

Be it ordained by the Board of Trustees of the Village of Centertown, as follows:

Village Code of the Village of Centertown

Section 0.10. The Village of Centertown hereby adopts this ordinance to be called "The Village Code for the Village of Centertown" pursuant to the authority granted in 80.090, RSMo. All prior ordinances in conflict with any portion of this ordinance are repealed.

Section 0.20. Ordinances 24, 28, 29, 53, 55, 56, 57, 59, 60 and 71 of the Village of Centertown are hereby repealed.

Section 0.30. Future ordinances of the Village shall be stated as amendments to this code. The secretary of the Board of Trustees shall republish this code, with amendments, from time to time.

Section 0.40. This ordinance shall be in full force and effect from and after its passage and upon being duly signed.

Section 1.00. Model Traffic Ordinance Adopted with Amendments.

Section 1.10. Pursuant to the authority granted in Section 300.600, RSMo, the provisions of the Missouri Model Traffic Ordinance, Sections 300.010 to 300.600, RSMo, are hereby adopted and incorporated herein, excepting Sections 300.060, 300.330, and 300.347.

Section 1.20. The office of Village Traffic Engineer is established. The Village Engineer or other designated Village official shall serve as Village Traffic Engineer in addition to his other functions, and shall exercise the powers and duties with respect to traffic as provided in this ordinance.

Section 1.21. The Village Traffic Engineer shall determine the installation and proper timing and maintenance of traffic control devices, conduct engineering analyses of traffic accidents and devise remedial measures, conduct engineering investigations of traffic conditions, plan the operation of traffic on the streets and highways of the Village, and cooperate with other Village officials in the development of the ways and means to improve traffic conditions, and carry out the additional powers and duties imposed by ordinances of this Village, except as hereinafter provided.

Section 1.22. The function of the Village Engineer with all the powers, duties, and authority given under Sections 300.010 through Section 300.600, RSMo, adopted by the Village of Centertown, Missouri, by reference in this ordinance shall vest in the State Highway Commission of Missouri for all controlled access highways, either divided or undivided and other highways, streets, or highways, or state highway as defined in Section 300.010, RSMo, hereinafter called "highway," which are presently in existence and maintained by the State Highway Commission and all such highway or highways which are in the future built, constructed or which the State Highway Commission of Missouri assumes the responsibility to maintain within the corporate limits or within any area annexed by the Village of Centertown.

Section 1.30. The State Highway Commission of Missouri shall have exclusive authority to place and maintain traffic

control signs, signals and devices on all highways maintained by the State Highway Commission as defined in Section 1.22 of this ordinance. The State Highway Commission is given express authority to delegate to the District Engineer any power or authority vested in the State Highway Commission by this ordinance.

Section 1.40. State Speed Laws Applicable.

A. The state traffic laws regulating speed of vehicles shall be applicable upon all streets within the Village, except that the Village may by ordinance declare and determine upon the basis of engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared when signs are in place giving notice thereof, but no Village ordinance shall regulate the speed of vehicles upon divided limited access highway.

B. The Village will submit to the State Highway Commission of Missouri for approval any ordinances, rules, regulations, or resolutions appertaining to the regulation of speed where said ordinance, rules, or regulations are applicable to Section 1.22 of this ordinance and will not enact or keep in force any ordinance not approved by the Commission.

C. The speed limit on Route 50 from the east Village limits westerly for .44 of a mile shall be 50 MPH; and from this point to the west Village limits shall be 45 MPH. The speed limit on Route NN from the junction with Route 50 to .55 of a mile north shall be 35 MPH; and from this point of the north Village limits shall be 45 MPH.

Section 1.50. Vehicle Shall Not Be Driven on a Sidewalk.

The driver of a vehicle, except bicycles as later provided for, shall not drive within any sidewalk area except on a permanent or temporary driveway.

Section 1.60. Regulations for Bicycles.

Section 1.61. Every person riding a bicycle upon a roadway shall be granted all the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this State declaring rules of the road applicable to vehicles or by traffic ordinances of this Village applicable to the driver of a vehicle, except as to special regulations in this ordinance and except as to those provisions of laws and ordinances which by their nature can have no application.

Section 1.62. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

Section 1.63. No person shall ride a bicycle upon a sidewalk within a business district.

Section 1.64. Whenever a person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

Section 1.70. Parking.

Section 1.71. Parking Not to Obstruct Traffic.

No person shall park any vehicle upon a street, other than an alley, in any manner or under such conditions as to leave available less than ten (10) feet of width of the roadway for free movement of vehicular traffic; however, this section shall not apply to any highway included in Section 1.22 of this ordinance.

Section 1.72. Parking on State-Maintained Highways.

No person shall park any vehicle in such a manner or under such conditions as to leave available less than twenty (20) feet of width of roadway for free movement of vehicular traffic, nor shall any ordinance passed by the Village of Centertown, Missouri, allow parking which leaves available less than twenty (20) feet of width of roadway on any highway as defined in Section 1.22 of this ordinance; however, in certain areas the minimum as set out in this paragraph may be increased and incorporated by including a schedule adopted and made a part of this ordinance designated as Schedule A.

Section 1.73. No tractor trailer trucks shall be permitted to park on Village streets except for purposes of loading or unloading goods and merchandise to residents or businesses within the corporate limits of the Village of Centertown, Missouri.

Section 1.74. An ordinance establishing parking restriction on the west side of Monroe Street from Main Street to Highway No. 50. There will be no parking of any vehicle, conveyance, farm machinery or equipment at any hour, day or night. Any infraction shall be punishable by a fine of not less than Ten and No/100 (\$10.00) Dollars, or more than One Hundred and No/100 (\$100.00) Dollars.

Section 2.00. Abandoned Vehicles.

Section 2.10. The Board of Trustees is authorized to have a motor vehicle removed from a street, highway or Village-owned parking area to a service station, garage or other place of safety:

A. When any vehicle is left unattended upon any bridge, viaduct or causeway, where such vehicle constitutes an obstruction of traffic;

B. When any vehicle on a highway is so disabled as to constitute an obstruction to traffic, and the person in charge of such vehicle is, by reason of physical injury, incapacitated to such an extent as to be unable to provide for its custody or removal;

C. When any vehicle is left unattended upon a street, or Village-owned parking area for more than forty-eight (48) hours, or is parked illegally, so as to constitute a definite hazard or obstruction of the normal movement of traffic.

Section 2.20. No person in charge or control of any property within the Village of Centertown, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, non-operative, wrecked, junked or discarded vehicle to remain on such property for longer than seventy-two (72) hours. No person shall leave any such vehicle on any property in the Village for a period exceeding seventy-two (72) consecutive hours, except:

A. When in an enclosed building; or,

B. On the premises of a business operating in a lawful place and manner, when necessary to the operation of such business; or,

C. In an appropriate storage place or depository maintained by the Village.

Section 2.30. No person shall park or leave standing any motor vehicle upon any Village street, highway or Village-owned parking area unless the same is properly licensed.

Section 2.40. Any motor vehicle removed from a street, highway or Village-owned parking area under the provisions of this ordinance shall be considered an abandoned or disabled motor vehicle, and the service station or garage towing and/or storing such motor vehicle under this ordinance shall charge a fee of up to Fifteen and No/100 (\$15.00) Dollars for towing the vehicle and up to One and No/100 (\$1.00) Dollar per day for each day the vehicle shall be stored.

Section 2.50. Upon request by the owner of the service station or garage towing and/or storing the vehicle under the provisions of this ordinance, when the reasonable value of the motor vehicle is less than One Hundred and No/100 (\$100.00) Dollars, the Village of Centertown shall sell the vehicle for salvage if it remains unclaimed for thirty (30) days. When the reasonable market value of the motor vehicle exceeds One Hundred and No/100 (\$100.00) Dollars, the vehicle shall be sold at public auction, if it remains unclaimed for sixty (60) days. Notice of the sale of a motor vehicle at public auction shall be posted, for at least ten (10) days prior to the sale, at the service station, garage or storage area where the vehicle is located, on the bulletin board in the Village Hall Building and at the County Courthouse. The notice shall include any identifying marks or numbers, date and place where the vehicle was found, time and place of the public auction, and accrued charges against the vehicle. When any vehicle is sold for salvage or sold at public auction, the Village of Centertown shall immediately notify the proper law enforcement authorities in writing of the sale of such vehicle.

Section 2.60. The proceeds of the aforementioned sale shall first be used to pay the cost of the sale, all towing and storage costs accrued against the vehicle, and the balance, if any, shall be paid into the General Revenue Fund of the Village of Centertown.

Section 2.70. Neither the Village of Centertown, nor any officer or employee of the Village, nor the owner of any service station or garage towing and/or storing the motor vehicle under the provisions of this ordinance, shall be responsible for the issuance of a Certificate of Title for any motor vehicle sold under the provisions of this ordinance.

Section 3.00. Nuisances.

Section 3.10. The following items and conditions existing upon lots, parcels of ground or land shall be deemed nuisances for the purpose of this ordinance and are hereby declared unlawful, although this enumeration shall not be deemed exclusive:

A. The accumulation or existence upon any lot, parcel of ground or land within the corporate limits of the Village of Centertown of any putrid or uncured meat, pork, fish, fowl, decayed vegetable matter of food of any kind, offal, manure or rubbish, which, by decay or putrefication, is or

may become offensive or detrimental to the health, safety or welfare of human beings or animals.

B. The accumulation or existence upon any lot, parcel of ground or land within the corporate limits of the Village of Centertown of any wood, metal or other building materials, household or business furnishings or equipment, abandoned motor vehicles, clothing and other materials, cans, bottles, tires, rubbish or trash in such a manner as to constitute a harbour or breeding ground for mosquitoes, flies, insects, rats, snakes or rodents.

C. All lots, parcels of ground or land within the corporate limits of the Village of Centertown shall be kept cleared of weeds, and said weeds shall not be permitted to grow above a height of six (6) inches. Upon notice by the Board of Trustees, or its representative, a person shall abate such nuisance and cut the weeds or the Village of Centertown may have the weeds cut down and removed, and shall certify the costs of the same to the Clerk, who shall cause a special tax bill therefor against the property to be prepared and to be collected, with other taxes assessed against the property, as provided for by law.

Section 3.20. The Board of Trustees, or its representative, is authorized to enter upon a premises within this Village to determine if any nuisance described in this ordinance exists on the premises, and to identify the parties responsible therefor.

Section 3.30. Any person found guilty of violation of this ordinance shall be punished by a fine not to exceed One Hundred and No/100 (\$100.00) Dollars.

Section 4.00. Fire Protection.

Section 4.10. It shall be unlawful for any person to burn any trash, or standing or fallen trees or timber, between the hours of sundown and sunrise within the corporate limits of the Village of Centertown, Missouri.

Section 4.20. No person shall burn or permit to be burned any trash, trees or timber, unless such fire is attended at all times by a competent person.

Section 4.30. This ordinance shall be in full force and effect from and after its passage and approval.

Section 5.00. Private Waste Water Disposal.

Section 5.10. All buildings within the Village of Centertown, Missouri, including residential, commercial or industrial establishments, shall provide for a sewer connection to a private waste water disposal system complying with the provisions of this Article and the laws of the State of Missouri.

Section 5.20. Before commencement of construction of a private waste water disposal system, the owner or owners shall first obtain a written permit signed by the Chairman of the Board of Trustees of the Village of Centertown, Missouri. The application for such permit shall be made on a form furnished by the Village of Centertown, Missouri, which the applicant shall supplement thereto by attaching plans, specifications and other information as may be required by the Board of Trustees. A permit and inspection fee of Ten and No/100 (\$10.00) Dollars shall be paid to the Village of Centertown at the time the application is filed.

Section 5.30. A permit for a private waste water disposal system shall not become effective until the installation is completed to the satisfaction of the Board of Trustees or its representative. The Board or its agent shall be allowed to inspect the work at any stage of construction, and the applicant for the permit shall notify the Board when the work is ready for final inspection, and prior to underground portions of said construction being covered. Said inspection shall be made within twenty-four (24) hours of the receipt of notice.

Section 5.40. The type, capacities, location and layout of the private waste water disposal system shall comply with all rules, regulations and recommendations of the Department of Public Health and the Division of Natural Resources of the State of Missouri. No permit shall be issued for any private waste water disposal system employing subsurface soil absorption facilities where the area of the building lot is less in size than one hundred (100) feet by one hundred (100) feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Section 5.50. At such time as a public sewer may become available to properties served by a private waste water disposal system, a direct connection shall be made to the public sewer within sixty (60) days in compliance with this ordinance, and any septic tanks, cesspools or similar private waste water disposal systems shall be cleaned of sludge and filled with suitable material. All existing building structures must comply within a reasonable time after public sewer facilities become available.

Section 5.60. The owner of such a private waste water disposal system shall operate and maintain said system and facilities in a sanitary manner at all times, and at no expense to the Village of Centertown.

Section 5.70. No provision of this ordinance shall be construed to conflict with any additional requirements that may be imposed by officials of the State of Missouri.

Section 5.80. All mobile homes are subject to the provisions of this Section, and must have an approved sewer system as provided for herein.

Section 5.90. This ordinance shall be in full force and effect from and after its passage and approval.

Section 6.00. Land Use.

Section 6.10. Definitions. For the purpose of this ordinance, the following words and terms as used herein are defined to mean the following:

Accessory Building or Use: A subordinate building having a use customarily incidental to and located on the lot occupied by the main building; or a use customarily incidental to the main use of the property.

Agricultural Activity: The growing of grains, hay or other crops and the raising of such poultry and stock as are incidental to the acreage farmed, provided, however, that such land shall consist of at least ten (10) acres in one parcel or in contiguous parcels under common ownership or operation. The storage of crops, grains, feed or other products shall be limited to those raised on or to be consumed on the premises. The disposal of community or collected garbage, the raising of furbearing animals, boarding stables, commercial feed lots, or slaughterhouses shall not so be considered.

Alley: A minor way affording secondary access to properties which otherwise abut on a street.

Apartment: A room or a suite or rooms within an apartment house arranged, intended or designed for a place of residence of a single family or group of individuals living together as a single housekeeping unit.

Apartment House: A building arranged, intended, or designed for more than two family units.

Basement Home: A building or improvement designed or utilized exclusively for residential occupancy but which lies wholly or partially below the existing grade of the property on which said building or improvement is located and which was designed to or could serve as a basement for a dwelling. This definition shall not include sub-grade, energy-efficient dwellings.

Building: Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals or property. When such a structure is divided into separate parts by one or more unpierced walls extending from the ground up, each part is deemed a separate building, except as regards minimum side yard requirements as hereinafter provided.

Building, Height of: The vertical distance from the average contact ground level at the front wall of the building to the highest point of the coping of a flat roof or to the decline of a mansard roof, or to the mean height level between eaves and ridge for gable, hip or gambrel roofs.

Club, Private: A building or premises used for social, recreational, dining or philanthropic purposes, the normal use of which is limited to specific members, patrons or otherwise listed and enumerated persons.

Commercial Feed Lot: An area of land primarily devoted to buying, raising, feeding or selling of livestock under dry lot or confined conditions, where the operation is not part of normal agricultural activity.

Court: An open, unoccupied space, other than yard, bounded on three or more sides by exterior walls of a building, or by exterior walls of a building and lot lines on which walls are allowable.

Day Care Facilities: Those facilities providing care of a child away from his own home for any part of the 24-hour day, for compensation or otherwise, and as regulated by the Missouri Division of Family Services.

Drive-In Establishments: Any restaurant, financial institution or product-vending enterprise where the patron does not enter and remain within a building during the transaction of his business.

Dwelling: A building or portion thereof, designed exclusively for residential occupancy, including one-family, two-family and multiple dwellings, boarding and lodging houses, apartment houses and townhouses, but shall specifically not include hotels and basement homes. This definition shall specifically include sub-grade energy-efficient homes.

Family: One or more persons who are related by blood or marriage, living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than five (5) (excluding servants) living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities, on a non-profit, cost-sharing basis.

Governing Body: The Board of Trustees of the Village of Centertown, Missouri.

Home Occupation: Customary home occupations including the professional office or studio of an architect, artist, dentist, doctor, engineer, lawyer, planner, scientist, teacher, beautician, barber or occupations such as handicraft, dressmaking, millinery, laundry, preserving and home cooking; provided that such occupations shall be conducted exclusively by resident occupant, that not more than one-quarter (1/4) of the area of one (1) floor of said residence shall be used for such purposes, and that no structural alterations or constructions involving features not customarily found in dwellings are required. An unlighted sign of not more than one (1) square foot in area, and attached flag against the building, shall be permitted. No equipment shall be used which created offensive noise, vibration, smoke, dust, odor, heat or glare. A home occupation shall not include the operation of a restaurant or auto body shop.

Kennel: Shall be the keeping of or harboring of a total of four or more adult dogs over the age of six months.

Lot: A parcel of land occupied or to be occupied by one main building, or unit group of buildings, and the accessory buildings or uses customarily incidental thereto, including such open spaces as are required under this ordinance, and having frontage upon a public street. A lot as used herein may consist of one or more platted lots, or tract or tracts as conveyed, or parts thereof.

Lot Corner: A lot abutting upon two or more streets at their intersection. A corner lot shall be deemed to front on that street on which it has its least dimension, unless otherwise specified by the Zoning Inspector.

Lot Lines: The lines bounding a lot as defined herein.

Lot Line, Front: The boundary between a lot and the street on which it fronts.

Lot Line, Rear: The boundary line which is opposite and the most distant from the front street line; except that in the case of uncertainty, the Zoning Inspector shall determine the rear line.

Lot Line, Side: Any lot boundary line not a front or rear line thereof, a side line may be a party lot line, a line bordering on an alley or place or a side street line.

Lot Depth: The mean horizontal distance from the front street line to the rear line.

Lot Width: The horizontal distance between side lines, measured at the front building line.

Mobile Home Court: A tract of land where five or more mobile home spaces are offered for rent.

Mobile Home: A transportable dwelling unit built on a chassis and which has the following characteristics:

A. Designed for occupancy containing sleeping accommodations, flush toilet, tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems.

B. Designed to be transported after fabrication on its own wheels.

C. Arrives at site where it is to be occupied as a dwelling unit complete with major appliances and furniture and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connection to utilities, and the like.

Mobile Home Space: An area with utility connections which is occupied or designed to be occupied by an uninhabited mobile home.

Modular Home: To qualify as a modular home a dwelling unit must meet all the following criteria; the dwelling unit

A. arrives at its permanent erection site after fabrication on a wheeled dolly or flatbed;

B. arrives at the site in two or more component parts which are permanently joined together at the site;

C. is to be permanently attached to a permanent foundation.

A modular home shall be deemed to be a standard single-family dwelling and shall be subject to all requirements of a single-family dwelling.

Motel: A building or buildings containing in the aggregate, on one undivided tract or parcel of land, a group of individual private units, each provided with separate sleeping room or rooms, having both lavatory and toilet facilities, designed and to be used primarily for transient guests.

Non-Conforming Use: Any building or land lawfully occupied by a use at the time of passage of this ordinance which does not conform with the use regulations of the district within which it is located.

Parking Space: A surfaced area not less than nine (9) feet wide and twenty-two (22) feet long, either within a structure or in the open. The parking space must be served with a driveway which provides access to a street or alley.

Restaurant: A building wherein food is prepared and served to the public for consumption on the premises or delivery, where the sale of food, exclusive of the sale of liquor, wine or beer for consumption on the premises, constitute a majority of the sales made on or out of the premises.

Rooming House: A dwelling occupied by a resident family or resident occupant and three or more rent-paying persons.

Sign: Any words, numerals, figure, devices, designs or trademarks by which information is made known to the public outside a building.

Street: A public right-of-way which provides a public means of access to abutting property. The term street shall include avenue, drive, circle, court, road, parkway, boulevard, highway, way, trafficway, thoroughfare, or any other similar term.

Street Line: The dividing line between the street and the abutting property.

Structure: Anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground; including, but not limited to signs, and excepting customary utility poles, retaining walls and boundary fences.

Structural Alterations: Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

Sub-Grade, Energy-Efficient Dwelling: A building or improvement designed exclusively for residential occupancy, which lies wholly or partially below the existing grade of the property on which said building or improvement is located, which is complete and finished in every respect and which is incapable of serving as a basement of a dwelling with floors which would lie entirely above grade.

Truck Gardening: The raising of food crops for use by the owner of the property on which the food crops are grown or for sale at retail by the owner of the property on which food crops are grown.

Tavern: A place where liquors are to be sold for consumption on the premises, where said sales constitute the majority of the sales made on the premises. Restaurants shall not constitute taverns for purposes of this ordinance.

Variance: A variation from a specific requirement in this ordinance, as applied to a specific piece of property, as distinct from rezoning.

Yard: An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth or a rear yard, the least horizontal distance between the lot line and the building shall be used.

Yard, Front: A yard across the full width of the lot extending from the front line of the main building to the front line of the lot.

Yard, Rear: A yard between the rear lot line and the rear line of the main building and the side lot lines.

Yard, Side: A yard between the main building and the adjacent side line of the lot, and extending entirely from a front yard to the rear yard.

Section 6.20. General Provisions, Districts and Boundaries. Except as hereafter provided:

A. No buildings shall be erected, moved, constructed, reconstructed or structurally altered, nor shall any building or land be used for any purpose other than that which is

permitted in the district in which such building or land is situated.

B. No building shall be erected, moved, extended, enlarged, reconstructed or structurally altered which violates the height, yard or area regulations established in this chapter for the district in which such building is situated.

C. No lot area shall be reduced so that the yards or other open spaces shall be smaller than prescribed by this chapter, nor shall the density of population or dwelling units be increased in any manner, except in conformity with the area regulations established in this chapter.

D. Every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one main building on a lot except as otherwise provided in the ordinance.

E. Any uses not herein addressed are subject to review by the Board of Trustees for the Village of Centertown at regular monthly meetings.

F. Districts. For the purpose of this ordinance, the Village of Centertown is hereby divided into six (6) zoning districts to be known as follows:

1. District A - Agricultural District
2. District RS - Single Family Residential District
3. District RM - Multiple Family Residential District
District RM-2 - Ownership Mobile Home Residential District
4. District C-1 - Office Commercial District
5. District C-2 - Merchant Commercial District

G. District Boundaries:

1. The boundaries of the districts as enumerated above are shown upon the map designated as the Centertown Zoning District Map. The Centertown Zoning District Map and all notations, references and other information shown thereon are a part of this ordinance and have the same force and effect as if the district map and all the notations, references and other information shown thereon were all fully set forth or described herein, the original of said district map is property attested and is on file with the Village Clerk of the Village of Centertown.

2. Whenever any street, alley or other public way is vacated by official action, the zoning district adjoining each side of such street, alley, or public way shall be automatically extended to the center of such vacation, and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended districts.

3. All territory which may hereafter be annexed to the Village of Centertown shall automatically be placed in the A - Agricultural District until otherwise changed by ordinance.

4. Where uncertainty exists as to the boundaries of the districts as shown on the Centertown Zoning District Map, the following rules shall apply:

(a) Boundaries indicated as approximately following the center line of streets, highways, alleys or other public rights-of-way shall be construed to be said boundary.

(b) Boundaries indicated as approximately following platted lot lines shall be construed to be said boundary.

(c) Boundaries that divide a lot or parcel of property, location of any such boundary shall be determined by the use of the scale appearing on such map.

Section 6.30. District Use Regulation.

A. District A - Agricultural District. District A is intended to provide a location for the land situated on the fringe of the urban area, within the city limits, that is used for agricultural purposes.

Permitted Uses. No building or land shall be used, and no building shall be hereafter constructed, reconstructed or altered, except for one or more of the following uses:

1. Any use permitted in RS District.

2. Agricultural activity. Farming, dairy farming, poultry raising, livestock raising, pasturing of livestock, game birds and all uses commonly classed as agricultural, provided that any building, structure, or yard for the raising, feeding, pasturing, or housing of any livestock or poultry shall be located at least 100 feet from a residential district; and further provided that there shall be no feeding or disposal of garbage, rubbish or offal, other than regular removal, within 500 feet of a residential district.

3. Greenhouses or roadside stands for the sale or displays of agricultural products raised on the premises.

4. Private clubs, hospitals, sanitariums, and homes for the aged.

5. Fish hatcheries, apiaries, aviaries, and kennels.

6. Fur farming, except skunks and civet cats.

7. Accessory uses, including repair shops, sheds, barns, silos, bunk houses, irrigation wells and pumps, incidental dwellings, buildings and structures customarily required for any of the above uses. One sign not to exceed sixteen (16) square feet shall be considered an accessory use.

B. District RS - Single-Family Residential District. The RS District is intended and designed to provide for low density residential development. This district is designed to protect residential areas now developed with single-family, detached dwellings and adjoining vacant areas likely to be developed for such purposes. The regulations are designed to stabilize such areas and to promote a suitable environment for family life.

Permitted Uses. No building or land shall be used, and no building shall be hereafter constructed, reconstructed or altered, except for one or more of the following uses:

1. One-family, detached dwellings.
2. Customary accessory buildings including private garages, carports, pergolas, swimming pools, fireplaces, and similar accessory uses.
3. Public, private and parochial schools.
4. Public buildings erected by any public agency except those buildings used primarily for maintenance and storage purposes.
5. Electric sub-stations, public utility pumping stations, water and sewage treatment facilities, water storage facilities, and devices for the metering of electrical, gas or water services to dwellings.
6. Public parks, playgrounds, cemeteries, swimming pools, community centers, athletic fields and recreation buildings therein.
7. Churches or other places of worship, including religious education buildings or other associated structures. Church signs shall be a permitted use, except that no flashing beacon signs shall be permitted.
8. Agricultural uses, not including nurseries, but including truck gardening, provided that no offensive odors or dust are created, no livestock is housed within twenty-five (25) feet of a property line, and provided further that gross retail sales in excess of \$5,000 per year not be permitted on the premises. Neither commercial feed lots, slaughterhouses or kennels shall be permitted in this district.
9. Temporary buildings to house offices, equipment storage or other functions incidental to construction and development activities, provided that such buildings shall be removed within eleven (11) months from the date of permit for their erection. A temporary building permit will be issued without charge by the Zoning Inspector upon application.
10. One sign not exceeding thirty-six (36) square feet in area referring to the construction, lease, hire or sale of a building, premise or subdivision lot which sign shall refer to the subdivision or property on which the sign is located and shall be removed as soon as the premises are sold or leased or construction is completed. No flashing signs shall be permitted.

11. Customary home occupations.

12. Sub-grade, energy-efficient dwellings.

13. Political signs not exceeding eight (8) square feet in area and not to be displayed more than twenty-one (21) days before any election. Such signs shall be removed with seven (7) days following an election.

14. Day care facilities.

C. District RM - Multiple Family Residential District. The RM Multiple-Family Residential District is designed specifically for duplexes, apartments, or dwellings in groups, commonly referred to as "condominiums" or "town-houses."

Permitted Uses. No building or land shall be used, and no building shall be hereafter constructed, reconstructed or altered, except for one or more of the following uses:

1. Any uses permitted in the RS District.

2. Apartment houses and condominiums.

3. Rooming and boarding houses, but not hotels or motels.

4. Nursing homes and homes for the aged.

5. Clubs, lodges and meeting places for other organizations.

6. Recreational facilities serving permitted uses within Section C.

D. District RM-2 - Ownership Mobile Home Residential District. The purpose of the Ownership Mobile Home Residential District is to give residents the opportunity to purchase lots and locate mobile homes in subdivisions situated and designed specifically for mobile home living.

Permitted Uses. No building or land shall be used, and no building shall be hereafter constructed, reconstructed or altered, except for one or more of the following uses:

1. Any use permitted in RS District.

2. Mobile home dwellings, single-family.

E. District C-1 - Office Commercial District. The C-1 District is designed to provide commercial space for recreational and business purposes of a service nature.

Permitted Uses. No building or land shall be used, and no building shall be hereafter constructed, reconstructed or altered, except for one or more of the following uses:

1. Any use permitted in the RS District.

2. Medical and dental offices and clinics.

3. Parking structures and lots.

4. Professional offices and offices of financial, insurance, real estate and philanthropic organizations.

5. Veterinarian, animal hospital; provided all animals are housed in an enclosed building.

6. Banks and savings and loan companies.

7. Barber and beauty shops.

8. Funeral homes and mortuaries.

9. Any other use which is determined by the Board to be of the same general character as above permitted uses but not including any use which is permitted in the C-2 Merchant Commercial District.

10. Signs limited to those listing the name of products, activities, or services offered on the premises.

11. No flashing signs shall be permitted.

F. District C-2 - Merchant Commercial District. The C-2 District is designed to provide a space for commercial purposes, such as those associated with sale or rental of goods with a minimum of adverse effect on surrounding property.

Permitted Uses. No building or land shall be used, and no building shall be hereafter constructed, reconstructed or altered, except for one or more of the following uses:

1. Any use permitted in the C-1 Office Commercial District.

2. Appliance stores.

3. Automotive parts sales establishments.

4. Bakeries whose products are sold at retail on the premises.

5. Clothing or wearing apparel shops.

6. Drug stores.

7. Frozen food locker.

8. Gift, florist, music stores, and pet stores.

9. Grocery store, supermarkets.

10. Laundry and drycleaning establishments.

11. Miscellaneous trades and businesses such as plumbing and heating, upholstering, sheet metal shops, sign paint shops.

12. Paint stores.

13. Printing, publishing and related trades.

14. Restaurants.

15. Shoe repair shops.

16. Stores or shops for the conducting of a convenience type retail business.

17. Storage buildings incidental to retail stores and service establishments.

18. Any other use which is determined by the Board to be of the same general character as above permitted uses but not including any use which is permitted in the C-3 General Commercial District.

19. Signs limited to those listing the name of products, activities, or services offered on the premises.

20. No flashing signs shall be permitted.

G. Conditional Uses. The following uses shall be permitted in any district only after the issuance of a conditional use permit.

1. Cemeteries, which may include mausoleums thereon, for humans.

2. Private lakes.

3. Private stables, limited to no more than four (4) animals in livery at all times.

4. Reservoirs, wells, water towers, filter beds, water supply plants or water pumping stations.

H. Accessory Uses.

1. For any dwelling there shall be permitted one private garage with space for not more than one motor vehicle for each two thousand (2,000) square feet of lot area. Such garage shall be located not less than sixty (60) feet from the front lot line, nor less than three (3) feet from any side lot line, nor less than one foot from any alley line. When the rear lot line is common to a side or rear lot line of another lot, such garage must be located a minimum of three (3) feet from such rear lot line and for corner lots, not less than the distance required for residences from side streets. A garage may be constructed across a common lot line by mutual agreement between property owners. A garage constructed as an integral part of the main building shall be subject to the regulations affecting the main building, except that on a corner lot, a private garage, when attached to the main building and not exceeding the height of the main building, may extend into the required rear yard to a point not less than eighteen (18) feet from the rear lot line, and shall not occupy more than thirty (30) percent of the required rear yard. No part of a detached accessory building shall be closer than ten (10) feet to the main building.

2. For any dwelling there shall be permitted a private swimming pool(s). Such use shall be located not less than sixty (60) feet from the front lot line, nor less than three (3) feet from any side lot line, nor less than one foot from any alley line. When the

rear lot line is common to a side or rear lot line of another lot, such use must be located a minimum of three (3) feet from such rear lot line and for corner lots, not less than the distance required for residences from side streets. Such use may be constructed across a common lot line by mutual agreement between property owners. Such use constructed as an integral part of the main building shall be subject to the regulations affecting the main building, except that on a corner lot, such use, when attached to the main building and not exceeding the height of the main building, may extend into the required rear yard to a point not less than eighteen (18) feet from the rear lot line, and shall not occupy more than thirty (30) percent of the required rear yard. No part of such use shall be closer than ten (10) feet to the main building.

Section 6.40. Density, Yard and Height Restrictions.

A. Lot Area.

1. District A - Agricultural District. The lot area for a lot in the Agricultural District shall not be less than five (5) acres.

2. District RS - Single-Family Residential District. The lot size of a lot located in the Single-Family Residential District shall not be less than 10,000 square feet.

3. Districts RM - Multiple Family Residential District and District RM-2 - Ownership Mobile Home Residential District. The lot area of a lot located in either the Multiple Family Residential District or the Ownership Mobile Home Residential District shall not be less than 5,000 square feet.

4. Exception. Where a lot has less area than herein required in the district in which it is located at the time of the passage of this ordinance, this regulation shall not prohibit the erection of a one-family dwelling.

(a) Where a public or community sewer is not available and in use for the disposal of all sanitary sewage, each lot shall not be less than 20,000 square feet per family, except wherein such lot lies in the Agricultural District.

B. Lot Width.

1. District RS - Single Family Residential District. The width of a lot located in the Single Family Residential District shall not be less than 100 feet at the building line.

2. District RM - Multiple Family Residential District and District RM-2 - Ownership Mobile Home Residential District. The width of a lot located within either the Multiple Family Residential District or the Ownership Mobile Home Residential District shall not be less than 80 feet.

3. Exception. Where the width of a lot is less than herein required in the district in which it is

located at the time of the passage of this ordinance, this regulation shall not prohibit the erection of a one-family dwelling.

C. Yards.

1. The minimum yard requirements for all Residential Districts shall be as follows:

(a) The front yard of any lot shall not be less than twenty-five (25) feet in depth.

(b) The rear yard of any lot shall be thirty percent (30%) of the lot depth, or twenty-five (25) feet, whichever is less.

2. Exceptions to the minimum requirements.

(a) Where the length of a block exceeds five hundred (500) feet and where lots comprising forty percent (40%) or more of the five hundred (500) feet of frontage are developed with buildings, the average of the existing front yards on the same side of the street shall be the established minimum front yard depth for the entire five hundred (500) feet of frontage; when the length of a block is less than five hundred (500) feet, the average of the existing front yards shall be the established minimum front yard depth for the entire frontage of the block.

(b) Every part of a required yard or court shall be open from its lowest point to the sky, unobstructed except for the ordinary projection of sills, belt courses, cornices, chimneys, buttresses, solar energy systems, ornamental features, and eaves. None of the above projections shall extend into a court more than six (6) inches nor into a minimum yard more than twenty-four (24) inches; and provided further, that canopies or open porches have a roof area not exceeding sixty (60) square feet may project a maximum of six (6) feet into the required front yard. Open paved terraces may project not more than ten (10) feet into the front or rear yard, and existing open porches extending into a required yard shall not be enclosed.

(c) Fire escapes, solid floored balconies, and enclosed outside stairways may project not more than four (4) feet into any yard.

(d) A terrace garage may be located in a front or side yard, provided that it is completely recessed into the terrace, and that the height of the terrace is sufficient to cover and conceal the structure from above, and further that the doors, when open, shall not project beyond any property line, and that the structure be set back at least four (4) feet from the front property line.

(e) In any residential district, a detached accessory building shall not:

(1) Exceed twenty-four (24) feet in height;

