BY:

Connie Hartley, Jr.

Deputy



City of Dixon, Dixon, MO 2/12/90

ORDINANCE NO. 310

AN ORDINANCE TO ESTABLISH A ONE-HALF OF ONE PERCENT TAX ON ALL TAXABLE RETAIL SALES FOR FUNDING CERTAIN CAPITAL IMPROVEMENTS AND TO PUT SUCH TAX BEFORE THE VOTERS FOR APPROVAL.

WHEREAS, the Board of Alderman of the City of Dixon, Missouri, has determined that the City is in need of additional revenue for funding certain capital improvements, and

WHEREAS, the current revenue sources of the City of Dixon, Missouri, are not sufficient to fund capital improvement projects necessary to the general welfare of the citizens of Dixon, Missouri, and

WHEREAS, capital improvement funding is needed by the Fire Department, Parks Department, and Police Department, and

WHEREAS, the Board of Alderman of the City of Dixon, Missouri, has determined that a capital improvement sales tax in the amount of one-half of one percent is the most suitable method of raising the needed revenues, and

WHEREAS, the Board of Alderman of the City of Dixon, Missouri, has determined that any proceeds from such a capital improvement sales tax should be divided as follows:

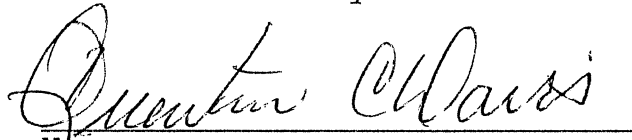
- A. Fire Department 65%
- B. Parks Department 20%
- C. Police Department 15%.

NOW, THEREFORE, on this 6 day of February, 1990, be it ordained by the Board of Alderman of the City of Dixon, Missouri, that the city shall assess a capital improvement sales tax in the amount of one-half of one percent on all retail sales which are subject to taxation under the provisions of Missouri law made in

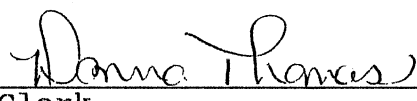
the City of Dixon, Missouri, for the purposes of funding capital improvements.

AND BE IT FURTHER ORDAINED, that this ordinance shall not be effective until such time as it is approved by the voters of the City of Dixon, Missouri at an election held for that purpose.

AND BE IT FURTHER ORDAINED, by the Board of Alderman of the City of Dixon, Missouri that this matter shall be placed upon the ballot for the municipal election scheduled April 3, 1990, and a ballot measure shall be in the form attached hereto, and incorporated herein by this reference as if fully set out.

  
\_\_\_\_\_  
Mayor

The undersigned City Clerk for the City of Dixon, Missouri, hereby certifies that the above ordinance was truly passed by the Board of Alderman of the City of Dixon, Missouri, and that the Mayor's signature was affixed thereto, on the 6 day of February, 1990.

  
\_\_\_\_\_  
City Clerk

PROPOSITION (2)

Shall the municipality of Dixon, Missouri, impose a sales tax of one-half of one percent ( $\frac{1}{2}\%$ ), for a period of ten (10) years, for the purpose of funding capital improvements which may include the retirement of debt under previously authorized bonded indebtedness? The monies derived from the collection of said sales tax will be used to fund capital improvements within the following City funds: Fire Department, Park Department and Police Department.

☐

YES

☐

NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

ORDINANCE NUMBER 311

AN ORDINANCE authorizing the Mayor of Dixon to execute all documentation necessary to join the Missouri Intergovernmental Risk Management Association; approving the form of certain documents necessary to that end; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

SECTION 1. That the Mayor and City Clerk be, and are hereby authorized to execute and and all documentation necessary to establish the City of Dixon as a member of the Missouri Intergovernmental Risk Management Association.

SECTION 2. That the assessment for the first year of membership shall be between \$ 8970.00 and \$ 9900.00 to be finally determined and billed in May of 1990.

SECTION 3. That this ordinance shall be in full force and effect from and after its passage.

PASSED THIS 27 DAY OF March, 1990.

ATTEST:

Donna Thomas

City Clerk

Quentin C Davis

Mayor

APPROVED AS TO FORM:

J. Kent Robinson  
City Attorney

**AN ORDINANCE ADOPTING RULES AND REGULATIONS FOR THE ESTABLISHMENT AND OPERATION OF THE DIXON POLICE DEPARTMENT FOR THE CITY OF DIXON, MISSOURI, AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, MISSOURI, AS FOLLOWS:**

**Section One – Establishment and Composition of Police Department:**

There is hereby established for the City, as provided by Section 85.620 of the Revised Statutes of Missouri, a City police department. The police department may, at full strength, consist of a Chief of Police and three, full-time patrolmen. As provided in Section 85.610 of the Revised Statutes of Missouri, the City Marshall shall serve as Chief of Police, so long as City Marshall is an office filled by voter election.

**Section Two – Chief of Police – Selection – Term of Office:**

**A. Selection by Election:** In the event the Marshall (herein after "Chief of Police") is selected by the qualified voters of the City, he shall hold office for a term of four years as provided by Section 79.050 of the Revised Statutes of Missouri, unless removed from office prior to that time pursuant to the provisions of 79.240 of the Revised Statutes of Missouri.

**B. Selection by Appointment:** If pursuant to Section 79.050 of the Revised Statutes of Missouri, the Board of Aldermen provides by ordinance, for the appointment of a Chief of Police (and after approval of such ordinance by a majority of the voters voting at election at which the issue is submitted) the Chief of Police shall be appointed by the Mayor with the advice and consent of the Board of Aldermen and shall serve in such capacity for an indefinite period of time, during good behavior and efficient service.

**Section Three – Qualifications:**

The Chief of Police and all patrolmen shall be at least twenty-one years of age or older. The Board of Aldermen may, by ordinance, require that patrolmen pass both physical and mental examinations.

**Section Four – Line of Authority:**

The Chief of Police shall, in the discharge of his duties, be subject to the orders of the Mayor. All other members of the police department shall be subject to the orders of the Chief of Police.

### Section Five – Selection – Term of Office for Patrolmen:

All patrolmen shall be appointed by the Mayor with the advice and consent of the Board of Aldermen and shall serve in such capacity for an indefinite period of time during good behavior and efficient service to the City.

### Section Six – Powers of Police:

Every member of the police department shall have power at all times to make or order arrests, with proper process, for any offense against the ordinances of the City or the laws of the State of Missouri, and to keep the offender in the City jail, or any other place, to prevent his escape until a trial can be had before the Municipal Court Judge, unless such offender can give a good and sufficient bond for his appearance for trial; and shall also have the power to make arrests without process in all cases in which any offense against the ordinances of the City or the laws of the State of Missouri shall be committed in his presence. Every member of the police department is empowered to serve all warrants, subpoenas, writs or other process issued by the Municipal Court Judge of the City of Dixon at any place within the limits of the City of Dixon, Missouri. No member of the police department shall have any authority to make any arrests outside the Dixon City limits even if the offense is committed within his presence and even if pursuit began within the City limits.

### Section Seven – Duties of Police – General:

A. The personnel of the police department shall be conservators of the peace within the City and shall patrol such beats and at such times as may be designated by the Chief of Police and shall be constantly active in the prevention of violations of the ordinances of the City and the laws of this State, and shall be responsible for making such arrests as may be necessary in the discharge of these duties.

B. The personnel of the police department shall at all times conduct themselves in accordance with this ordinance and with the rules and regulations which may hereafter be promulgated by the Board of Aldermen for the City of Dixon.

### Section Eight – Discipline of Patrolmen:

The Chief of Police shall have the authority to discipline all patrolmen. Such discipline may include reprimand (oral or written) suspension (with or without pay) or dismissal. Any patrolman adversely affected by a decision of the Chief of Police shall have the right to appeal, in writing, the disciplinary action to the Mayor within seven calendar days of his receipt of the written decision of the Chief of Police to implement discipline. The Mayor shall then review the disciplinary action and, within seven calendar days from receipt of the patrolman's appeal, affirm, reverse or modify the decision of the Chief of Police. The patrolman shall have seven days from receipt of

*Didinone any disciplinary action shall be in writing + delivered  
#325 Personally to the affected patrolman, who shall sign a  
Copy thereof acknowledging receipt*

*Passed  
May 6, 1991*



the decision of the Mayor to appeal, in writing, the Mayor's disciplinary decision to the full Board of Aldermen who shall conduct a hearing regarding the appropriateness of the discipline at which time the patrolman shall have an opportunity to cross-examine witnesses against him and to present evidence on his behalf. The Board of Aldermen shall have the authority to affirm, reverse or modify the disciplinary action taken by the Mayor. Any discipline recommended by the Mayor or Chief of Police shall be temporarily stayed during the pendency of the patrolman's appeal unless the Mayor, in his discretion, deems that the patrolman poses a threat to the health, safety or welfare of any person or to the City, in which event the patrolman shall be suspended from duty without pay until such time as the Board of Aldermen shall have conducted a hearing as provided for in this Section.

#### **Section Nine – Handling of Intoxicated Persons:**

A. Any person who appears to be incapacitated or intoxicated in any public place may be taken by a police officer to that person's residence, or to any available treatment service, or to any other appropriate local facility which may, if necessary, include a jail, for custody not to exceed twelve hours, pursuant to Section 67.315 of the Revised Statutes of Missouri.

B. Any police officer detaining such person shall be immune from prosecution for false arrest and shall not be responsible in damages for taking action pursuant to sub-section (A) if the officer has reasonable grounds to believe that the person is incapacitated or intoxicated by alcohol and he does not use unreasonable or excessive force to detain such person.

C. Such immunity from prosecution includes situations where the police officer takes reasonable action to protect himself from harm by the intoxicated or incapacitated person.

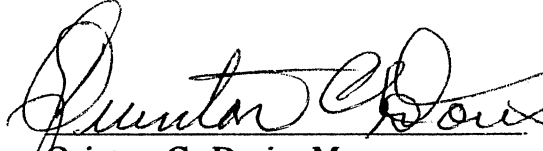
#### **Section Ten – Interrogation of Members of the Armed Forces:**

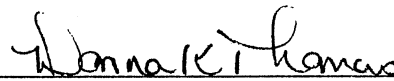
No member of the police department shall at any time, on or off duty, interrogate, investigate, harass or place in custody any member of the United States Armed Forces for the purpose of determining whether such member of the Armed Forces is "absent without leave" (AWOL). Any member of the police department violating the provisions of this Section shall be subject to suspension without pay or discharge. All reported violations of this Section shall be investigated by the Mayor who shall recommend to the Board of Aldermen any action deemed necessary to enforce provisions of this Section. The provisions of this Section shall not apply to the interrogation, investigation, detention or placing into custody of any member of the Armed Forces of the United States who may have previously been reported to the Chief of Police to be a deserter of such Armed Forces by proper military authorities, or who is alleged to have violated any ordinance of this City or any law of this State.

**Section Eleven - Effective Date:**

This ordinance shall be in full force in effect from and after the date of its passage by the Dixon Board of Aldermen and approval by its Mayor.

**PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON,  
MISSOURI, THIS FIFTH DAY OF APRIL, 1990.**

  
Quinton C. Davis, Mayor

  
Donna K. Thomas, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
J. Kent Robinson, City Attorney

Ordinance 314  
ANIMALS AND FOWL

AN ORDINANCE establishing the control, registration tag fee and disposition of all dogs and cats found running at large within the City limits of the City of Dixon, Missouri.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, AS FOLLOWS

SECTION 1: Humane officer: description, qualifications.

The humane officer charged with enforcing this Ordinance shall be designated by the Dixon Board of Aldermen and Dixon City Police Chief. He may or may not be a member of the police force. The salary of such officer shall be the same and any other member of the police department or as provided in the current city budget.

SECTION 2: Dogs or Cats causing nuisances.

- a. No person shall keep any dog or cat which, by frequent howling, barking, baying or yelping, shall disturb the peace of the neighborhood. Nor shall any dog of vicious nature or disposition be allowed to attack or bite any person or animal or cause annoyance to the neighborhood or persons using the public street, or chase, worry or molest livestock, other dogs or children, or cause any damage or injury. Any dog exhibiting such tendency or tendencies shall be confined on chains, tethers or leashes of such length that the dog cannot get off the premises of the owner, or such dog shall be securely confined upon the premises within a pen or other enclosure. Notice of the presence of such dog shall be clearly posted upon the premises where it shall be confined.
- b. In addition to other penalties prescribed by this Ordinance, if upon violation and conviction of the provisions of this Section relating to vicious dogs it shall appear to the judge of the municipal court that it is necessary for the public safety and welfare that the dog concerned be euthanasized, the judge shall so order and the chief of police shall see that the order of the court is carried out.

SECTION 3: School Grounds.

School activities: Any dog or group of dogs entering upon the grounds or within the buildings used and occupied by any public, parochial or private school within this City and interfering in any respect with the normal, usual and orderly activities of the teachers and students in attendance thereat, is prohibited.

Ordinance # 314

#### SECTION 4: Definitions.

As used in this Ordinance, the following terms shall mean.

At Large- any dog, cat or fowl shall be deemed to be at large when it is off the property of its owner and not restrained by a competent person.

Dog- Any member of canine family over 3 months of age.

Euthanize- To put to death in a humane way.

Impound- To apprehend, catch, trap or net a dog and thereafter confine it.

Exposed to rabies- Any dog, whether licensed and vaccinated for rabies or not, which had been bitten by, been fighting with or has consorted with an animal known to have rabies.

Keeper- Any person, group of persons, firm or corporation owning, keeping or harboring a dog or dogs.

Pup- Any member of the canine family under three months of age.

Registration tag: Any object, regardless of shape or size which bears a registration number and which has been issued by collector of said City.

Registration-Vaccination- The procedure of vaccinating for rabies and issuing an appropriate certificate. The appropriate certificate must be present at the time of registration in the collector office.

Restraint- A dog is under restraint if he is controlled by leash, at "heel" of a competent adult and obedient to that person's commands, or within a vehicle being driven or parked on the streets.

#### SECTION 5: Dogs and Cats running at large prohibited.

It shall be unlawful for the owner or keeper of any dog or cat to permit the same to run at large within the corporate limits of the City of Dixon, Missouri.

#### SECTION 5: Impoundment of dogs and cats running at large

Any dogs or cats licensed or unlicensed found running at large within the corporate limits of this City in violation of any of the provisions of this Ordinance shall be taken up and impounded by the humane officer,

police or other person or persons employed by the City and designated for that purpose. The place of impounding shall be a suitable place and designated and provided for by the board of aldermen and the name and address of the location of such place shall be publicly displayed by posting a bulletin containing such information in the office of the collector. The owner or keeper of any animal so taken up and impounded may be redeem such dog or cat at any time within five days after the same shall have been impounded by the payment to the city collector and proof of vaccination, a redemption or impounding fee of ten dollars (\$10.00) plus the sum of three dollars (\$3.00) per day for each day impounded. The aforesaid impounding or redemption fee shall be paid into the city treasury. The city collector, upon receipt, of such redemption or impounding fee, and of such others as may be due in any given case, shall issue to the owner or keeper of such dog or cat to deliver same to the person presenting such release slip. In the case of unlicensed dogs or cats so impounded, the license or registration fee shall first be paid as herein provided before redemption shall be authorized. Dogs and cats so taken up and impounded shall be euthanize or caused to be euthanize in a humane manner by the humane officer or other person, or persons designated by the city of that purpose, after five (5) days. If five (5) days do so pass and the owner has not redeemed the dog or cat, and person may redeem an impounded dog or cat upon payment of all fees due the collector.

SECTION 6: 1 Registration - Registration fee.

It shall be unlawful for the owner or keeper of any dog or cat to permit the same to be and remain within the city unless such owner or keeper shall first caused such dog or cat to be registered by name and description and unless such owner or keeper shall annually pay a registration fee hereinafter imposed thereon. A registration fee of five dollars (\$5.00) for every dog or cat over three (3) months old owned or kept within the city, shall be levied and collected from the owner or keeper thereof. Said registration fee shall be due and payable in advance on the first day of July of each year, and the registration filed upon the payment of such fee shall expire on the thirty first day of June next succeeding the date of license. Such registration fee shall be paid for every twelve months or fraction thereof that any such dog or cat is owned or kept in said city.

SECTION 7: 8 Registration tag

The owner or keeper of each dog or cat kept within this City shall have placed around the neck of such dog or cat, an appropriate metal or leather collar, and shall

attach to said collar a metallic or plastic registration tag for the current year, which such tag shall be provided by the city collector at the time the annual registration fee is paid. Such tag shall have the registration number stamped thereon, and the owner or keeper of such dog or cat, in addition to such tag, shall also be given a certificate upon which shall appear the registration number, the year for which same was granted, the name and residence of the owner or keeper, and the name, sex and description of the dog or cat for which the registration was issued.

SECTION 8: Transfer of Tag.

A tag shall not be transferred from the dog to which it was issued to another dog or cat.

SECTION 9: Immunization required.

No dog or cat registration as provided in this Ordinance shall be issued and until the applicant therefor shall submit satisfactory evidence that the dog or cat for which the license is to be issued has been immunized against rabies prior to the issuance of such tag.

SECTION 10: Immunization for rabies required prior to release.

No dog or cat taken up and impounded pursuant to the enforcement of this Ordinance shall be released unless and until owner or keeper thereof shall submit satisfactory evidence that said dog or cat has been immunized for rabies prior to the date of impounding or unless as a condition to the release, the keeper thereof shall have such dog or cat immunized within three days after release, providing the city collector with proof of the same.

SECTION 11: Impoundment of rabies suspects.

Suspected rabid animal: Any dog or cat which exhibits clinical symptoms of rabies may, after notice to given to the owner, be held for ten (10) days at the City's impounding facilities for clinical observation and, if alive and free from rabies at the expiration of that period, shall be returned to the owner at no expense. However, if such animal develops symptoms suggestive of rabies, beyond a doubt, the animal shall be euthanized by a veterinarian and the head of the animal removed and submitted to any qualified official laboratory.

SECTION 12: Vicious stray- duty of humane officer.

If any dog or cat be found at large within the corporate limits of the City that cannot safely be taken up and impounded, it shall be the duty of the humane officer or police to kill such dog or cat.

SECTION 13:<sup>14</sup> Penalty.

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than one dollar(\$1.00) nor more than fifty dollars(\$50.00) for each offense; provided, however, that in the event a dog or cat shall have been taken up and impounded under the provisions of said ordinance and the owner or keeper of such dog or cat shall have redeemed same as provided herein, no municipal court action shall be taken against such owner or keeper for the first offense; but, if such owner or keeper shall violate the provisions of this Ordinance a second time or more, he shall be subject to arrest and prosecution in municipal court of the city and upon conviction thereof, shall be fined not less than one dollar (\$1.00) for the first offense; not less than five dollars (\$5.00) for the second offense; and not less than twenty-five (\$25.00) for any additional offense after the second.

SECTION 14:<sup>15</sup> Hinderering of Officers.

Be it futher provided that anyone who shall in any manner interfere, hinder, delay or obstruct any officer or other properly designated person in the enforcement of this Ordinance shall be guilty of a misdemeanor and shall upon conviction be fined not less than Five (\$5.00) dollars.

SECTION 15:<sup>16</sup> Location of dog pens in relation to other properties.

No person shall keep a dog, or dogs, in any pen or enclosure on property owned or controlled by him, the exterior boundary of which pen or enclosure is closer than twenty five (25) feet at the nearest point to the dwelling of another, a church, school or place of business of another; nor shall any person keep a dog or dogs within twenty-five (25) feet of the dwelling of another, a church, school or place of business of another.

SECTION 16:<sup>17</sup> Offensive or noxious smell from the keeping of Animals or fowl.

No person shall keep, allow or permit to be kept on any premises occupied by him or under his charge and control, any animal or animals or fowl in a pen or other enclosure of any kind, under such conditions that an offensive or noxious smell or odor shall arise therefrom to the injury, annoyance or inconvenience of any inhabitant of the neighborhood.

SECTION 17:<sup>18</sup> Cruelty to animals prohibited

No person in this city shall overdrive, overwork,

torture, cruelly beat, needlessly wound or kill, or carry or transpor in any vehicle or other conveyance in an inhumane manner any animal, or cause any of these acts to be done.

SECTION 18: Wanton poisoning of animals prohibited

No person in the city shall poison and dog or cat, or any animal if known to belong to another person, or distribute poison in any manner whatsoever with the intent or for the purpose of poisoning any dog or cat, or any other animal known or unknown to belong to another person.

SECTION 19: Keeping of Swine

No person, persons, firm or corporation shall keep any swine of any kind within the city limits of Dixon, Missouri, without first securing from the board of aldermen a written permit.

SECTION 20: Other Livestock & Fowl

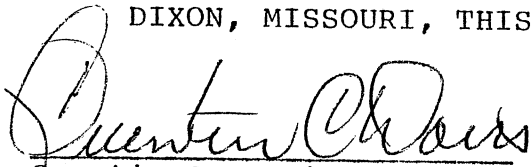
- a. No person shall keep a cow, bull, mule, jack, jennet, Fowl horse, goat or sheep in an outdoor enclosure or pasture, the exterior boundary of which is within 100 feet of the dwelling house of another, a church, school or place of business of another.
- b. No person shall keep a cow, bull, jack, horse, goat, Fowl or sheep or any combination of such animals in an outdoor enclosure or pasture without first obtaining anwritten permission from the Board of Aldermen.


SECTION 22 to 25 Reserved.

SECTION 26: Effective Date.

This ordinance shall be in full force in effect from and after the date of its passage by the Dixon Board of Aldermen and approved by its Mayor.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON, DIXON, MISSOURI, THIS 21<sup>ST</sup> DAY OF JUNE, 1990.

  
Quentin C. Davis, Mayor

  
Donna Thomas, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney



ORDINANCE NO. 315

AN ORDINANCE ESTABLISHING PENALTIES FOR OPERATING A MOTOR VEHICLE WITHOUT THE USE OF A RESTAINING DEVICE:

WHEREAS, the City of Dixon, Missouri, is a City of the Fourth Class, and

WHEREAS, said City is authorized by law to set penalties for violations of its Ordinances, and

WHEREAS, it is in the best interests of said City to regulate operation of motor vehicles within its boundaries, and

WHEREAS, it is in the best interests of said City to require the use of restraining devices during the operation of motor vehicles; and

WHEREAS, it is the intent of the Board of Aldermen to require the use of such restraining devices,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE CITY OF DIXON, MISSOURI, AS FOLLOWS:

1. Any person who shall be the driver or any front seat passenger in any motor vehicle designed for carrying ten persons or less and used for transportation of persons; except motorcycles, motor bicycles, or motor tricycles; and manufactured after January 1, 1968, shall wear a proper adjusted and fastened safety belt that meets National Highway, Transportation, and Safety Act requirements during the operation of said motor vehicle except as herein provided.

2. The provisions of subsection 1 above shall not apply to any person who has a medical reason for failing to have a safety

belt fastened about their body nor shall such provisions apply to a child ~~of~~ less than four (4) years of age.

3. The driver of any motor vehicle shall cause any child of less than four (4) years of age to be protected during the operation of said motor vehicle as provided for by Section 210.104, RSMo, and shall cause any child of more than four (4) years of age but less than sixteen years of age, in the front seat of the motor vehicle to be restrained by a properly adjusted and fastened safety belt.

4. No person shall be stopped, inspected or detained solely to determine compliance with the provisions of this Ordinance.

5. Any person who is found to have violated the provisions of this Ordinance shall be punished pursuant to the provisions of Sections 307.178 and 79.470 of the Revised Statutes of Missouri and shall be fined not more than Ten (10) dollars.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF DIXON,  
MISSOURI, AND APPROVED BY THE MAYOR THIS 2nd DAY OF  
July, 1990.

APPROVED:

Quentin C Davis  
QUENTIN DAVIS, MAYOR

ATTEST:

Donna Thomas  
DONNA THOMAS, CLERK