

V I L L A G E   O F   C A R Y T O W N

BOARD OF TRUSTEES BILL NO. 1  
ORDINANCE NO. 1

AN ORDINANCE DEFINING, PROHIBITING, RESTRICTING,  
AND REGULATING NUISANCES AND PROVIDING FOR ITS  
ENFORCEMENT AND PRESCRIBING PENALTIES FOR THE  
VIOLATION OF ITS PROVISIONS

WHEREAS, THE BOARD OF TRUSTEES OF THE VILLAGE OF CARYTOWN,  
MISSOURI, deems it necessary for the purpose of promoting the health,  
safety, morals, comfort, general welfare, and conserving the values  
of property throughout the village,

This ordinance is hereby enacted and adopted under authority  
of Chapter 80 R.S.Mo., and Amendments thereto, comprising orders,  
powers, limitations, definitions, controls, requirements and standards  
with respect to and governing nuisances,

THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE  
VILLAGE OF CARYTOWN AS FOLLOWS:

SECTION 1.1   GENERAL DEFINITION.

Whatever is dangerous to human life or health; whatever  
is not sufficiently sewered, drained, lighted, or cleaned; and  
whatever renders soil, air, water or food impure or unwholesome; or  
the placing or leaving of any litter or filth, garbage or trash, or  
other matter which may cause disease, be unsightly, or make offensive  
odor is hereby declared to be a nuisance.

SECTION 1.2   UNLAWFUL TO MAINTAIN.

It shall be unlawful for any person to keep, carry on,  
permit or maintain, or allow to be maintained or committed any of  
the acts, things or conditions declared or defined by this ordinance  
or by the laws of the State of Missouri or the United States of

America to be nuisances.

SECTION 1.3 PARTIAL ENUMERATION.

The following are hereby declared to be nuisances:

- (1) Substances emitting foul odors. All substances which emit or cause any foul, noxious, unhealthful or disagreeable odor or effluvia.
- (2) Carcasses. All carcasses of animals remaining exposed after death except such animals as are killed for use as food.
- (3) Foul liquids generally. All slop, foul, or dirty water, liquor, beer or saloon washings, all filth, refuse or offal discharged through drains or spouts or otherwise thrown, swept or deposited in or upon any street, avenue, sidewalk, alley, lot, park, public or private enclosure.
- (4) Odoriferous matter. All vegetables or other articles that emit or cause any offensive or disagreeable smell or odor.
- (5) Annoying, etc., articles, etc. All articles or things whatsoever caused, kept, maintained or permitted by any person to the injury, inconvenience, or annoyance of the public or of any neighborhood.
- (6) Refuse, garbage, and ashes--Generally. All ashes, cinders, slops, filth, excrement, sawdust, stones, rocks, dirt, straw, soot, sticks, shavings, oyster shells, cans, dust, paper, trash, rubbish, manure, refuse and offal, waste water, chamber lye, fish, putrid meat, entrails, decayed fruit and vegetables, broken ware, rags, old iron or other metal, old wearing apparel, all animal or vegetable matter, all dead animals, or other offensive or disagreeable substance or thing thrown, left or deposited or caused to be thrown, left or deposited by anyone in or upon any street, avenue, alley, sidewalk, park, public or private enclosures, lot, vacant or occupied or pond or pool of water.

(7) Same--Permitting refuse accumulations. The accumulation on any lot or piece of ground in the city of any refuse matter, in such a manner as to be offensive or be injurious to the health of any person or of the neighborhood.

(8) Defecating or urinating in public view. Defecating or urinating upon the streets, alleys, public grounds, parks, or upon any premises, or in any place that may be seen from a private residence or other building, or by any person passing along a public thoroughfare, or where any such act may be in view of the public.

(9) Burning certain materials. The burning within the city limits of any animal, vegetable or other substance, the burning of which creates or generates any disagreeable, noxious or unwholesome smell or odor.

(10) Boxes, barrels, etc. All boxes, barrels, kegs, crates, boards or broken ware thrown, left or deposited, or caused to be thrown, left or deposited by anyone in or upon any sidewalk, curbstone or gutter or in front or alongside of any building.

(11) Disturbing, etc., noises and activities. The making of any unusual and unnecessary noise and the maintenance thereof, or the carrying on of any business or amusement in such manner as to annoy, inconvenience or disturb any person or persons or neighborhood or impair the health or comfortable enjoyment of home or property of any person.

(12) Water--Obstructing course. The placing or maintaining of any obstruction of any kind in any natural or living water course of the city so as to impede the natural flow of water therein.

(13) Same--Polluting supply. The doing of any act which shall tend to pollute or contaminate the water supply of the city.

(14) Same--Offensive, etc. Any lot or piece of ground

within the limits of the city, on which there is a pond or pool of unwholesome, stagnant, impure or offensive water.

(15) Same--Certain cisterns and wells. Any well or cistern on any property within the limits of the city, whenever a chemical analysis shows that the water therein is of an impure or unwholesome nature.

(16) Airborne matter. Sieving, agitating, handling or exposing lime, ashes, coal, dry sand, hair, feathers, dust or other substances liable to be blown by the wind to the injury, annoyance or inconvenience of the public or of any neighborhood.

(17) Toilets. Any toilet in such a condition as to be offensive, annoying or disagreeable.

(18) Buildings--Insanitary. Any building or part thereof which by reason of its insanitary condition or of its being infected with disease, is unfit for human habitation or which from any other cause is a source of sickness among the inhabitants of this city, or which otherwise endangers the public health.

(19) Same--Leased dwellings. Any premises leased for occupancy or any part thereof which is not sufficiently lighted, or ventilated, and provided with fresh water, and kept in a cleanly and sanitary condition, or of which the strength, ventilation, light or sewerage of any part is in any manner, shape or form, dangerous, insufficient, or prejudicial to life or health, or which is not provided with adequate and properly constructed privies or water closets.

The word "leased dwelling" shall be taken to mean and include every house, building or portion thereof which is rented, leased, let or hired out to be occupied or is occupied as the house, home or residence of more than three families, living independently of one another and doing their cooking upon the premises, or by more than two families upon a floor, so living and cooking, but having a common right in the halls, stairways, yards, water closets, or privies, or some of them.

It shall also be taken to mean and include any house or building or portion thereof in which persons are harbored or received or lodged for hire for a single night or for less than one week at a time, or any part of which is let to any person to sleep in for any term less than one week.

The phrase "boardinghouse" shall be held to include every building and every story and portion thereof which is at any time or usually used, leased or occupied or intended so to be, by any number of persons exceeding six, as boarders thereat.

A "cellar" shall be taken to mean and include every basement or lower story of any building or house of which one-half or more of the height from the floor to the ceiling is below the level of the street adjoining.

#### SECTION 1.4 COMMON LAW AND STATUTORY NUISANCES.

In all cases where no provisions are herein made defining what are nuisances and how the same may be removed, abated, or prevented in addition to what may be declared such herein, those offenses which are known to the common law of the land and the statutes of this state as nuisances may, in case the same exists within the village limits, be treated as such, and proceeded against as in this ordinance provided, or in accordance with any other provision of law.

#### SECTION 1.5 NONCOMPLIANCE WITH ORDINANCE AS TO NUISANCES. JUDICIAL ORDERS AS TO ABATEMENT AND COSTS THEREOF; PENALTY FOR MAINTAINING, ETC.

Any person violating any of the provisions of this ordinance, or who shall fail, neglect or refuse to comply with any of the provisions of common law or state law wherein a nuisance is defined and prohibited, shall be guilty of a misdemeanor.

Each day such offense continues shall be considered a new and separate offense.

The violation of any provision of this ordinance shall be punished by a fine of not more than \$500 or by imprisonment in the Village jail not exceeding sixty days, or by both such fine and imprisonment.

In addition to the penalties provided for the punishment for a misdemeanor in the preceding paragraphs, the police judge, or other judge of a court of competent jurisdiction, trying the case, may, if lawful, upon conviction as a part of judgment, order the Village Marshal or other law enforcement officer to abate such nuisance, and the costs of abating the same be made a part of the judgment.

#### SECTION 1.6 SUMMARY ABATEMENT.

Whenever a nuisance clearly exists in the village, the continuance of which in the judgment of the Chairman of the Board of Trustees will be dangerous to public health and welfare, the chairman of the board of trustees may declare the same to be such a nuisance and dangerous in its continuance, and enter such declaration in the records of the village clerk, and shall then immediately abate such nuisance, without notice.

#### SECTION 1.7 RIGHT OF ENTRY FOR ABATEMENT PURPOSES.

The Chairman of the Village Board of Trustees and the Village Marshal and other law enforcement officers, are hereby authorized and required to go in the daytime in and upon any house, place, lot, or premises, public or private, for the purpose of removing or abating any nuisance defined herein.

#### SECTION 1.8 CONSTRUCTION OF THIS ORDINANCE.

Nothing in this ordinance shall be so construed as to interfere with the powers and duties of the Chairman of the Board of Trustees, the Village Marshal, and other law enforcement officers

in the condemnation and abatement of all matters defined by law as nuisances.

SECTION 1.9 INVALIDITY OF A PART.

In case any section, clause, sentence, or paragraph, or part of this ordinance shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such invalidity shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 1.10 THE EMERGENCY CLAUSE.

This ordinance shall take effect and be in force immediately after its passage by the Board of Trustees and immediately after being duly signed by the Chairman of the Board of Trustees and attested by the Village Clerk.

Passed by the Board of Trustees of the Village of Carytown this 8 day of September, 1971.

Norman A. Frost  
Chairman

Attest:

Joyce Lagati  
City Clerk

Approved as to Form:

Robert W. Richart  
Robert W. Richart  
Village Attorney

SECTION 1.11 FOWL PRODUCTION

The construction and/or operations of any structure to be used for the production of chickens, turkeys, and/or other fowl operations for commercial purposes within the boundaries of the Village of Carytown is prohibited.

Passed by the Board of Trustees of the Village of Carytown  
this 21 day of June, 1988.

*Margaret W. Hunt*  
Chairman

Attest:

*Joyce A. Moore*  
City Clerk

State of Missouri )  
County of Jasper )

I, Joyce Moore, City Clerk of said City hereby certify that the foregoing is a true and correct copy of Ordinance No.1, Section 1.11, adopted by the Council of said City at a meeting held according to law at said City on the 21st day of June, 1988, as appears on file and of record in this office.

IN TESTIMONY WHEREOF, I place my signature, as said City has no corporate seal, this 4th day of August, 1998.

*Joyce A. Moore*  
City Clerk  
Village of Carytown  
State of Missouri

STATE OF MISSOURI } ss.  
COUNTY OF JASPER }

In The Recorder's Office

I, Edie Neil, Recorder of Deeds of said county, do hereby certify that the within instrument of writing was, on the 7<sup>th</sup> day of August A.D. 1998 at 12 o'clock and 39 minutes P.M., duly filed for record in this office, and is recorded in the records of this office in filmed book 1571 at page 1025

In Witness Whereof, I have hereunto set my hand and affixed my official seal at Carthage, Mo., on the day and year aforesaid.

*Edie Neil* Recorder  
*By [Signature]* Deputy

FILED FOR RECORD

AT 12 39  
O'CLOCK AUG 7 1998 MINUTES

*Edie Neil* RECORDER  
JASPER COUNTY, MISSOURI

*Carol A. Knight* 13  
394-2278 5/19/01

17341

SECTION 1.12 ANIMAL PRODUCTION

The number of cattle, sheep, and hogs is limited to 500 head of any age and weight per 160 acres. The number of dogs is limited to 10 over the age of 3 months per household.

SECTION 1.13 RESIDENTIAL DWELLINGS

A residential dwelling is to reside on no less than 10 acres of land. Present tracts smaller than 10 acres are grandfathered in.

SECTION 1.14 VARIANCE PROCEDURE

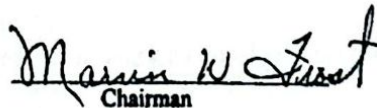
The Carytown property owner will send a written request for a variance to the City Clerk. The Chairman of the Trustees will call a variance hearing within thirty days of receipt of the variance request.

All property owners and residents adjoining the property where the variance is to take place and property owners and residents within 2000 feet of the variance site will be notified 15 days prior to the variance hearing in writing.

All negative comments will be required to be in writing and presented at the time of the variance hearing.

A decision will be made by the trustees at the variance hearing.

Passed by the Board of Trustees of the Village of Carytown  
this 20 day of October, 1997.

  
Chairman

Attest:

  
City Clerk

COUNCIL BILL NO. (1) one ORDINANCE NO. 1.15

**COUNCIL BILL/ORDINANCE REGULATING NONCONFORMING USES AND  
AUTHORIZING SPECIAL USES WITHIN THE  
CITY LIMITS OF THE VILLAGE OF CARYTOWN, MISSOURI**

WHEREAS, in order to provide for the public welfare and safety of the citizens of the Village of Carytown, Missouri, it has been determined that it is in the best interests of the Village to regulate nonconforming uses and special uses within the city limits.

BE IT ORDAINED BY THE TRUSTEES OF THE VILLAGE OF CARYTOWN, MISSOURI, THAT:

City Code Chapter is hereby amended to include the revised Code Sections as set forth below.

**Section 1. Authority**

(A) The Board of Trustees of the Village of Carytown is empowered to enact ordinance "for the purpose of promoting health, safety, morals, or the general welfare of the community..." (RSMo 89.020)

(B) "Such regulations shall be... designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers: to promote health and general welfare: to provide adequate light and air: to prevent the overcrowding of land: to avoid undue concentration of population: to preserve features of historical significance: to facilitate the adequate provision of transportation, water sewerage, schools, parks and other public requirements. Such regulations shall be made with... a view to conserving the values of buildings and encouraging the most appropriate use of land throughout such municipality." (RSMo 89.040)

**Section 2. General provisions.**

(A) A structure or the use of a structure or premises which was lawful before the passage or amendment of this ordinance but which is not in conformity with the provisions of any regulations may be continued subject to the following conditions:

- (1) if such use is discontinued for ninety consecutive days, any future use of the building or premises shall conform to the ordinance: and.
- (2) uses or adjuncts thereof which are or become nuisances shall not be entitled to continue as nonconforming uses.

(B) In interpreting and applying to provisions of this ordinance, the provisions shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity, and general welfare. It is not the intent of this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties, or any statute, local ordinance or regulation, except that, if this ordinance imposes a greater restriction, or higher standard, this ordinance shall control.

### Section 3. Special uses.

(A) Special use permit. Any use requested may be located in the Village by special use permit from the Board of Trustees, after public hearing, under such conditions as to operation, site development, signs, and time limit as may be deemed necessary in order that such use will not seriously injure the appropriate use of the neighboring property, and will conform to the general intent and purpose of the regulations. Any building or structure placed thereon which is not otherwise permitted shall conform to the ordinance upon the date of expiration of the special use permit. Any such permit shall be valid for the length of time determined by the Board of Trustees.

(B) Use review. Requests for such shall be made to the Board of Trustees by written application filed with the City Clerk. Such request shall be forwarded by the City Clerk to the Board of Trustees and shall be heard by the Board at the next practicable regularly scheduled meeting.

(C) Application may be made by any person, or his agent, who owns the land, or who is purchasing said land under written contract with the owner. If such application is made by the owner's agent, said agent shall enter upon the application the name and current mailing address of the owner. Such application shall be made in letter form describing the use, along with map and exhibits identifying the property, to the City Clerk.

(D) Applications for a special use permit, may be made by any interested person, in letter form describing the same to the City Clerk.

(E) The applicant shall pay the cost of publication and certified mail, if any.

(F) All such applications shall be set down for hearing before the Board of Trustees. Any such hearing, for good cause, at the request of the applicant or in the discretion of the Board, may be continued. At least five days and not more than fifteen days notice of the time and place of such hearing shall be published in The Carthage Press newspaper. All property owners within one thousand feet of the subject land shall be notified by certified mail, stating the purpose of and date of the public hearing. In addition, the applicant shall post notice of said hearing and the reasons therefor by placing a sign on the subject premises.

(G) Upon the final hearing of such application, the Board shall approve or deny the same and the Board shall make a report of such action, together with a recommendation for final approval or denial, to the applicant.

(H) The Board of Trustees shall not approve any request unless it finds the special use:

- (1) complies with all applicable provisions of this ordinance;
- (2) at the specific location will contribute to and promote the community welfare or convenience; and
- (3) will not cause substantial injury to the value of neighboring property.

(I) In approving such application, the Board may recommend such conditions and restrictions that are in conformity with the ordinances and may be necessary to assure that the general intent of these regulations is carried out.

(J) No special use permit granted by the Board of Trustees shall be valid for more than one year.

(K) If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid by any court of competent jurisdiction such decision shall not affect the validity of the remaining portions of this ordinance.

PASSED BY THE TRUSTEES OF THE VILLAGE OF CARYTOWN, MISSOURI, this

6<sup>th</sup> day of Nov., 2000.

Martin W. Shul  
CHAIRMAN

ATTEST:

Joyce A. Moore  
CITY CLERK

FIRST READING: Aug. 31, 2000

SECOND READING: Sept. 18, 2000

THIRD READING: Oct. 23, 2000

COUNCIL BILL NO. 1 ORDINANCE NO. 1.16

**COUNCIL BILL/ORDINANCE REGULATING THE APPLICATION OF SEWAGE OR  
ANIMAL WASTE WITHIN THE VILLAGE OF CARYTOWN, MISSOURI**

WHEREAS, in order to provide for the public welfare and safety of the citizens of the Village of Carytown, Missouri, it has been determined that it is in the best interests of the Village to regulate the application of sewage or animal waste within the village.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CARYTOWN,  
MISSOURI, AS FOLLOWS:

**Section 1. Authority**

(A) The Board of Trustees of the Village of Carytown is empowered to enact ordinances "to prevent and remove nuisances." (RSMo 80.090)

(B) Such regulations should be designed to promote health and general welfare; to facilitate the adequate provisions of transportation, water, sewage, schools, parks and other public requirements. Such regulations should be made with view to conserving the values of buildings and encouraging the most appropriate use of land throughout such municipality. (RSMo 89.040)

**Section 2. General provisions.**

(A) Any sewage, livestock waste, litter, or manure applied to ground within the village must be incorporated into the soil either by tillage or by subsurface injection within twenty-four (24) hours of its application.

(B) The penalty for violating this section shall be a fine of up to \$500.00. Each day said violation continues will constitute a separate offense.

(C) It is not the intent of this ordinance to interfere with or abrogate or annul any other statute, local ordinance or regulation, except that, if this ordinance imposes a greater restriction or higher standard, this ordinance shall control. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid by any court of competent jurisdiction such decision shall not affect the validity of the remaining portions of this ordinance.

**PASSED BY THE TRUSTEES OF THE VILLAGE OF CARYTOWN, MISSOURI, this**

21st day of March, 2005

*Cy Knight*  
**ACTING CHAIRMAN, CY KNIGHT**

**ATTEST:**

*Joyce A. Moore*  
**CITY CLERK, JOYCE MOORE**

**FIRST READING:** 24 January 2005

**SECOND READING:** 28 February 2005

**THIRD READING:** 21 March 2005

Bill No 1

Ordinance 1.16.2

AN ORDINANCE OF INTENT TO PARTICIPATE IN NATURAL HAZARD MITIGATION AND TO WORK TOWARD BECOMING A SAFER COMMUNITY.

WHEREAS, the VILLAGE OF CARYTOWN recognizes that no community is immune from natural hazards whether it be tornado/severe thunderstorm, flood, severe winter weather, drought, heat wave, earthquake, dam failure or wildfire and recognizes the importance enhancing its ability to withstand natural hazards as well as the importance of reducing the human suffering, property damage, interruption of public services and economic losses caused by those hazards; and

WHEREAS, the VILLAGE OF CARYTOWN may have previously pursued measures such as building codes, fire codes, floodplain management regulations, zoning ordinances, and storm-water management regulations to minimize the impact of natural hazards; and

WHEREAS, the Federal Emergency Management Agency and the State Emergency Management Agency have developed a natural hazard mitigation program that assists communities in their efforts to become Disaster-Resistant Communities which are sustainable communities after a natural disaster that focus, not just on disaster relief, but also on recovery and reconstruction that brings the community to at least pre-disaster conditions in an accelerated, orderly and preplanned manner; and

WHEREAS, by participating in the Natural Hazards Mitigation program, the VILLAGE OF CARYTOWN will be eligible to apply for post-disaster mitigation funds; and

WHEREAS, the VILLAGE OF CARYTOWN desires to commit to working with government partners and community partners to implement the Natural Hazards Mitigation Plan; and

WHEREAS, the VILLAGE OF CARYTOWN will implement pertinent precepts of the mitigation plan by incorporation into other community plans and mechanisms where appropriate; and

WHEREAS, the VILLAGE OF CARYTOWN will participate in the evaluation and review of the Plan after a disaster as well as complete a mandated five-year update submitted to the State Emergency Management Agency and the Federal Emergency Management Agency for review and approval; and

NOW, THEREFORE BE IT RESOLVED BY THE  
VILLAGE OF CARYTOWN AS FOLLOWS:

The VILLAGE OF CARYTOWN hereby ADOPTS the Jasper County Natural Hazard Mitigation Plan attached hereto for the purpose of building a safer community by reducing natural hazard vulnerability.

EFFECTIVE DATE:

This Ordinance shall take affect from and after it's passage and approval.

ADOPTED this 24<sup>th</sup> day of MARCH, 2011.

By: Maurice W. Frost  
Chairman or Mayor

ATTEST: Joyce Moore  
City Clerk

## VILLAGE OF CARYTOWN

Bill No. 1

Ordinance No. 1.17

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### COUNCIL BILL/ORDINANCE REGULATING THE TYPE AND DIMENSIONS OF WIND ENERGY CONVERSION SYSTEMS (WECS) WITHIN THE VILLAGE OF CARYTOWN, MISSOURI

**WHEREAS**, property owners within the Village desire to preserve the natural beauty of their community' and

**WHEREAS**, in order to ensure the citizens of the Village continue to be free of nuisances such as aviation obstruction lighting and high decibels.

**NOW THEREFORE, BE IT ORDAINED**, by the board of trustees of the Village of Carytown, Missouri, as follows:

#### **"Wind Energy Conversion Systems (WECS).**

1. General Provisions. The Village of Carytown finds and declares that wind energy is an abundant, renewable and non-polluting energy resource of the Village and that its conversion to electricity will reduce our dependence on non-renewable energy sources and decreases the air and water pollution that results from the use of conventional energy sources.

#### **a. The Village of Carytown further finds and declares that:**

- (1) Wind turbines that convert wind energy to electricity are currently available on a commercial basis from many manufacturers.
- (2) The generation of electricity from properly sited wind turbines can be cost effective and, in many cases, exiting power distribution systems can be used to transmit electricity from wind-generating stations to utilities or other users.
- (3) Regulation of the location and installation of wind turbines is necessary for the purpose of protecting the health and safety of neighboring property owners and the general public.

#### **b. Windmills used for the production of electric current or wind energy conversion systems (WECS) are permitted subject to the following general conditions:**

- (1) The primary purpose of the WECS device must be to provide power for the principal use of the property on which it is located and shall not be for the generation of power for commercial purposes. This provision shall not be interpreted to prohibit the sale of excess power generated from time to time.
- (2) The WECS and its location on the property involved shall be designed in such a

manner as to eliminate any nuisances to surrounding properties and to limit any noise from said WECS from being heard beyond the boundaries of the property where said WECS is located.

- (3) No variance shall be granted in connection with a proposed WECS to permit a height greater than allowed in this Chapter for each district. The height of the device shall be defined as the distance between the base of the tower and the highest point of the wind energy conversion system. For a horizontal axis wind turbine, the highest point shall be the highest vertical point of the swept rotor arc. No device may be located so close to a property line or building as to result in any portion of the device at any time, whether erect or in the event that the device should fall or be toppled, to overhang, cross or otherwise extend beyond the property line.
- (4) The minimum distance between the ground and any rotor shall be twenty (20) feet.
- (5) No WECS shall be located in any required front yard area.
- (6) No WECS device shall be permitted which causes interference with the reception of television, radio or other communications signals for adjoining properties.
- (7) An automatic braking, governing or feathering system shall be required to prevent uncontrolled rotation.
- (8) All electrical wires associated with a wind energy system shall be located underground except for those wires necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box, and the grounding wires.
- (9) No television, radio, or other communication antenna may be affixed or otherwise made a part of a WECS.
- (10) Only monopole non-commercial WECS are permitted.
- (11) Only one (1) WECS is allowed per lot.
- (12) No WECS is allowed to exceed a height of 50 feet tall.

c. Installation And Operation. Installation of all wind energy conversion systems shall comply with the following requirements:

- (1) Compliance with National Electrical Code, International Building Code, and International Residential Code.
  - (a) Where the electrical components of an installation vary from the standard design

or specifications, the proposed modifications shall be reviewed and certified by a registered professional engineer for compliance with the requirements of the National Electrical Code and good engineering practices.

- (2) Rotor Safety. Each wind energy conversion system must be equipped with both manual and automatic controls to limit the rotational speed of the blade below the design limits of the rotor. The application must include a statement by a registered professional engineer certifying that the rotor and overspeed controls have been designed and fabricated for the proposed use in accordance with good engineering practices. The engineer should also certify the structural compatibility of possible towers with available rotors. This certification would normally be supplied by the manufacturer and include the distance and trajectory of the thrown blade from an exploding turbine or propeller according to the Loss of Blade Theory.
- (3) Tower Access. Towers should have either:
  - (a) Tower-climbing apparatus located no closer than twelve (12) feet from the ground;
  - (b) A locked anti-climb device installed on the tower; or
  - (c) The tower shall be completely enclosed by a locked, protective fence at least six (6) feet high. A fence permit must be obtained if constructing a new fence to meet this requirement.
- (4) Noise. The WECS shall meet the requirements of any existing noise ordinance of the Village of Carytown.
- (5) Electromagnetic Interference. The wind energy conversion system shall be operated in a manner such that no disruptive electromagnetic interference is caused. If it has been demonstrated to a Village Inspector that a wind energy conversion system is causing harmful interference, the operator shall promptly mitigate the harmful interference.
- (6) Signs. At least one (1) sign shall be posted at the base of the tower warning of electrical shock or high voltage. Systems shall not be used as signs or used to support signage. Exceptions include appropriate warning signage and reasonable identification of the manufacturer, installer, or operator.
- (7) Setbacks.
  - (a) The WECS shall be set back from any property line, aboveground utility line or other WECS a distance greater than two (2) times its overall height, including blades, to property lines, and three (3) times its overall height to any structures.

- (b) Contiguous property owners may construct a WECS for use in common, provided that the required setback is maintained relative to the property lines of non-participant owners.
- (8) Structural Integrity. The applicant must submit a written certification from a Missouri-licensed structural engineer providing details of the weight of the WECS, certifying that the supporting structure has the structural integrity to carry the weight and wind loads of the WECS.
- (9) Abatement. The Village reserves the right to perform an inspection periodically to verify the system is being maintained. If a wind energy conversion system or systems are not maintained in operational condition for a period of six (6) months and/or pose a potential nuisance or safety hazard, the owner or operator shall take expeditious action to remedy the situation. The Village reserves the authority to abate any hazardous situation and to pass the cost of such abatement on to the owner or operator of the system. If the Village determines that the WECS has been abandoned and/or poses a nuisance or safety hazard, the system shall be removed within forty-five (45) days of written notice to the owner or operator of the system.
- (10) Lighting Of The Tower. Lighting of the tower for aircraft and helicopter will conform with FAA standards for wattage and color.
- (11) Environmental Impact. The project must be viewed for visual pollution and for a possible environmental impact statement. Systems shall be a neutral, non-reflective color designed to blend with the surrounding environment.
- (12) Shadow Flicker. No WECS shall be installed and operated in a manner that causes shadow flicker to fall on or in any residential dwelling existing at the time of application to install a WECS is received by the Village. The applicant has the burden of proving that this effect does not have significant adverse impact on neighboring or adjacent uses, either through siting or mitigation. Shadow flicker expected to fall on an adjacent parcel or roadway may be acceptable if the flicker does not exceed thirty (30) hours per calendar year. If such flicker is likely, the applicant shall, at the applicant's sole expense, furnish a flicker study for Village review.

**Section 2.** This ordinance shall be effective become effective upon adoption by the Village of Carytown Board of Trustees.

FIRST READING Oct. 23, 2023

SECOND READING Nov. 6, 2023

Passed and approved by the Board of Trustees of the Village of Carytown, Missouri, this  
6<sup>th</sup> day of Nov., 2023.

Ronald Moore  
Ronald Moore, Chairman, Board of Trustees

ATTEST:

Joyce Moore  
Joyce Moore, Village Clerk

Subscribed and sworn before me this  
29<sup>th</sup> day of November, 2023

Kalista Dale Schooling

KALISTA DALE SCHOOLING  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Jasper County  
My Commission Expires: October 7, 2024  
Commission #: 20678142

Bill No. 1

Ordinance No. 1.19

**AN ORDINANCE OF THE VILLAGE OF CARYTOWN, MISSOURI, REGULATING THE TYPES AND CONSTRUCTION OF SOLAR PANEL AND SOLAR FARMS WITHIN THE VILLAGE OF CARYTOWN.**

**WHEREAS**, property owners within the Village desire to preserve the natural beauty of their community and

**WHEREAS**, in keeping with the stability, shared commitment and sense of community that gives the Village of Carytown its exceptional and unique quality the Board of Trustees have determined that restrictions on certain industrial practices do not align with the Village.

**NOW, THEREFORE**, be it ordained by the Board of Trustees of the Village of Carytown, as follows:

**Section 1:** That Residential Solar Panels with up to 72 cells in their construction are allowed for residential use so long as their construction and their necessary peripherals still adheres to the requirements outlined in Section 3.

**Section 2:** That Commercial Solar Panels with more than 72 cells in their construction are not allowed to be constructed within the Village. Commercial Solar Panels may be constructed after a variance is granted.

**Section 3:** Solar Panels and their necessary peripherals must be fully contained on the landowner's property on which the panels sit. All wiring and connection to the grid must be done entirely on the property where the panels sit, except to access the utility right-of-way and grid. Above ground wiring must be done in a way to minimize the impact to neighbors view of the beauty of the area.

**Section 4:** This ordinance shall be in full force and effect from and after the date of its passage and approval.

FIRST READING: Oct. 28, 2024

SECOND READING: Oct. 28, 2024

Passed by the Board of Trustees this 28<sup>th</sup> day of Oct. 2024.

Ronald L. Moore  
Ronald Moore, Chairman, Board of Trustees

**ATTEST:**

Joyce Moore  
Joyce Moore, Village Clerk

Subscribed and affirmed before me  
this 11<sup>th</sup> day of December, 2024  
Notary Tatum Crook

TATUM CROOK  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Jasper County  
My Commission Expires: November 21, 2026  
Commission #: 22368595

Bill No. 1

Ordinance No. 1.20

**AN ORDINANCE OF THE VILLAGE OF CARYTOWN, MISSOURI, REGULATING THE USE AND CONSTRUCTION OF ARTIFICIAL CARBON CAPTURE AND STORAGE (CCS) SYSTEMS WITHIN THE VILLAGE OF CARYTOWN.**

**WHEREAS**, property owners within the Village desire to preserve the natural beauty of their community' and

**WHEREAS**, in keeping with the stability, shared commitment and sense of community that gives the Village of Carytown its exceptional and unique quality the Board of Trustees have determined that restrictions on certain industrial practices do not align with the Village.

**NOW, THEREFORE**, be it ordained by the Board of Trustees of the Village of Carytown, as follows:

**Section 1:** That artificial carbon capture and storage systems designed to capture carbon dioxide either from the atmosphere or emissions from human-made processes and then store the carbon dioxide in underground facilities shall not be allowed within the Village of Carytown.

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

FIRST READING: Oct. 28, 2024

SECOND READING: Oct. 28, 2024

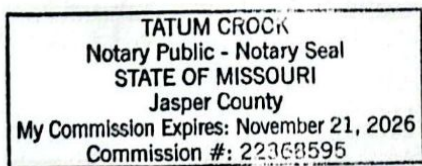
Passed by the Board of Trustees this 28<sup>th</sup> day of Oct. 2024.

Ronald L. Moore  
Ronald Moore, Chairman, Board of Trustees

**ATTEST:**

Joyce Moore  
Joyce Moore, Village Clerk

Subscribed and affirmed before me  
this 11th day of December, 2024  
Notary [Signature]



Recorded in Jasper County, Missouri  
Book 2776 Page 263

BILL NO. 06

ORDINANCE NO. 06-1

**AN ORDINANCE REGULATING  
THE KEEPING OF ANIMALS  
WITHIN THE VILLAGE OF  
CARYTOWN, MISSOURI.**

WHEREAS, the Board of Trustees of the Village of Carytown, Missouri deems it necessary for the purpose of promoting the health, safety, morals, comfort, general welfare, and conserving the values of property throughout the Village to enact and adopt under authority of Chapter 80 of the Revised Statutes of Missouri certain regulations concerning the keeping of animals within the Village of Carytown.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CARYTOWN, MISSOURI, AS FOLLOWS:**

**SECTION 1.** It is unlawful for any person to keep more than five hundred (500) head of cattle, sheep and hogs, or any combination thereof, regardless of age and weight, per one hundred sixty (160) acres. The limitations herein provided shall be applied pro rata to any person who keeps cattle, sheep or hogs, or any combination thereof, on lesser or greater acreage within the Village of Carytown.

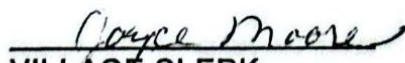
**SECTION 2.** The keeping of more animals than hereinabove allowed shall be deemed a nuisance as defined in Ordinance No. 1 adopted by the Board of Trustees of the Village of Carytown, Missouri, on the 8<sup>th</sup> day of September, 1971, and the remedies and penalties described in said Ordinance No. 1 shall be applicable to any such violation of the limitations set forth in this Ordinance.

**SECTION 3.** This ordinance having been available for public inspection prior to its consideration by the Board of Trustees, and having been read by title twice prior to passage, shall become effective immediately upon its passage by the Board of Trustees.

APPROVED after final passage this 31 of July, 2006.

  
CHAIRMAN

ATTEST:

  
VILLAGE CLERK

RESOLUTION NO. 1.2025

**A RESOLUTION OF THE VILLAGE OF CARYTOWN, MISSOURI, ACKNOWLEDGING A MISSING ORDINANCE AND DECLARING THEIR COMMITMENT TO CONTINUING TO WORK WITH ANY POTENTIALLY IMPACTED ORGANIZATIONS**

**WHEREAS**, the Village of Carytown, Missouri, has recently gone through all of the documents and ordinances with the Village and discovered a missing ordinance, Bill 06 Ordinance 06.2; and

**WHEREAS**, the Village of Carytown, Missouri, currently works and coordinates with various organizations such as the Fire District to benefit the citizens of Carytown; and

**WHEREAS**, the Village of Carytown wishes for all the entities that currently work with Carytown to continue their commitment to one another.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Trustees of the Village of Carytown, Missouri as follows:

The Village of Carytown, Missouri, is unable to find an ordinance that was properly passed by the Board as evidenced in meeting minutes. The Village of Carytown is committed to continuing to work with all those parties that support the Village. If it is discovered that any current relationship requires an ordinance from the Village, it will be brought before the council with all due haste.

Passed and approved by the Board of Trustees of the Village of Carytown, Missouri, this 27<sup>th</sup> day of October, 2025.

**Village of Carytown, Missouri**

By:

Ronald Moore  
Ronald Moore, Chairman, Board of Trustees

**ATTEST:**

Joyce Moore  
Joyce Moore, Village Clerk

BILL NO. 06

ORDINANCE NO. 06-3

**AN ORDINANCE REGULATING  
THE PRODUCTION OF CHICKENS,  
TURKEYS, AND/OR FOWL  
OPERATIONS FOR COMMERCIAL  
PURPOSES WITHIN THE VILLAGE  
OF CARYTOWN, MISSOURI.**

WHEREAS, the Board of Trustees of the Village of Carytown, Missouri deems it necessary for the purpose of promoting the health, safety, morals, comfort, general welfare, and conserving the values of property throughout the Village to enact and adopt under authority of Chapter 80 of the Revised Statutes of Missouri certain regulations concerning the production of chickens, turkeys, and/or fowl operations for commercial purposes within the Village of Carytown.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE  
VILLAGE OF CARYTOWN, MISSOURI, AS FOLLOWS:**

**SECTION 1.** It is unlawful for any person to construct or operate any structure for the production of chickens, turkeys, and/or other fowl operations for commercial purposes within the Village of Carytown.

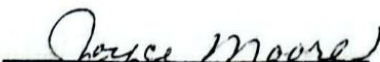
**SECTION 2.** The construction or operation of any structure for the production of chickens, turkeys, and/or other fowl operations for commercial purposes shall be deemed a nuisance as defined in Ordinance No. 1 adopted by the Board of Trustees of the Village of Carytown, Missouri, on the 8<sup>th</sup> day of September, 1971, and the remedies and penalties described in said Ordinance No. 1 shall be applicable to any such violation of the prohibition set forth in this Ordinance.

**SECTION 3.** This ordinance having been available for public inspection prior to its consideration by the Board of Trustees, and having been read by title twice prior to passage, shall become effective immediately upon its passage by the Board of Trustees.

**APPROVED** after final passage this 31 of July, 2006.

  
CHAIRMAN

**ATTEST:**

  
VILLAGE CLERK

Recorded in Jasper County, Missouri  
Book 276 Page 260

An Ordinance annexing certain adjacent territory into the Town of Carytown, Missouri.

WHEREAS, a verified Petition signed by all the owners of the real estate hereinafter described requesting annexation of said territory into the Town of Carytown, Missouri, was filed with the City Clerk; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the Town of Carytown; and

WHEREAS, a public hearing concerning the said matter was held at Mt. Moriah Church, Rt. 2, Carthage, Missouri, at 7:00 p.m. on March 6, 1995; and

WHEREAS, notice of said public hearing was given by publication of notice thereof, in the Carthage Press; and

WHEREAS, at said public hearing all interested persons, corporations, or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

WHEREAS, no written objections to proposed annexation was filed with the Trustees of the Town of Carytown within seven days after the public hearing; and

WHEREAS, the Trustees of the Town of Carytown does find and determine that said annexation is reasonable to the proper development of the Town.

R E C E I V E D

APR - 5 1995

JASPER COUNTY COMMISSION

NOW THEREFORE, BE IT ORDAINED BY THE TRUSTEES OF THE TOWN  
OF CARYTOWN, JASPER COUNTY, MISSOURI as follows:

SECTION I: Pursuant to the provisions of the Section  
71.012 RSMo., the following described real estate is hereby  
annexed into the Town of Carytown, Missouri, to-wit;

All of Sections 4, 5, & 6 of Township 29 Range 31 to be  
included in the Town of Carytown, ex W 1/2 Lots 5 & 6 NW and W  
1/2 Lot 7 NW, and W 35A Lot 8 NW, and 5A off W side Lot 9 NW  
ex Hwy Section 6 Township 29 Range 31 and ex Lot 9 NE E of RR  
ex Hwy Section 4 Township 29 Range 31.

SECTION II: The boundaries of the Town of Carytown,  
Missouri are hereby altered so as to encompass the above  
described tract of land lying adjacent land contiguous to the  
present corporate limits.

SECTION III: The City Clerk of the Town of Carytown is  
hereby ordered to cause three certified copies of the  
Ordinance to be filed with the Jasper County Clerk.

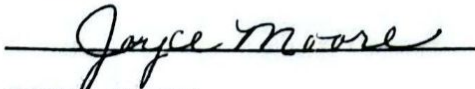
SECTION IV: This Ordinance shall take effect and be in  
force from and after its passage and approval.

PASSED AND APPROVED THIS 13th DAY OF March, 1995.

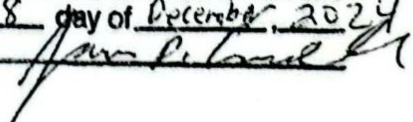


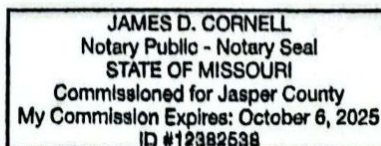
Vice-Chairman, Board of Trustees

ATTEST:



CITY CLERK  
STATE OF MISSOURI  
COUNTY OF JASPER

Subscribed and affirmed before me  
this 18 day of December, 2024  
Notary 



**AN ORDINANCE OF THE VILLAGE OF CARYTOWN, MISSOURI, DEFINING THE BOUNDARIES OF THE VILLAGE TO WHICH ALL PAST AND FUTURE ORDINANCES PASSED ARE IN EFFECT.**

**WHEREAS**, in keeping with the stability, shared commitment and sense of community that gives the Village of Carytown its exceptional and unique quality the Board of Trustees wish to remove ambiguity for any current or potential residents to be aware of where the Ordinances of the city are effective.

**NOW, THEREFORE**, be it ordained by the Board of Trustees of the Village of Carytown, as follows:

**Section 1:** The current boundaries of Carytown, Missouri, are as follows:

Beginning at the southeast corner of Section 4, Township 29, Range 31 in Jasper County, Missouri, thence North to the Northeast corner of Lot 2 of the Northeast Quarter (NE  $\frac{1}{4}$ ) of Section 4, Township 29, Range 31; thence West to Northwest corner of Lot 2 of Northwest Quarter (NW  $\frac{1}{4}$ ) of Section 6, Township 29, Range 31; thence South along West line of Sections 6, 7, and 18 to North right-of-way line of Highway D; thence East along North right-of-way line of Highway D to its intersection with East line of Southeast Quarter (SE  $\frac{1}{4}$ ) of Section 16, Township 29, Range 31; thence North along the East line of said Section 16, and Section 9 to the point of beginning.

ALSO; All of Section 4, 5, & 6 of Township 29 Range 31 to be included in the Town of Carytown, ex W  $\frac{1}{2}$  Lots 5 & 6 NW and W  $\frac{1}{2}$  Lot 7 NW, and W 35A Lot 8 NW, and 5A off W side Lot 9 NW ex Hwy Section 6 Township 29 Range 31 and ex Lot 9 NE E of RR ex Hwy Section 4 Township 29 Range 31.

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

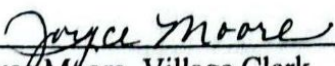
FIRST READING: October 27, 2025

SECOND READING: October 27, 2025

Passed by the Board of Trustees this 27<sup>th</sup> day of Oct. 2025.

  
Ronald Moore, Chairman, Board of Trustees

**ATTEST:**

  
Joyce Moore, Village Clerk

Recorded in Jasper County, Missouri  
Book 2776 Page 264