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Ordinance No. 1

An Ordinance in Relation to a Corporate Existence.

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

Section 1. The City of Ridgeway, Missouri, being a City of the Fourth Class, incorporated under the laws of the State of Missouri, on or about the 15th Day of June, 1880, an election was held in accordance with the provision of Article __, Chapter __, Revised Statutes of the State of Missouri, __ and Section __, and the same was held upon such notice and at such a time and place, and the Judges and Clerks therefore were appointed and made their returns of the same as was prescribed by an Ordinance or Resolution of the Village of Ridgeway, Missouri, and the votes being cast up by the Board of Trustees, and a majority of the legal voters having voted therefor, it was declared that the Village of Ridgeway, by the result of said election became a City of the Fourth Class, entitled the "City of Ridgeway, Missouri." (R. S. 1899, S. 5895.)

Section 2. And further, that on or about the ____ day of ____ 1 ____, an election was held for the purpose of extending the corporate limits of the City over Territory adjacent thereto, and which, including the Original, made the incorporation one mile square, and that the election was held in accordance with the provisions of Article 11, Chapter 43, Revised Statutes of Missouri, 1899, and Section 9302, and the same was held upon notice and at the time and place, and Judges and Clerks therefor were appointed and made their returns of the same in such a manner as was prescribed by the ordinance of the said City, and the votes being cast up and counted by the Board of Aldermen and a majority of the legal voters having voted for the extension, the City limits was declared to be extended over the territory as set forth by the Ordinances and the Proclamation of the Mayor of said City, and also in accordance with R. S. 1899, Sec. 5895.

Section 3. Emergency---The fact that all the City Records were burned on the 18th day of June 1911, creates an emergency, and this ordinance shall be in full force and take effect from and after its passage by the Board of Aldermen and approval by the Mayor.

Passed by the Board of Aldermen of the City of Ridgeway, Missouri, this 22nd day of June, A. D., 1911.

(signed) *J. W. Harrison*

Acting Mayor and President of the Board of Aldermen

Approved by me this 22nd day of June A. D., 1911.

(signed) *J. W. Harrison*

Acting Mayor.

Attest:

(signed) *Ed Eaton*, City Clerk

(seal) City of Ridgeway, Missouri

Ordinance No. 2

An Ordinance in Relation to the Existence of the Incorporation of a City of the Fourth Class

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

Section 1. In accordance with Ordinance No. 1 of the City of the Ridgeway, Missouri, That the City of Ridgeway, Missouri, is hereby declared to be a City of the Fourth Class, and by that name shall have perpetual succession, may sue and be sued, implead and be impleaded, defend and be defended in all courts of law and Equity, and in all actions whatever; may receive and hold property, both real and personal, within the City, and may purchase, receive and hold real estate within or without the City for burial of the dead; and may purchase, hold, lease, sell or otherwise dispose of any property, real or personal, it now owns or may hereafter acquire; may receive bequests, gifts or donations of all kinds of property, and may have and hold one common seal, and may break, change or alter the same at pleasure.

Section 2. Emergency --- That the fact that a fire on the 18th day of June, 1911, destroyed all the records of the City of Ridgeway, Missouri, creates an emergency, and this Ordinance shall be in full force and take effect from and after its passage by the Board of Aldermen of the City of Ridgeway, Missouri, and approval by the Mayor of said City.

Passed by the Board of Aldermen of the City of Ridgeway, Missouri, this 22nd day of June, A. D., 1911.

(signed) *J. W. Harrison*

Acting Mayor and President of the Board of Aldermen

Approved by me this 22nd day of June A. D., 1911.

(signed) *J. W. Harrison*

Acting Mayor.

Attest:

(signed) *Ed Eaton*, City Clerk

(seal) City of Ridgeway, Missouri

Ordinance No. 3

An Ordinance in Relation to Jurisdiction.

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

Section 1. That the jurisdiction of the City of Ridgeway, Missouri, which was organized as set forth in Ordinance No. 1 of said City, shall not in anywise be affected or changed in consequence thereof, but the limits, wards and boundaries of the said City shall remain the same as they were previous; and all the laws, or ordinances which were in operation prior to the destruction of the Records of the said City on the 18th day of June, 1911, or prior to the passage of this ordinance shall continue in force until repealed.

Section 2. Emergency --- That all the City Records of the City of Ridgeway, Missouri, were destroyed by fire on the 18th day of June, 1911, creates an emergency, and this Ordinance shall be in full force and take effect from and after its passage by the Board of Aldermen of the City of Ridgeway, Missouri, and approval by the Mayor of said City.

Passed by the Board of Aldermen of the City of Ridgeway, Missouri, this 22nd day of June, A. D., 1911.

(signed) *J. W. Harrison*

Acting Mayor and President of the Board of Aldermen

Approved by me this 22nd day of June A. D., 1911.

(signed) *J. W. Harrison*

Acting Mayor.

Attest:

(signed) *Ed Eaton*, City Clerk

(seal) City of Ridgeway, Missouri

Ordinance No. 10-85

An ordinance abolishing all abandoned cars, locomotives, trucks, tractors and junk on the streets, alleys, and the City right-of-way, in the City of Ridgeway, Missouri.

BE IT AUTHORIZED BY THE BOARD OF ALDERMEN OF THE CITY OF RIDGEWAY, BE, AS FOLLOWS:

Section 1. That the Mayor of the City of Ridgeway, be, he hereby is ordered and authorized to make and execute and deliver to each owner of abandoned cars, locomotives, trucks, tractors, or junk as he shall seem best, a written notices giving the owners a ten-day notice to remove above mention vehicle off the City streets, alleys, or right-of-way.

Section 2. Following the ten-day notice, the board of Aldermen has instructed the Mayor to have the vehicle removed by City employees or by contracting a salvage company, at the cost of a reasonable charge to the owner of the abandoned vehicle.

Section 3. The board of Aldermen has requested the Mayor to serve as a communicator between the active participant and the City of Ridgeway by enforcing the ordinance.

Section 4. The Mayor is hereby authorized to execute this ordinance and request legal assistance from the County Sheriff Department whenever necessary.

Section 5. All ordinance and part of ordinance in conflict herewith are hereby repealed.

Section 6. Read three times and passed by the Board of Aldermen of the City of Ridgeway and is in full force and effect from and after its passage and approval.

Passed the 3rd Day of October, 1985.

Mayor of the Board of Aldermen
of the City of Ridgeway

(signed) *Claude L. Allen*

Attest:

(signed) *Ila June McIntosh*

DANGEROUS BUILDINGS

AN ORDINANCE PROVIDING A JUST, EQUITABLE AND PRACTICABLE METHOD FOR THE REPAIRING, VACATION OR DEMOLITION OF BUILDINGS OR STRUCTURES THAT MAY ENDANGER THE LIFE, LIMB, HEALTH, PROPERTY, SAFETY OR WELFARE OF THE OCCUPANTS OF SUCH BUILDINGS OR THE GENERAL PUBLIC IN THE CITY OF RIDGEWAY, MO.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RIDGEWAY, MISSOURI, THAT A NEW ORDINANCE IS ENACTED AS FOLLOWS:

Section 1: Dangerous Buildings Defined.

- A. All buildings or structures that are detrimental to the health, safety or welfare of the residents of the City and that have any or all of the following defects shall be deemed "*dangerous buildings*":
1. Those with interior walls or other vertical structural members that list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base.
 2. Those that, exclusive of the foundation, show thirty-three percent (33%) or more damage or deterioration of the supporting member or members or fifty percent (50%) damage or deterioration of the non-supporting enclosing or outside walls or covering.
 3. Those that have improperly distributed loads upon the floors or roofs, or in which the same are overloaded, or that have insufficient strength to be reasonably safe for the purpose used.
 4. Those that have been damaged by fire, wind or other causes so as to become dangerous to life, safety or the general health and welfare of the occupants or the people of the City.
 5. Those that are so dilapidated, decayed, unsafe, unsanitary or that so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, safety or welfare of those occupying such building.
 6. Those having light, air and sanitation facilities that are inadequate to protect the health, safety or general welfare of human beings who live or may live therein.
 7. Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other adequate means of evacuation.
 8. Those that have parts thereof that are so attached that they may fall and injure members of the public or property.

Those that because of their condition are unsafe, unsanitary or dangerous to the health, safety or general welfare of the people of this

Section 2: Dangerous Buildings Declared Nuisance.

All dangerous buildings or structures, as defined by Section 1 of this Ordinance, are hereby declared to be public nuisances and shall be repaired, vacated or demolished as provided herein.

Section 3: Standards for Repair, Vacation or Demolition.

- A. The following standards shall be followed in substance by the Building Inspector and the Building Commissioner in ordering repair, vacation or demolition of any dangerous building.
 - 1. If the dangerous building can reasonably be repaired so that it no longer will exist in violation of the terms of this Ordinance, it shall be ordered repaired.
 - 2. If the dangerous building is in such condition as to make it dangerous to the health, safety or general welfare of its occupants, it shall be ordered to be vacated and repaired.
 - 3. In all cases where a building cannot be repaired so that it no longer will exist in violation of the terms of this Ordinance, it shall be demolished.
 - 4. In all cases where a dangerous building is a fire hazard existing or erected in violation of the terms of this Ordinance or any ordinance of this City or Statute of the State of Missouri, it shall be repaired or demolished.

Section 510.050. Building Inspector.

The Building Inspector shall be the Building Inspector(s) within the meaning of this Chapter.

Section 4: Duties of Building Inspector — Procedure and Notice.

- A. The Building Inspector(s) shall have the duty under this Ordinance to:
 - 1. Inspect or cause to be inspected, as often as may be necessary, all residential, institutional, assembly, commercial, industrial, garage, special or miscellaneous occupancy buildings for the purpose of determining whether any conditions exist that render such place to be a dangerous building when he/she has reasonable grounds to believe that any such building is dangerous.
 - 2. Inspect any building, wall or structure about which complaints are filed by any person to the effect that a building, wall or structure is or may be existing in violation of this Ordinance, and the Building Inspector determines that there are reasonable grounds to believe that such building is dangerous.
 - 3. Inspect any building, wall or structure reported by the Fire or Police Departments of this City as probably existing in violation of this Ordinance.
 - 4. Notify the owner, occupant, lessee, mortgagee, agent and all other persons having an interest in the building or structure, as shown by the land records of the Recorder of Deeds of Harrison County, of any building or structure found by him/her to be a dangerous building or structure within the standards set forth in Section 1. Such notice shall be in writing and shall be given either by personal service or by certified mail,

return receipt requested, or if service cannot be had by either of these modes of service, then service may be had by publication in a newspaper qualified to publish legal notices for two (2) consecutive weeks

The notice required shall state that:

- a. The owner must vacate, vacate and repair, or vacate and demolish said building and clean up the lot or property on which the building is located in accordance with the terms of the notice and this Ordinance.
- b. The occupant or lessee must vacate said building or have it repaired in accordance with the notice and remain in possession.
- c. The mortgagee, agent or other persons having an interest in said building as shown by the land records of the Recorder of Deeds of Harrison County may, at his/her own risk, repair, vacate or demolish the building and clean up the property or have such work done;

provided, that any person notified under this Subsection to repair, vacate or demolish any building or clean up the property shall be given such reasonable time not exceeding thirty (30) days to commence the required work.

5. The notice provided for in this Section shall state a description of the building or structure deemed dangerous, a statement of the particulars that make the building or structure a dangerous building, a statement indicating that as a dangerous building said building or structure constitutes a nuisance, and an order requiring the designated work to be commenced within the time provided for in the above Subsection.
6. Report in writing to the City Building Commissioner the non-compliance with any notice to vacate, repair, demolish, clean up the property or upon the failure to proceed continuously with the work without unnecessary delay.
7. Appear at all hearings conducted by the Building Commissioner and testify as to the condition of dangerous buildings.
8. Immediately report to the Building Commissioner concerning any building found by him/her to be inherently dangerous and that he/she determined to be a nuisance per se. The Building Commissioner may direct that such building be marked or posted with a written notice reading substantially as follows:

"This building has been found to be a dangerous building by the Building Inspector. This notice is to remain on this building and/or property until it is repaired, vacated or demolished and the property is cleaned up in accordance with the notice that has been given the owner, occupant, lessee, mortgagee or agent of this building and all other persons having an interest in said building as shown by the land records of the Recorder of Deeds of Harrison County. It is unlawful to remove this notice until such notice is complied with."

Provided however, that the order by the Building Commissioner and the posting of said notice shall not be construed to deprive all persons entitled thereto by this Ordinance to the notice and hearing prescribed

Section 5: Building Commissioner.

The City Administrator shall act as Building Commissioner under this Ordinance.

Section 6: Duties of the Building Commissioner.

A. The Building Commissioner shall have the powers and duties pursuant to this Ordinance to:

1. Supervise all inspections required by this Ordinance and cause the Building Inspector to make inspections and perform all the duties required of him/her by this Ordinance. Upon receiving a complaint or report from any source that a dangerous building exists in the City, the Building Commissioner shall cause an inspection to be made forthwith. If the Building Commissioner deems it necessary to the performance of his/her duties and responsibilities imposed herein, the Building Commissioner may request an inspection and report be made by any other City department or retain services of an expert whenever the Building Commissioner deems such service necessary.
2. Upon receipt of a report from the Building Inspector indicating failure by the owner, lessee, occupant, mortgagee, agent or other persons(s) having an interest in said building to commence work of reconditioning or demolition within the time specified by this Ordinance or upon failure to proceed continuously with work without unnecessary delay, hold a hearing giving the affected parties full and adequate hearing on the matter.
3. Give written notice of said hearing, either by personal service or by certified mail, return receipt requested, or if service cannot be had by either of those modes of service, then by publication in a newspaper qualified to publish legal notices, at least ten (10) days in advance of the hearing date, to the owner, occupant, mortgagee, lessee, agent and all other persons having an interest in said building as shown by the land records of the Recorder of Deeds of Harrison County who may appear before the Building Commissioner on the date specified in the notice to show cause why the building or structure reported to be a dangerous building should not be repaired, vacated or demolished in accordance with the statement of particulars set forth in the Building Inspector's notice as provided herein. Any party may be represented by counsel and all parties shall have an opportunity to be heard.
4. Make written findings of fact from the evidence offered at said hearing as to whether or not the building in question is a dangerous building within the terms of Section 1 of this Ordinance.
5. If the evidence supports a finding based upon competent and substantial evidence that the building or structure is a dangerous building and a nuisance and detrimental to the health, safety or welfare of the residents of the City, the Building Commissioner shall issue an order based upon its findings of fact commanding the owner, occupant, mortgagee, lessee, agent or other persons(s) having an interest in said building as shown by the land records of the Recorder of Deeds of Harrison County to repair, vacate or demolish any building found to be a dangerous building and to clean up the property, provided that any person so notified shall have the privilege of either repairing or vacating and repairing said building, if such repair will comply with the ordinances of this City, or may vacate and demolish said dangerous building at his/her own risk to prevent the acquiring by the City of

the lien against the land where the dangerous building stands. If the evidence does not support a finding that a building or structure is a dangerous building or a nuisance or detrimental to the health, safety or welfare of the residents of the City, no order shall be issued.

If the owner, occupant, mortgagee or lessee fails to comply with the order within thirty (30) days, the Building Commissioner shall cause such building or structure to be repaired, vacated or demolished and the property cleaned up as the facts may warrant. If the Building Commissioner or other designated officer or officers issues an order whereby the building or structure is demolished, secured or repaired, or the property is cleaned up, the cost of performance shall be certified to the City Clerk or officer in charge of finance who shall cause a special tax bill or assessment therefor against the property to be prepared and collected by the City Collector or other official collecting taxes, unless the building or structure is demolished, secured or repaired by a contractor pursuant to an order issued by the City and such contractor files a mechanic's lien against the property where the dangerous building is located. Except as provided in Section 7, at the request of the taxpayer the tax bill may be paid in installments over a period of not more than ten (10) years. The tax bill from the date of its issuance shall be deemed a personal debt against the property owner and shall also be a lien on the property until paid. Said tax bill or assessment shall bear interest at a rate of eight percent (8%) per annum until paid

Section 7: Insurance Proceeds — How Handled.

- A. If there are proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or other structure caused by or arising out of any fire, explosion or other casualty loss, the following procedure is established for the payment of up to twenty-five percent (25%) of the insurance proceeds as set forth in this Subsection. This Subsection shall apply only to a covered claim payment that is in excess of fifty percent (50%) of the face value of the policy covering a building or other structure:
 - 1. The insurer shall withhold from the covered claim payment up to twenty-five percent (25%) of the covered claim payment and shall pay such monies to the City to deposit into an interest-bearing account. Any named mortgagee on the insurance policy shall maintain priority over any obligation under this Ordinance.
 - 2. The City shall release the proceeds and any interest that has accrued on such proceeds received under Subdivision (1) of this Subsection to the insured or as the terms of the policy and endorsements thereto provide within thirty (30) days after receipt of such insurance monies, unless the City has instituted legal proceedings under the provisions of Subsection (6) of Section 510.080. If the City has proceeded under the provisions of Subsection (6) of Section 510.080, all monies in excess of that necessary to comply with the provisions of Subsection (6) of Section 510.080 for the removal, securing, repair and clean up of the building or structure and the lot on which it is located, less salvage value, shall be paid to the insured.
- B. If there are no proceeds of any insurance policy as set forth in Subsection (A) of this Section, at the request of the taxpayer the tax bill may be paid in installments over a period of not more than ten (10) years. The tax bill from the date of its issuance shall be a lien on the property and a personal debt against the property owner(s) until paid.
- C. This Section shall apply to fire, explosion or other casualty loss claims arising on all buildings and structures.
- D. This Section does not make the City a party to any insurance contract, and the insurer is not

liable to any party for any amount in excess of the proceeds otherwise payable under its insurance policy.

- E. The Building Commissioner may certify that in lieu of payment of all or part of the covered claim payment under Subsection (A) that it has obtained satisfactory proof that the insured has removed or will remove the debris and repair, rebuild or otherwise make the premises safe and secure. In this event, the Building Commissioner shall issue a certificate within thirty (30) days after receipt of proof to permit covered claim payment to the insured without the deduction pursuant to Subsection (A) of this Section. It shall be the obligation of the insured or other person making the claim to provide the insurance company with the written certificate provided for in this Subsection.

Section 8: Appeal.

Any owner, occupant, lessee, mortgagee, agent or any other person(s) having an interest in a dangerous building as shown by the land records of the Recorder of Deeds of Harrison County may appeal such decision to the Circuit Court of Harrison County.

Section 9: Emergencies.

In cases where it reasonably appears that there is immediate danger to the health, life, safety or welfare of any person unless a dangerous building, as defined herein, is immediately repaired, vacated or demolished and the property is cleaned up, the Building Inspector shall report such facts to the Building Commissioner and the Building Commissioner may cause the immediate repair, vacation or demolition of such dangerous building. The costs of such emergency repair, vacation or demolition of such dangerous building shall be collected in the same manner as provided in Sections 6 & 7.

Section 10: Violations — Disregarding Notices or Orders.

The owner, occupant or lessee in possession of any dangerous building who shall fail to comply with the order to repair, vacate or demolish said building given by the Building Commissioner or who shall fail to proceed continuously without unnecessary delay; and any person removing any notices provided for in this Ordinance; and any person violating any other provisions of this Ordinance shall be guilty of an ordinance violation and upon conviction thereof shall be fined not more than five hundred dollars (\$500.00). Each day that a person fails to comply with an order of the Building Commissioner may be deemed a separate offense.

Effective Date

This Ordinance shall be in full force and effective from and after its passage and approval

READ TWO TIMES.

PASSED BY THE BOARD OF ALDERMEN AND APPROVED BY THE MAYOR OF THE CITY OF RIDGEWAY, THIS 6TH DAY OF DECEMBER 2022.

(signed) Jesse Hale Mayor

Mayor

ATTEST:

(signed) Toni Storms City Clerk

City Clerk

Ordinance No. 4-98

An Ordinance for mobile homes, City of Ridgeway, Missouri.

LET IT BE HEREBY KNOWN, THAT THE BOARD OF ALDERMEN OF THE CITY OF RIDGEWAY, MISSOURI, HAS ASSERTED A BUILDING CODE AS FOLLOWS:

Section 1. All mobile homes from this date on are to be inspected by the Board of Alderman and upon this inspection, a permit granted or denied. Be it known that upon denial, the Mayor has been given authorization to remove said mobile home from the City of Ridgeway, Missouri with help, if needed, from the County Sheriff Department.

Section 2. Mobile homes five years and older are to be hereby inspected for

- a. Fire Safety
- b. Skirting
- c. Secured with proper anchors
- d. Be at least 40 feet long
- e. Beautification as an addition to the community and its occupants thereof.

Section 3. Must be occupied by owner of permitted mobile home.

Section 4. Must establish driveway for parked cars and furnish tubes for said driveways with at least two inches of gravel.

Section 5. Permits are granted for three years, upon which a new permit must be applied for, at no cost to the owner. This permit may be granted or denied upon inspection by the Board of Alderman.

Section 6. All parts of this ordinance must be adhered to and any conflicts to the said ordinance are hereby appealed.

Section 7. Read more than twice by Board of Aldermen, City of Ridgeway, Missouri, voted on and approved does hereby go into effect on this day of our Lord, twenty-fourth day of April, 1998.

Mayor of the Board of Aldermen
of the City of Ridgeway, Missouri

(signed) *Daniel W. Claycomb*

Attest:

(signed) *Shirley Fitzpatrick*
City Clerk

Amendment to Ordinance No. 4-98

An Amendment in Relation to the Mobile Home Ordinance No. 4-98 to Add Sections 8 and 9 to the Original Ordinance of the City of Ridgeway, Missouri.

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

Section 8. All mobile homes brought into the city limits of Ridgeway must have a cement or cement block foundation.

Section 9. This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen of the City of Ridgeway, Missouri, and its approval by the Mayor.

Passed by the Board of Aldermen this 25th Day of August, 2000.

(signed) *Daniel W. Claycomb*
Mayor, City of Ridgeway

Approved by me this 25th day of August, 2000.

(signed) *Daniel W. Claycomb*
Mayor, City of Ridgeway

Attest:

(signed) *Shirley Fitzpatrick*
City Clerk

Ordinance 2002

Building ordinance 2002, is being introduced by Ridgeway Mayor and City Council, for the purpose of insuring safety and the protection of our citizens, within the City limits.

Builders must submit a plan for a permit to the City Council for any building with dimensions exceeding 30 feet long, 15 feet wide, and 20 feet tall.

Buildings less or equal to this that are not intended for housing, meeting places, businesses, or family dwellings are exempt from code. Improvements to pre-existing buildings and homes are exempt unless modifications extend beyond said dimensions.

Amendments to ordinance 2002 are as follows:

1. All State and local building codes must be adhered to, and proof that said codes will be followed, must be submitted to our building inspector, which may also inspect job site at his discretion.
2. Blueprints, plans, or drafts of said construction with its intent and purpose must also be submitted, along with a description of its location. Permits may be revoked at any time during construction, if construction varies from the plan submitted to the council.
3. Permits may be refused because of safety, unsightly buildings blocking views of neighbors and motorist, or because it is not beneficial to the City and its Citizens.

Read three times and passed this 12th day of January, 2002.

(signed) *Danny W. Claycomb*
Mayor, Danny W. Claycomb

(signed) *Larry Logan*
President of Council, Larry Logan

(signed) *Everett Arnold*
Alderman, Everett Arnold

(signed) *Jim Marsh*
Alderman, Jim Marsh

(signed) *Howard Simpson*
Alderman, Howard Simpson

Attest:

(signed) *Shirley Fitzpatrick*
Shirley Fitzpatrick
City Clerk

Ordinance 2002-A

Prohibit buildings being used for prostitution, etc.

There shall be no dwellings, commercial or residential, within the City limits, to be built, or which are already standing, which has the purpose or intent to promote prostitution, sexual gatherings, or secret meetings of submissive sexual gratification, for members only. This also bans the use of whips for floggings, handcuffs, shackles, and any other exchange of violence which constitutes pain and suffering on another human being, with or without that person's permission, written or otherwise.

Read three times and passed this 12th day of January, 2002.

(signed) *Danny W. Claycomb*

Mayor, Danny W. Claycomb

(signed) *Larry Logan*

President of Council, Larry Logan

(signed) *Everett Arnold*

Alderman, Everett Arnold

(signed) *Jim Marsh*

Alderman, Jim Marsh

(signed) *Howard Simpson*

Alderman, Howard Simpson

Attest:

(signed) *Shirley Fitzpatrick*

Shirley Fitzpatrick

City Clerk

Ordinance No. 2002-312

An ordinance providing for the licensing and regulation of sexually oriented businesses and employees.

WHEREAS, sexually oriented businesses require special supervision from the public safety agencies of the City in order to protect and preserve the health, safety, morals and welfare of the patrons of such businesses as well as the citizens of the City; and

WHEREAS, the City Council finds that sexually oriented businesses are frequently used for unlawful sexual activities, including prostitution and sexual liaisons of a casual nature; and

WHEREAS, the concern over sexually transmitted diseases is a legitimate health concern of the City which demands reasonable regulation of sexually oriented businesses in order to protect the health and well-being of the citizens; and

WHEREAS, licensing is a legitimate and reasonable means of accountability to ensure that operators of sexually oriented businesses comply with reasonable regulations and to ensure that operators do not knowingly allow their establishments to be used as places of illegal sexual activity or solicitation; and

WHEREAS, there is convincing documented evidence that sexually oriented businesses, because of their very nature, have a deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them, causing increased crime and the downgrading of property values; and

WHEREAS, it is recognized that sexually oriented businesses, due to their nature, have serious objectionable operational characteristics, particularly when they are located in close proximity to each other, thereby contributing to urban blight and downgrading the quality of life in the adjacent area; and

WHEREAS, underage performers have been used in sexually explicit performances, both in live performances and in films and videos, and the City has a substantial government interest in ensuring that such illegal performances and films and videos are not offered within its boundaries; and

WHEREAS, the City Council desires to minimize and control these adverse effects and thereby protect the health, safety, and welfare of the citizenry; protect the citizens from increased crime; preserve the quality of life; preserve the property values and character of surrounding neighborhoods and deter the spread of urban blight; and

WHEREAS, the City Council has determined that locational criteria alone would not adequately protect the health, safety, and general welfare of the people of the City; and

WHEREAS, it is not the intent of the City Council to condone or legitimize the distribution of obscene material, and the Council recognizes that state and federal law prohibits the distribution of

obscene materials and expects and encourages state law enforcement officials to enforce state obscenity statutes against any such illegal activities in the City; and

WHEREAS, the City recognizes its constitutional duty to interpret, construe, and amend its laws and ordinances to comply with constitutional requirements as they are announced; and

WHEREAS, with the passage of any ordinance, the City and the City Council accept as binding the applicability of general principles of criminal and civil law and procedure and the rights and obligations under the United States and Missouri Constitutions, Missouri Revised Code, and the Missouri Rules of Civil and Criminal Procedure; and

WHEREAS, it is not the intent of this ordinance to suppress any speech activities protected by the First Amendment of the U.S. Constitution or the free speech provisions of the Missouri State Constitution, but to enact a content neutral ordinance which addresses the secondary effects of sexually oriented businesses, and the City Council hereby declares that any reading of the language of this ordinance that would unconstitutionally

infringe on such rights is contrary to the City Council's intent in enacting this content-neutral ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Ridgeway, Missouri, as follows:

Section 1. Purpose and Findings.

(A) Purpose. It is the purpose of this ordinance to regulate sexually oriented businesses in order to promote the health, safety, morals, and general welfare of the citizens of the City, and to establish reasonable and uniform regulations to prevent the deleterious secondary effects of sexually oriented businesses within the City. The provisions of this ordinance have neither the purpose nor effect of imposing a limitation or restriction on the content or reasonable access to any communicative materials, including sexually oriented materials. Similarly, it is neither the intent nor effect of this ordinance to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this ordinance to condone or legitimize the distribution of obscene material.

(B) Findings. Based on evidence of the adverse secondary effects of adult uses presented in hearings and in reports made available to the Council, and on findings incorporated in the cases of *Thomas v. Chicago Park District*, 122 S. Ct. 77 (Jan. 15, 2002); *Pap's A.M. v. City of Erie*, 529 U.S. 277 (2000); *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986), *Young v. American Mini Theatres*, 426 U.S. 50 (1976), *Barnes v. Glen Theatre, Inc.*, 501 U.S. 560 (1991); *California v.*

LaRue, 409 U.S. 109 (1972); *BZAPS, Inc. v. City of Mankato*, 268 F.3d 603 (8th Cir. 2001); *Green v. City of St. Paul*, 1999 U.S. App. LEXIS 12057 (8th Cir. 1999) (unreported); *Scope Pictures v. City of Kansas City*, 140 F.3d 1201 (8th Cir. 1998); *Excalibur Group v. City of Minneapolis*, 116 F.3d 1216 (8th Cir. 1997); *ILQ Invs. v. City of Rochester*, 25 F.3d 1413 (8th Cir. 1994); *Ambassador Books & Video v. City of Little Rock*, 20 F.3d 858 (8th Cir. 1994); *Alexander v. Minneapolis*, 928 F.2d 278 (8th Cir. 1991); *John Doe v. Minneapolis*, 898 F.2d 612 (8th Cir. 1990); *Thames Enters. v. St. Louis*, 851 F.2d 199 (8th Cir. 1988); *US. Partners Fin. Corp. v. Kansas City*, 707 F. Supp. 1090 (W.D. Mo. 1989); *State v. Entrn't Ventures I, Inc.*, 44 S.W.3d 383 (Mo. 2001); *Miss Kitty's Saloon, Inc. v. State Dep't of Revenue*, 41 S.W.3d 466 (Mo. 2001); *St. Louis County v. B.A.P., Inc.*, 25 S.W.3d 629 (Mo. App. 2000); *St. Louis County v. B.A.P., Inc.*, 18 S.W.3d 397 (Mo. App. 2000); and other cases; and on testimony to Congress in 136 Cong. Rec. S 8987; 135 Cong. Rec. S. 14519; 135 Cong. Rec. S 5636; 134 Cong. Rec. E 3750; and reports of secondary effects occurring in and around sexually oriented businesses, including, but not limited to, Phoenix, Arizona - 1984; Minneapolis, Minnesota-1980; Houston, Texas - 1997; Missoupolis, Missouri; Amarillo, Texas; Garden Grove, California - 1991; Los Angeles, California - 1977; Whittier, California - 1978; Austin, Texas - 1986; Seattle, Washington- 1989; Oklahoma City, Oklahoma- 1986; Cleveland, Missouri - ; and Dallas, Texas - 1997; St. Croix County, Wisconsin- 1993; Bellevue, Washington,- 1998; Newport News, Virginia- 1996; New York Times Square study-1994; Phoenix, Arizona- 1995-98; and also on findings from the paper entitled "Stripclubs According to Strippers: Exposing Workplace Sexual Violence," by Kelly Holsopple, Program Director, Freedom and Justice Center for Prostitution Resources, Minneapolis, Minnesota, and from "Sexually Oriented Businesses: An Insider's View," by David Sherman, presented to the Michigan House Committee on Ethics and Constitutional Law, Jan. 12, 2000, and the Report of the Attorney General's Working Group On The Regulation Of Sexually Oriented Businesses, (June 6, 1989, State of Minnesota), the Council finds:

(1) Sexually oriented businesses lend themselves to ancillary unlawful and unhealthy activities that are presently uncontrolled by the unlicensed operators of the establishments. Further, there is presently no sufficient mechanism in the city to make the owners and operators of these establishments responsible for the activities that occur on their premises.

(2) Certain employees of unregulated sexually oriented businesses defined in this ordinance as adult theatres and cabarets engage in higher incidence of certain types of illicit sexual behavior than employees of other establishments.

(3) Sexual acts, including masturbation, and oral and anal sex, occur at unregulated sexually oriented businesses,

especially those which provide nude or semi-nude dancing or provide private or semi-private booths or cubicles for viewing films, videos, or live sex shows.

(4) Offering and providing such unregulated space encourages such activities, which create unhealthy conditions.

(5) Persons frequent certain adult theatres, adult arcades, and other sexually oriented businesses for the purpose of engaging in sex within the premises of such sexually oriented businesses, or for the purpose of purchasing or selling illicit drugs.

(6) Numerous communicable diseases may be spread by activities occurring in sexually oriented businesses, including, but not limited to, syphilis, gonorrhea, human immunodeficiency virus infection (HIV-AIDS), genital herpes, hepatitis salmonella, campylobacter and shigella infections, chlamydial, myoplasmal and ureoplasmal infections, trichomoniasis and chancroid.

(7) According to research from the Kaiser Family Foundation, a *reported* 753,907 Americans were infected with HIV/AIDS as of June 2000. The number of new HIV infections occurring each year is now about 41,000. Men and women of all races are most likely to be infected by sexual contact.

(8) Relevant statistics revealed that a total of 8,919 AIDS cases had been reported in Missouri as of June 2000. See <http://www.statehealthfacts.kff.org/>.

(9) The Centers for Disease Control and Prevention estimates that as many as 1 in 3 people with HIV do not know they are infected.

(10) Of the 8,919 AIDS cases reported in Missouri as of June 2000, a reported 4,744 of those have resulted in death.

(11) The number of cases of syphilis and gonorrhea in the United States reported annually remains at a high level.

(12) The surgeon general of the United States has advised the American public that AIDS and HIV infection may be transmitted through sexual contact, intravenous drug abuse, exposure to infected blood and blood components, and from an infected mother to her newborn.

(13) According to the strong scientific evidence, AIDS and HIV infection, as well as syphilis and gonorrhea, are principally transmitted by sexual acts.

(14) Sanitary conditions in some sexually oriented businesses are unhealthy, in part, because the activities conducted there are unhealthy, and, in part, because of the unregulated nature of the activities and the failure of the owners and the operators of the facilities to self-regulate those activities and maintain those facilities.

(15) Numerous studies and reports have determined that semen is found in the areas of sexually oriented businesses where persons view "adult" oriented films.

(16) The findings noted in paragraphs number 1 through 15 raise substantial governmental concerns.

(17) Sexually oriented businesses have operational characteristics that should be reasonably regulated in order to protect those substantial governmental concerns.

(18) A reasonable licensing procedure is an appropriate mechanism to place the burden of that reasonable regulation on the owners and the operators of the sexually oriented businesses. Further, such a licensing procedure will place a heretofore nonexistent incentive on the operators to see that the sexually oriented business is run in a

manner consistent with the health, safety and welfare of its patrons and employees, as well as the citizens of the City. It is appropriate to require reasonable assurances that the licensee is the actual operator of the sexually oriented business, fully in possession and control of the premises and activities occurring therein.

(19) Removal of doors on adult booths and requiring sufficient lighting on premises with adult booths advances a substantial governmental interest in curbing the illegal and unsanitary sexual activity occurring in adult theatres.

(20) Requiring licensees of sexually oriented businesses to keep information regarding current employees and certain past employees will help reduce the incidence of certain types of criminal behavior by facilitating the identification of potential witnesses or suspects and by preventing minors from working in such establishments.

(21) The disclosure of certain information by those persons ultimately responsible for the day-to-day operation and maintenance of the sexually oriented business, where such information is substantially related to the significant governmental interest in the operation of such uses, will aid in preventing the spread of sexually transmitted diseases and will prevent the further secondary effects of dissemination of illegal obscenity, child pornography, and to minors, materials harmful to them;

(22) It is desirable in the prevention of the spread of communicable diseases to obtain a limited amount of information regarding certain employees who may engage in the conduct which this ordinance is designed to prevent or who are likely to be witnesses to such activity.

(23) The fact that an applicant for an adult use has been convicted of a sexually related crime leads to the rational assumption that the applicant may engage in that conduct in contravention of this ordinance.

(24) The barring of such individuals from employment in sexually oriented businesses for a specified period of years serves to prevent distribution of illegal material, to prevent conduct which leads to the transmission of sexually transmitted diseases, and to preclude the establishment of criminal enterprises within the City.

(25) The general welfare, health, morals and safety of the citizens of the City will be promoted by the enactment of this ordinance.

Section 2. Definitions.

For purposes of this chapter, the words and phrases defined in the sections hereunder shall have the meanings therein respectively ascribed to them unless a different meaning is clearly indicated by the context.

A. Adult Arcade.

"Adult Arcade" shall mean any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by their emphasis upon matter exhibiting or describing "specified sexual activities" or specified "anatomical areas."

Al. Adult Bookstore, Adult Novelty Store, Adult Video Store.

"Adult Bookstore, Adult Novelty Store, or Adult Video Store" means a commercial establishment which has significant or substantial portion of its stock-in-trade or derives a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising, or maintains a substantial section of its sales or display space to the sale or rental, for any form of consideration, of any one or more of the following:

- a. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations which are characterized by their

emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas";

- b. Instruments, devices, or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others.

A2. Adult Cabaret.

"Adult Cabaret" means a nightclub, bar, juice bar, restaurant bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features:(a) persons who appear semi-nude, (b) live performances which are characterized by the exposure of "specified anatomical areas" or "specified sexual activities," or (c) films, motion pictures, videocassettes, slides, or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or " specified anatomical areas."

A3. Adult Motel.

"Adult motel" means a motel, hotel, or similar commercial establishment which: (a) offers public accommodations, for any form of consideration, and which regularly provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas" and which regularly advertises the availability of such material by means of a sign visible from the public right-of- way, or by means of any off-premises advertising, including but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television, and (b) offers a sleeping room for rent for a period of time less than ten (10) hours.

A4. Adult Motion Picture Theater.

"Adult Motion Picture Theater" means a commercial establishment where films, motion pictures, videocassettes, slides, or similar photographic reproductions which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas" are regularly shown for any form of consideration.

A5. Adult Theater.

"Adult Theater" means a theater, concert hall, auditorium, or similar commercial establishment which, for any form of consideration, regularly features persons who appear in state of semi- nudity or live performances which are characterized by their emphasis upon the exposure of "specified anatomical areas" or "specified sexual activities."

C. Controlling Interest.

"Controlling Interest" means the power, directly or indirectly, to direct the operation, management or policies of a business or entity, or to vote twenty percent (20%) or more of any class of voting securities of a business. The ownership, control, or power to vote twenty per cent or more of any class of voting securities of a business shall be presumed, subject to rebuttal, to be the power to direct the management, operation or policies of the business.

D. Distinguished or Characterized by an Emphasis Upon.

"Distinguished or Characterized by an Emphasis Upon" means the dominant or principal theme of the object described by such phrase. For instance, when the phase refers to films "which are distinguished or characterized by an emphasis upon the exhibition or description of Specified Sexual Activities or Specified Anatomical areas," the films so described are those whose dominant or principal character and theme are the exhibition or description "specified anatomical areas" or "specified sexual activities."

E. Employ, Employee, and Employment.

"Employ, Employee, and Employment" describe and pertain to any person who performs any service on the premises of a sexually oriented business, on a full time, part time, or contract basis, whether or not the person is denominated an employee, independent contractor, agent, or otherwise. Employee does not include a person exclusively on the premises for repair or maintenance of the premises or for the delivery of goods to the premises.

E2. Establish or Establishment.

"Establish or Establishment" shall mean and include any of the following:

- a. The opening or commencement of any sexually oriented business as a new business;
- b. The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business;
- c. The addition of any sexually oriented business to any other existing sexually oriented business; or
- d. The relocation of any sexually oriented business.

H. Hearing Officer.

"Hearing Officer" shall mean the Mayor of the City of Ridgeway or a designee of the Mayor.

L. Licensee.

"Licensee" shall mean a person in whose name a license to operate a sexually oriented business has been issued, as well as the individual or individuals listed as an applicant on the application for a sexually oriented business license. In case of an II employee, 11 it shall mean the person in whose name the sexually oriented business employee license has been issued.

N. Nudity or a State of Nudity.

"Nudity" or "State of Nudity" means the showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any part of the nipple.

O. Operate or Cause to be Operated or Operator.

"Operate or Cause to Operate" shall mean to cause to function or to put or keep in a state of doing business. "Operator" means any persons on the premises of a sexually oriented business who is authorized to exercise overall operational control of the Business or who causes to function or who puts or keeps in operation the business. A person may be found to be operating or causing to be operated a sexually oriented business whether or not that person is an owner, part owner, or licensee of the business.

P. Person.

"Person" shall mean individual, proprietorship, partnership, corporation, association, or other legal entity.

R. Regularly Features or Regularly Shown.

"Regularly Features or Regularly Shown" means a consistent or substantial course of conduct, such that the films or performances exhibited constitute a substantial portion of the films or performances offered as a part of the ongoing business of the sexually oriented business.

S. Semi-Nude or State of Semi-Nudity.

"Semi-Nude or State of Semi-Nudity" shall mean a state of dress in which opaque clothing covers no more than the genitals, anus, anal cleft or cleavage, pubic area, vulva, and nipple of the female breast, as well as portions of the body covered by supporting straps or devices.

Sl. Semi-Nude Model Studio.

"Semi-Nude Model Studio" means any place where a person, who regularly appears in a state of semi-nudity is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons.

It is a defense to prosecution for any violation of this ordinance that a person appearing in a state of semi-nudity or semi-nudity did so in a modeling class operated:

1. By a college, junior college, or university supported entirely or partly by taxation;
2. By a private college or university which maintains and operates educational programs in which credits are transferable to college, junior college, or university supported entirely or partly by taxation; or
3. In a structure:
 - a. Which has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is available for viewing; and
 - b. Where, in order to participate in a class a student must enroll at least three days in advance of the class.

S2. Sexual Encounter Establishment.

"Sexual Encounter Establishment" means a business or commercial establishment, that as one of its principle business purposes, offers for any form of consideration, a place where two or more persons may congregate, associate, or consort for the purpose of "specified sexual activities" or when one or more of the persons is semi-nude. The definition of sexually oriented businesses shall not include an establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized sexual therapy.

S3. Sexually Oriented Business.

"Sexually Oriented Business" shall mean an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel, or adult entertainment out-call service in the form of semi-nude dancing or exhibition, adult motion picture theater, adult theater, semi-nude model studio, or sexual encounter establishment.

S4. Sexually Oriented Entertainment Activity

"Sexually Oriented Entertainment Activity" means the sale, rental, or exhibition for any form of consideration, of books, films, video cassettes, magazines, periodicals, or live performances which are characterized by an emphasis on the exposure or display of specific sexual activity.

SS. Specified Anatomical Areas.

"Specified Anatomical Areas" shall mean human genitals, anus, cleft of the buttocks, or the female breast.

S6. Specified Criminal Activity

"Specified Criminal Activity" means any of the following offenses:

1. prostitution or promotion of prostitution; dissemination of obscenity or illegal pornography; sale, distribution or display of harmful material to a minor; sexual performance by a child; possession or distribution of child pornography; lewdness; sexual battery; rape; indecent exposure; indecency with a child; engaging in organized criminal activity relating to a sexually oriented business; sexual assault; molestation of a child; or distribution of a controlled substance; criminal attempt, conspiracy or solicitation to commit any of the foregoing offenses or offenses involving the same elements from any jurisdiction regardless of the exact title of the offense; for which:
 - a. less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense;
 - b. less than five years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense; or
 - c. less than five years have elapsed since the date of the last conviction or the date of release from confinement for the last conviction, whichever is the later date, if the convictions are of two or more misdemeanor offenses or combination of misdemeanor offenses occurring within any 24-month period.
2. The fact that a conviction is being appealed shall have no effect on the disqualification of the applicant.

S7. Specified Sexual Activity.

"Specified Sexual Activity" means any of the following:

- a. sex acts, normal or perverted, including intercourse, oral copulation, masturbation, or sodomy; or
- b. excretory functions as a part of or in connection with any of the activities described in (a) above.

T. Transfer of Ownership or Control

"Transfer of Ownership or Control" of a sexually oriented business shall mean any of the following:

- a. The sale, lease, or sublease of the business;
- b. The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or
- c. The establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

V. Viewing Room

"Viewing Room" shall mean the room, booth, or area where a patron of sexually oriented business would ordinarily be positioned while watching a film, videocassette, or other video reproduction.

Section 3. Classification.

Sexually oriented businesses shall be classified as follows:

1. Adult arcades;
2. Adult bookstores, adult novelty stores, adult video stores;
3. Adult cabarets;
4. Adult motels;
5. Adult motion picture theaters;
6. Adult theaters;
7. Semi-nude model studios; and
8. Sexual encounter establishments.

Section 4. License Required.

- A. It shall be unlawful for any person to operate a sexually oriented business in the City of Ridgeway without a valid sexually oriented business license.
- B. It shall be unlawful for any person to be an "employee," as defined in this Chapter, of a sexually oriented business in the City of Ridgeway without a valid sexually oriented business employee license.
- C. An applicant for a sexually oriented business license or a sexually oriented business employee license shall file in person at the office of the City Clerk a completed application made on a form provided by the City Clerk. The application shall be signed by the applicant and notarized.
- D. An application shall be considered complete when it contains the information required in Paragraphs 1 through 7 as follows:
 1. The applicant's full true name and any other names used in the preceding five (5) years.
 2. Current business address or another mailing address of the applicant.
 3. Written proof of age, in the form of a copy of a birth certificate or driver's license or other picture identification document issued by a governmental agency.
 4. If the application is for a sexually oriented business license, the business name, location, legal description, mailing address and phone number (if one currently exists) of the proposed sexually oriented business.

5. If the application is for a sexually oriented business license, the name and address of the statutory agent or other agent authorized to receive service of process.
6. A statement of whether the applicant has been convicted or has pled guilty or nolo contendere to a specified criminal activity as defined in this ordinance, and, if so, the specified criminal activity involved, the date, place, and jurisdiction of each. The statement shall also disclose whether the applicant has had a previous sexually oriented business or sexually oriented business employee license under this ordinance or other sexually oriented business ordinances from another city or county denied, suspended, or revoked within the past two years, including the name and location of the sexually oriented business for which the permit was denied, suspended, or revoked, as well as the date of the denial, suspension, or revocation, and whether the applicant has been a partner in a partnership or an officer, director, or stockholder with a controlling interest in a corporation that is licensed under this ordinance whose license has previously been denied, suspended, or revoked, including the name and location of the sexually oriented business for which the permit was denied, suspended, or revoked as well as the date of the denial, suspension, or revocation.

The information provided pursuant to Paragraphs 1 through 6 of this subsection shall be supplemented in writing by certified mail, return receipt requested, to the City Clerk within ten (10) working days of a change of circumstances which would render the information originally submitted false or incomplete.

- D. An application for a sexually oriented business license shall be accompanied by a sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared but shall be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches. Applicants who are required to comply with Section 14 of this chapter shall submit a diagram meeting the requirements of that section.
- E. If a person who wishes to operate a sexually oriented business is an individual, he shall sign the application for a license as applicant. If a person who wishes to operate a sexually oriented business is other than an individual, each officer, director, general partner or other person who will participate directly in decisions relating to management and control of the business shall sign the application for a license as applicant. Each applicant must be qualified under Section 5 and each applicant shall be considered a licensee if a license is granted.
- F. A license or permit required by this article is in addition to any other licenses or permits required by the city, county, or state to engage in the business or occupation. Persons engaged in the operation of an adult-oriented business or in employment in an adult-oriented business shall comply with all other applicable local, state, and federal laws, ordinances, and statutes, including zoning ordinances, as may be required.
- G. The information provided by an applicant in connection with an application for a license under this chapter shall be maintained by the City Clerk on a confidential basis, except that such information may be disclosed only to law enforcement agencies in connection with a law enforcement or public safety function, or as may be required by governing law or court order. The information provided by a sexually oriented business license applicant in connection with the application for a license under this chapter shall be maintained by the City Clerk

Section 5. Issuance of License.

- A. Upon the filing of a completed application under Section 4(C) for a sexually oriented business license, the City Clerk shall immediately issue a Temporary License to the applicant, which Temporary License shall expire upon the final decision of the City to deny or grant the license. Within forty (40) days of the initial filing date of the completed application, the City Clerk shall issue a license to the applicant or issue to the applicant a

letter of intent to deny the application. The City Clerk shall approve the issuance of a license unless one or more of the following is found by a preponderance of evidence to be true:

1. An applicant is less than eighteen (18) years of age.
2. An applicant has failed to provide information as required by Section 4 for issuance of a license or has falsely answered a question or request for information on the application form.
3. The license application fee required by this Chapter has not been paid.
4. An applicant has been convicted of a specified criminal activity, as defined in this ordinance, or has been shown to have committed a violation of Section 7(A), Section 10(B), Section 18(A), Section 18(B), Section 18(C), or Section 18(D) of this Ordinance within the previous year.
5. The sexually oriented business premises is not in compliance with the interior configuration requirements of this Chapter.

B. Upon the filing of a completed application for a sexually oriented business employee license, the City Clerk shall issue a Temporary License to the applicant, which Temporary License shall expire upon the final decision of the City to deny or grant the license. Within forty days of the initial filing date of the receipt of a completed application, the City Clerk shall either issue a license or issue a written notice of intent to deny a license to the applicant. The City Clerk shall approve the issuance of a license unless one or more of the following is found by a preponderance of evidence to be true.

1. The applicant is less than eighteen (18) years of age.
2. The applicant has failed to provide information as required by Section 4 for issuance of a license or has falsely answered a question or request for information on the application form.
3. The license application fee required by this section has not been paid.
4. The applicant has been convicted of a specified criminal activity, as defined in this ordinance, or has been shown to have committed a violation of Section 7(A), Section 10(B), Section 18(A), Section 18(B), or Section 18(C) of this Ordinance within the previous year.

C. The license, if granted, shall state on its face the name of the person or persons to whom it is granted, the number of the license issued to the licensee(s), the expiration date, and, if the license is for a sexually oriented business, the address of the sexually oriented business. The sexually oriented business license shall be posted in a conspicuous place at or near the entrance to the sexually oriented business so that it may be easily read at any time. A sexually oriented business employee shall keep the employee's license on his or her person or on the premises where the licensee is then working or performing and shall produce such license for inspection upon request by a law enforcement officer or other city official performing functions connected with the enforcement of this Chapter.

Section 6. Fees.

The initial license and annual renewal fees for a sexually oriented business license or a sexually oriented business employee license shall be set by the City Council at an amount determined by the Council as sufficient to pay the cost of administering this Ordinance. In no event shall the fees exceed two hundred dollars (\$200) for the initial fee of a business and one hundred (\$100) for annual renewal; and one hundred dollars (\$100) for the initial employee license and fifty dollars (\$50) for annual renewal.

Section 7. Inspection.

A. Sexually oriented business operators and sexually oriented business employees shall permit officers or agents of the City of Ridgeway to inspect, from time to time on an occasional basis, the portions of the sexually oriented business premises where patrons are permitted, for the purpose of ensuring compliance with the specific regulations of this Chapter, during those times when the sexually oriented business is occupied by patrons or is open for business. A licensee's knowing or intentional refusal to permit such an inspection shall

not constitute a misdemeanor but shall constitute a violation of this section for purposes of license denial, suspension, and/or revocation. This section shall be narrowly construed by the City to authorize reasonable inspections of the licensed premises pursuant to this chapter, but not to authorize a harassing or excessive pattern of inspections.

- B. The provisions of this Section do not apply to areas of an adult motel which are currently being rented by a customer for use as a permanent or temporary habitation.

Section 8. Expiration of License.

Each license shall remain valid for a period of one calendar year from the date of issuance unless otherwise suspended or revoked. Such license may be renewed only by making application and payment of a fee as provided in Sections 4 and 6. Application for renewal should be made at least ninety (90) days before the expiration date, and when made less than ninety (90) days before the expiration date, the expiration of the license will not be affected.

Section 9. Suspension.

The City shall issue a written letter of intent to suspend a sexually oriented business license for a period not to exceed thirty (30) days if it is determined that the sexually oriented business licensee has knowingly violated this chapter or has knowingly allowed an employee to violate this Chapter. The City shall issue a written letter of intent to suspend a sexually oriented employee license if it is determined that the employee has knowingly violated this Chapter.

Section 10. Revocation.

- A. The City shall issue a letter of intent to revoke a sexually oriented business license or a sexually oriented business employee license if two or more causes of suspension in Section 9 occur within a twelve (12) month period.
- B. The City shall issue a letter of intent to revoke a sexually oriented business license or, in the case of an employee, a sexually oriented business employee license, if the City determines by a preponderance of evidence that:
1. The licensee has knowingly given false information in the application for the license.
 2. The sexually oriented business licensee has knowingly allowed possession, use, or sale of controlled substances on the premises, or in the case of an employee, the sexually oriented business employee licensee has knowingly engaged in the possession, use, or sale of controlled substances on the premises. It shall be a defense to revocation proceedings under this subsection that such possession, use, or sale occurred pursuant to a valid medical prescription.
 3. The sexually oriented business licensee has knowingly allowed prostitution on the premises or, in the case of an employee, the sexually oriented business employee licensee has engaged in prostitution on any licensed premises.
 4. The sexually oriented business licensee knowingly operated the sexually oriented business during a period of time when the license was suspended or, in the case of an employee, the sexually oriented business employee licensee has been employed as a sexually oriented business employee at a time when the employee's license was suspended.
 5. The sexually oriented business licensee committed an act in violation of 18
 6. U.S.C. § 2257, or in the case of an employee, the sexually oriented business employee licensee committed an act in violation of 18 U.S.C. § 2257.
 7. The sexually oriented business licensee has knowingly allowed any specified sexual activity to occur in or on the licensed premises or, in the case of an employee, the sexually oriented business employee licensee has engaged in any specified sexual activity in or on any licensed premises.

- C. The fact that any relevant conviction is being appealed shall have no effect on the revocation of the license.
- D. For the purposes of this section, an act by any employee that constitutes grounds for revocation of that employee's license shall also be imputed to the sexually oriented business for purposes of revocation proceedings if the Hearing Officer determines by a preponderance of evidence that an officer, director, or general partner, or an employee who managed, supervised, or controlled the operation of the business, knowingly allowed such act to occur on the premises.
- E. Nature of Revocation. When, after the notice and hearing procedure described in Section 11, the Hearing Officer revokes a license, the revocation shall continue for one (1) year and the licensee shall not be issued a sexually oriented business license or sexually oriented business employee license for one (1) year from the date revocation becomes effective, provided that, if the conditions of Section 11(B) are met, a Provisional License will be granted pursuant to that section. If, subsequent to a revocation based solely on subsection (B)(l) of this section, the Hearing Officer finds that the basis for the revocation has been corrected or abated, the applicant shall be granted a license if at least ninety (90) days have elapsed since the date the revocation became effective. If the license was revoked under subsections (B)(2), (B)(3), (B)(4), (B)(5), or (B)(6) of this section, an applicant may not be granted another license until at least one (1) year has elapsed.

Section 11. Hearing; Denial, Revocation, and Suspension; Appeal.

- A. If the City Clerk determines that facts exist for denial, suspension, or revocation of a license under this chapter, the City shall notify the applicant or licensee (respondent) in writing of the City's intent to deny, suspend or revoke the license, including the grounds therefore, by personal delivery, or by certified mail.
 - 1. The notification shall be directed to the most current business address or other mailing address on file with the City Clerk for the respondent. Within ten (10) working days of receipt of such notice, the respondent may provide to the City Clerk a written response that shall include a statement of reasons why the respondent believes the license should not be denied, suspended, or revoked.
 - 2. Within five (5) days of the receipt of respondent's written response, the City Hearing Officer shall notify respondent in writing of the hearing date on respondent's denial, suspension, or revocation proceeding. Within ten (10) working days of the receipt of respondent's written response, the City Hearing Officer shall conduct a hearing at which respondent shall have the opportunity to present all of respondent's arguments and to be represented by counsel, present evidence and witnesses on his or her behalf, and cross-examine any of the City's witnesses. The hearing shall take no longer than two (2) days, unless extended to meet the requirements of due process and proper administration of justice. The Hearing Officer shall issue a written opinion within five (5) days after the hearing. If a court action challenging the City's decision is initiated, the City shall prepare and transmit to the court a transcript of the hearing within ten (10) days after the issuance of the Hearing Officer's written opinion.
 - 3. If a written response from respondent is not received by the City Clerk within the time stated in paragraph (A)(l) above, or if after a hearing, the City Hearing Officer concludes that grounds as specified in this Ordinance exist for denial, suspension, or revocation of the license, then such denial, suspension, or revocation shall become final five (5) days after the Hearing Officer sends, by certified mail, written notice to the respondent that the license has been denied, suspended, or revoked. Such notice shall include a statement advising the respondent of the right to appeal such decision to a court of competent jurisdiction. If the City Hearing Officer finds that no grounds exist for denial, suspension, or revocation of a license, then within five (5) days after the hearing, the City Hearing Officer shall immediately withdraw the intent to deny, suspend, or revoke the license and shall notify the respondent in writing by certified mail of such action. The City Hearing Officer shall contemporaneously therewith issue the license to the applicant.

- B. An applicant or licensee (aggrieved party) whose application for a license has been denied or whose license has been suspended or revoked shall have the right to appeal such action to a court of competent jurisdiction. Upon the filing of any state or federal court action to appeal, challenge, restrain, or otherwise enjoin the City's enforcement of the denial, suspension, or revocation, the City shall immediately issue the aggrieved party a Provisional License. The Provisional License shall allow the aggrieved party to continue operation of the sexually oriented business or to continue employment as a sexually oriented business employee and will expire upon the court's entry of a judgment on the aggrieved party's appeal or other action to restrain or otherwise enjoin the City's enforcement.
- C. An applicant or licensee (aggrieved party) who receives from the City a written notice of the City's intent to deny, suspend, or revoke his or her sexually oriented business or sexually oriented business employee license shall have the option of bypassing the procedure in Sections 11 (A)-(B) above and proceeding directly to any court of competent jurisdiction. Upon receiving a copy of the filed action, the City shall immediately issue the aggrieved party a Provisional License, which shall allow the aggrieved party to continue operation of the sexually oriented business or to continue employment as a sexually oriented business employee and will expire upon the court's entry of a judgment on the aggrieved party's appeal or other action to restrain or otherwise enjoin the City's enforcement.
- D. Application of Ordinance During Temporary License or Provisional License Periods. Sexually oriented businesses or sexually oriented business employees operating or working under Temporary Licenses (as provided for in Section 5), Provisional Licenses (as provided for in Section 11), or De Facto Temporary Licenses (as provided for in Section 17) shall be subject to the provisions of Sections 12, 13, 14, 15, 16, and 17 as specified in this Ordinance.

Section 12. Transfer of License.

A licensee shall not transfer his or her license to another, nor shall a licensee operate a sexually oriented business under the authority of a license at any place other than the address designated in the sexually oriented business license application.

Section 13. Hours of Operation.

No sexually oriented business shall open to do business before 10:00 a.m. or remain open after 11:00 p.m., provided that, a sexually oriented business which has obtained a license to sell alcoholic beverages from the State of Missouri may remain open pursuant to the terms of that license, but may not conduct sexually oriented entertainment activity after 11:00 p.m.

Section 14. Regulations Pertaining to Exhibition of Sexually Explicit Films or Videos.

- A. A person who operates or causes to be operated a sexually oriented business, other than an adult motel, which exhibits on the premises in a viewing room of less than one hundred fifty (150) square feet of floor space, films, video cassettes, or other video reproductions characterized by an emphasis on the display of specified sexual activities or specified anatomical areas shall comply with the following requirements.
1. Each application for a sexually oriented business license shall contain a diagram of the premises showing the location of all manager's stations, viewing rooms, overhead lighting fixtures, video cameras and monitors installed for monitoring purposes and restrooms, and shall designate all portions of the premises in which patrons will not be permitted. Restrooms shall not contain video reproduction equipment. The diagram shall also designate the place at which the permit will be conspicuously posted, if granted. A professionally prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram shall be oriented to the north or to some designated street or object and shall be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimensions

of all areas of the interior of the premises to an accuracy of plus or minus six inches. The City Clerk may waive the foregoing diagram for renewal applications if the applicant adopts a diagram that was previously submitted and certifies that the configuration of the premises has not been altered since it was prepared.

2. The application shall be sworn to be true and correct by the applicant.
3. No alteration in the configuration or location of a manager's station or viewing room may be made without the prior approval of the City Clerk.
4. It shall be the duty of the operator, and of any employees present on the premises, to ensure that no patron is permitted access to any area of the premises which has been designated as an area in which patrons will not be permitted in the application filed pursuant to Paragraph 1 of this subsection.
5. The interior premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illumination of not less than one (1.0) foot candle as measured at the floor level. It shall be the duty of the operator, and of any employees present on the premises, to ensure that the illumination described above is maintained at all times that the premises is occupied by patrons or open for business.
6. It shall be the duty of the operator, and of any employees present on the premises, to ensure that no sexual activity occurs in or on the licensed premises.
7. It shall be the duty of the operator, and of any employees present on the premises, to ensure that not more than one person is present in a viewing room at any time. No person shall enter a viewing room that is occupied by another person.
8. It shall be the duty of the operator, and of any employees present on the premises, to ensure that no openings of any kind exist between viewing rooms. No person shall make an attempt to make an opening of any kind between viewing rooms.
9. It shall be the duty of the operator, or of any employee who discovers two or more patrons in a viewing room or discovers any person making or attempting to make an opening of any kind between viewing rooms, to immediately escort such persons from the premises.
10. It shall be the duty of the operator, or of any employee, who discovers an opening of any kind between viewing rooms to immediately secure such rooms, and prevent entry into them by any patron until such time as the wall between the rooms has been repaired to remove the opening. Removal and repairing openings between viewing rooms shall be in a manner that is as structurally substantial as the original wall construction.
11. It shall be the duty of the operator, at least once each business day, to inspect the walls between viewing rooms for openings of any kind.
12. It shall be the duty of the operator to post conspicuous signs in well-lighted entry areas of the business stating all of the following:
 - a. That no loitering is permitting in viewing rooms.
 - b. That the occupancy of viewing rooms is limited to one person.
 - c. That sexual activity on the premises is prohibited.
 - d. That the making of openings between viewing rooms is prohibited.

- e. That violators will be required to leave the premises.
 - f. That violations of Subparagraphs (b), (c) and (d) of this paragraph are unlawful.
13. It shall be the duty of the operator to ensure that floor coverings in viewing rooms are nonporous, easily cleanable surfaces, with no rugs or carpeting.
14. It shall be the duty of the operator to ensure that all wall surfaces and seating surfaces in viewing rooms are constructed of or permanently covered by nonporous easily cleanable material.
15. It shall be the duty of the operator to ensure that premises are clean and sanitary. Such duty shall be fulfilled if the operator complies with the following cleaning procedures:
- a. The operator shall maintain a regular cleaning schedule of at least two cleanings per day, documented by appropriate logs.
 - b. The operator shall provide an employee to check all areas for garbage, trash, body fluids and excrement and to remove and clean all areas with a disinfectant. All solid waste generated by the business shall be collected from the premises for disposal at a lawful solid waste disposal facility at least once each week. Prior to collection solid waste shall be stored in a manner that prevents access by animals or members of the public and which will not facilitate the creation of a health nuisance.
 - c. Thorough cleaning of the entire interior of any room providing patron privacy shall be done using a disinfectant. Cleaning shall include floors, walls, doors, seating, monitors, video cameras, and windows and other surfaces.
16. The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the premises in which patrons are permitted, including the interior of each viewing room but excluding restrooms, to which any patron is permitted access for any purpose. A manager's station shall not exceed forty (40) square feet of floor area. If the premises has two (2) or more manager's stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose from at least one of the manager's stations. The view required in this paragraph must be by direct line of sight from the manager's station. It is the duty of the operator to ensure that at least one employee is on duty and situated in each manager's station at all times that any patron is on the premises. It shall be the duty of the operator, and it shall also be the duty of any employees present on the premises, to ensure that the view area specified in this paragraph remains unobstructed by any doors, curtains, walls, merchandise, display racks or other materials or enclosures at all times that any patron is present on the premises.

B. It shall be unlawful for a person having a duty under this section to knowingly fail to fulfill that duty.

Section 15. Loitering and Exterior Lighting and Monitoring Requirements.

- A. It shall be the duty of the operator of a sexually oriented business to: (a) initiate and enforce a no loitering policy within the external boundaries of the real property upon which the sexually oriented businesses are located; this duty shall be deemed fulfilled if the operator performs those items listed in (b), (c), and (d) of this subsection; (b) post conspicuous signs stating that no loitering is permitted on such property; (c) designate one or more employees to monitor the activities of persons on such property by visually inspecting such property at least once every ninety (90) minutes or inspecting such property by use of video cameras and monitors; and (d) provide lighting of the exterior premises to provide for visual inspection or provide video monitoring to prohibit loitering. If used, video cameras and monitors shall operate continuously at all times that the premises are open for business. The monitors shall be installed within a manager's station.

B. It shall be unlawful for a person having a duty under this section to knowingly fail to fulfill that duty.

Section 16. Penalties and Enforcement.

A person who knowingly violates, disobeys, omits, neglects, or refuses to comply with or resists the enforcement of any of the provisions of this chapter shall be fined not to exceed \$500. Each day the violation is committed, or permitted to continue, shall constitute a separate offense and shall be fined as such.

The City's attorney is hereby authorized to institute proceedings necessary for the enforcement of this Chapter to prosecute, restrain, or correct violations hereof. Such proceedings, including injunction, shall be brought in the name of the City, provided, however, that nothing in this section and no action taken thereunder, shall be held to exclude such criminal proceedings as may be authorized by other provisions of the City code, or any of the laws or ordinances in force in the city or to exempt anyone violating this code or any part of the said laws from any penalty which may be incurred.

Section 17. Applicability of Ordinance to Existing Businesses.

All existing sexually oriented businesses and sexually oriented business employees are hereby granted a De Facto Temporary License to continue operation or employment for a period of ninety (90) days following the effective date of this ordinance. Within said ninety (90) days, all sexually oriented businesses and sexually oriented business employees must make application for a license pursuant to this Chapter. Within said ninety (90) days, sexually oriented businesses must make any necessary changes to the interior configurations of the regulated business premises to conform to this Chapter. All provisions of this Ordinance, other than licensure and interior configuration requirements for which the 90-day grace period applies, shall apply to the activities of all sexually oriented businesses and sexually oriented business employees described herein, whether such businesses or activities were established or commenced before, on, or after the effective date of this ordinance.

Section 18. Additional Regulations Concerning Live Public Nudity

It is unlawful for a sexually oriented business licensee to knowingly violate the following regulations or to knowingly allow an employee or any other person to violate the following regulations.

- A. It shall be a violation of this Chapter for a patron, employee, or any other person to knowingly or intentionally, in a sexually oriented business, appear in a state of nudity, regardless of whether such public nudity is expressive in nature.
- B. It shall be a violation of this Chapter for an employee to knowingly or intentionally, in a sexually oriented business, appear in a state of semi-nudity unless the employee is at least six (6) feet from patrons and customers and on a stage at least eighteen (18) inches from the floor.
- C. It shall be a violation of this Chapter for an employee, while in a state of semi-nudity in a sexually oriented business, to knowingly or intentionally receive any pay or gratuity directly from any patron or customer or for any patron or customer to knowingly or intentionally pay or give any gratuity directly to an employee, while said employee is in a state of semi-nudity in a sexually oriented business.
- D. It shall be a violation of this Chapter for an employee, while in a state of semi-nudity in a sexually oriented business, to knowingly or intentionally touch a customer or the clothing of a customer.

A sign in a form to be prescribed by the City Clerk and summarizing the provisions of Paragraphs A, B, C, and D of this Section, shall be posted near the entrance of the sexually oriented business in such a manner as to be clearly visible to patrons upon entry.

Section 19. Severability.

Ridgeway Municipal Code Chapter _____ and each section and provision of said chapter thereunder, are hereby

declared to be independent divisions and subdivisions and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provisions of said chapter, or the application thereof to any person or circumstance is held to be invalid, the remaining sections or provisions and the application of such sections and provisions to any person or circumstances other than those to which it is held invalid, shall not be affected thereby, and it is hereby declared that such sections and provisions would have been passed independently of such section or provision so known to be invalid.

Passed and Adopted, by the City Council of the City of Ridgeway, Missouri, this 9th day of March, 2002.

(signed) *Larry Logan*
President of Council

ATTEST:

(signed) *Shirley Fitzpatrick*
CLERK OF COUNCIL

Presented by me to the Mayor for his approval and signature this 9th day of March, 2002.

(signed) *Shirley Fitzpatrick*
CLERK OF COUNCIL

APPROVED and SIGNED by me this 9th day of March 2002

(signed) *Daniel W. Claycomb*
Mayor, City of Ridgeway

Ordinance No. 2002-312A

An ordinance prohibiting the maintenance of live sex act businesses and declaring the same a public nuisance.

WHEREAS, the City Council hereby incorporates by reference the Preamble and Findings of Ordinance 2002-312A and the materials referenced in that Ordinance; and

WHEREAS, the City Council finds that the operation of a business for purposes of providing the opportunity to engage in, or the opportunity to view, live sex acts is declared to be a disorderly house and a public nuisance per se which should be prohibited; and

WHEREAS, the City Council finds that the operation of a live sex act business contributes to the spread of sexually transmitted diseases; and

WHEREAS, the City Council finds that the operation of a live sex act business is inimical to the health, safety, general welfare and morals of the inhabitants of the City of Ridgeway; and

WHEREAS, evidence in support of these findings may be found in the document entitled Sex Clubs, Factual Record, in the findings of courts in prior judicial decisions, and in other materials obtained by the City Council; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Ridgeway, Missouri, as follows:

Section 1. Definitions.

1. *Consideration* means the payment of money or the exchange of any item of value for
 - a. The right to enter the business premises, or any portion thereof, or
 - b. The right to remain on the business premises, or any portion thereof, or
 - c. The right to purchase any item permitting the right to enter, or remain on, the business premises, or any portion thereof, or
 - d. The right to a membership permitting the right to enter, or remain on, the business premises, or any portion thereof.
2. *Live sex act* means any act whereby one or more persons engage in a live performance or live conduct which contains sexual contact, oral sexual conduct, or sexual intercourse.
3. *Live sex act business* means any business in which one or more persons may view, or may participate in, a live sex act for a consideration.
4. *Operate and maintain* means to organize, design, perpetuate or control. Operate and maintain includes providing financial support by paying utilities, rent, maintenance costs or advertising costs, supervising activities or work schedules, and directing or furthering the aims of the enterprise.
5. *Oral sexual contact* means oral contact with the penis, vulva or anus.
6. *Sexual contact* means any direct or indirect touching, fondling or manipulating of any part of the genitals, anus or female breast by any part of the body or by any object or causing a person to engage in such contact.
7. *Sexual intercourse* means penetration into the penis, vulva or anus by any part of the body or by any object or manual masturbatory conduct with the penis or vulva.

Section 2. Live Sex Act Businesses Prohibited.

1. It shall be unlawful for any person or entity to operate and maintain a live sex act business.
2. Operation of a live sex act business is a public nuisance per se which may be abated by order of the Ridgeway Municipal Court.
3. The City's attorney, in the name of the City of Ridgeway, may apply to the Municipal Court for an order permitting the City to abate violations of this section.
4. After notice to the operator of a live sex act business, the judge shall conduct a bearing and take evidence as to whether a live sex act business is being operated in violation of this section.
5. If, at the conclusion of the hearing, the judge determines that a live sex act business is being operated in the City of Ridgeway in violation of this section, an order shall be entered authorizing the City to abate the violation by closing the business. A copy of the order shall be delivered to the operator of the business and mailed to the owner of the property upon which the business is located.
6. Nothing in this section shall be construed to prohibit the non-obscene presentation. showing, or conducting of any play, drama, ballet, or any performance commonly associated with expression, in any theater, concert hall, fine arts academy, school, institution of higher education, or similar establishment as a form of expression of opinion or communication of ideas or information, as differentiated from the promotion or exploitation of sex for the purpose of advancing the economic welfare of a commercial or business enterprise.

PASSED and ADOPTED, by the City Council of the City of Ridgeway, Missouri this 9th Day of March, 2002.

(signed) *Larry Logan*
President of Council

ATTEST:

(signed) *Shirley Fitzpatrick*
Clerk of Council

Presented to by me to the Mayor for his approval and signature this 9th day of March, 2002

(signed) *Shirley Fitzpatrick*
Clerk of Council

APPROVED and SIGNED by me this 9th day of March, 2002.

(signed) *Daniel W. Claycomb*
Mayor, City of Ridgeway

Ordinance 061204A

An ordinance authorizing the City of Ridgeway, Missouri, to set the amount of the deposit required to be made by a customer to the City of Ridgeway, Missouri, before being connected to the city water system and the procedure to cut off a customer's service for failure to pay their water bill and repealing Ordinance Number 181.

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

SECTION 1 Ordinance number 181 is hereby repealed.

SECTION 2 That the Board of Aldermen of the City of Ridgeway, Missouri, do hereby find and determine that a party, person or corporation desiring to be provided with city water and have a city water connection made for the purchase of city water shall pay to the City of Ridgeway, Missouri, a deposit. For each water meter connection to a Mobile Home Park, Apartment Building/Complex, Car Wash, Laundromat, Restaurant, Motel, and other similar commercial or industrial business, the deposit shall be ninety dollars plus a ten dollar non-refundable hookup fee (\$100.00). For each water meter connection to commercial units not previously listed, the deposit shall be ninety dollars plus a ten dollar non-refundable hookup fee (\$100.00). For each water meter connection to a residence the deposit shall be ninety dollars plus a ten-dollar non-refundable hookup fee (\$100.00).

SECTION 3 All water deposits will be applied to any unpaid bill and the difference will either be refunded or billed to the customer.

SECTION 4 Before any connection is made, an application must be filed and approved and the required deposit paid to the City of Ridgeway, Missouri.

SECTION 5 Whoever filed the application for a water meter connection shall be responsible for all payments relating to water usage for that connection.

SECTION 6 No waivers of deposits are allowed for any reason.

SECTION 7 **** * Updated in 2007 Addendum to Ordinance 061204A***

~~If any customer receiving sanitary sewerage services, city water services, or city trash services from the City of Ridgeway, Missouri, who fails to pay his, her, or its bill for a period of twenty five (25) days after the date of rendition thereof, such customer shall not be permitted nor entitled to receive those services from the City. The City water, sewer, and/or trash services to such premises will be is connected and shall not be reconnected until all past due bills for City water, sewer, and/or trash services are paid in full, together with a reconnection charge of twenty five dollars (\$25.00) for the first offense. For the second offense and on, they will pay in full water, sewer, and/or trash services with a reconnection of one hundred seventy five dollars (\$175.00).~~

SECTION 8 This ordinance shall be in full force and affect from and after date of its passage and approval. Read two times, by title only, passed and approved this 12th day of June, 2004.

**** See additional section 9 and 10 in 2012 Addendum to Ordinance 061204A***

MAYOR DANIEL CLAYCOMB

ATTEST:

(signed) *Shannon M. Bender*
Shannon M. Bender / City Clerk

Addendum To Ordinance No. 061204A (2007)

An Addendum to Ordinance No. 061204A in relation to authorizing the City of Ridgeway, Missouri to set the amount and the procedure to cut off a customer's service for failure to play their water bill.

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

Section 7: If any customer receiving city water services, sanitary sewerage services or city trash services from the City of Ridgeway, Missouri, who fails to pay his, her, or its bill by the twentieth day of each month, such customer shall not be permitted nor entitled to receive those services from the City. The City water, sewer, and/or trash services to such premises will be disconnected and shall not be reconnected until all past due bills for City water, sewer, and/or trash services are paid in full, together with a reconnection charge of twenty-five dollars for the first offense, \$50.00 for the second offense and \$100.00 thereafter before service is reconnected.

Section 8: The addendum to Ordinance No. 061204A shall be in full force and affect from and after date of its passage and approval. Read two times, by title only, passed and approved on this 15th day of January 2007.

Passed by the Board of Aldermen this 15th day of January 2007.

(signed) *Rebecca Renner*
Rebecca Renner
Mayor, City of Ridgeway

Passed by me this 15th day of January, 2007.

(signed) *Rebecca Renner*
Rebecca Renner
Mayor, City of Ridgeway

Attest: (signed) *Debra A. Ware*
Debra Ware
City Clerk

Addendum To Ordinance 061204A (2012)

Adding Section 9 in relation to authorizing the City of Ridgeway, Missouri to set the amount of deposit required to be made by a rental customer to the City of Ridgeway, Missouri, before being connected to the city water system.

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

Section 9: That the Board Of Alderman of the City of Ridgeway, Missouri, do hereby find and determine that a party, person or corporation desiring to rent property/rent to own and be provided with city water and have a city water connection made for the purchase of city water shall pay to the City of Ridgeway, Missouri, a deposit. For each water meter connection to a Residence/Home, Mobile Home Park, Apartment Building/Complex, Car Wash, Laundromat, Restaurant, Motel and other similar commercial or industrial businesses, the deposit shall be one hundred and fifty dollars.

Section 10: The addendum to Ordinance No. 061204A shall be in full force and effect from and after date of its passage and approval. Read two times, passed and approved on this 10th day of September, 2012.

Passed by the Board of Aldermen this 10th day of September, 2012.

(signed) *Diann Cunningham*
Diann Cunningham
Mayor / City of Ridgeway

(signed) *Marcia Booth, President/Alderman*
Marcia Booth
President /Alderman

(signed) *Earl Bender*
Earl Bender
Alderman

(signed) *Bev Pitts*
Bev Pitts / Alderman

(signed) *Neil Fordyce*
Neil Fordyce / Alderman

Attest:

(signed) *Debra Ware / City Clerk*
Debra Ware / City Clerk

Ordinance No. 041505

An ordinance of the City of Ridgeway, Missouri repealing Ordinance No. 1029 making the owners of rental property liable for any certain unpaid utility charges left by a tenant and authorizing the City of Ridgeway to shut off the utility services if not paid by the owner; and enacting in lieu thereof an ordinance making property owners of rental properties liable for certain unpaid utility or service charges incurred by a tenant and provided by the city, and authorizing the City of Ridgeway to shut off certain utility services or other services if not paid by the owner.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RIDGEWAY, MISSOURI AS FOLLOWS
TO-WIT:

SECTION 1: Tenant and Property Owner Jointly Liable: Sewer services, water services, or water and sewerage services combined shall be deemed to be furnished to both the occupant and the property owner of any premises receiving such services from the City. The City shall have power to sue the occupant or owner, or both, of such real estate in a civil action to recover any sums due for such services less any deposit that is held by the City for such services less any deposit that is held by the City, plus a reasonable attorney's fee to be fixed by the Court.

SECTION 2: Billing. Bills will be mailed to the utility user/tenant by the 25th day following the month for which the service was rendered. Bills not paid by the 10th of the month shall be subject to a 10% late charge.

SECTION 3: Notice of Overdue Charges and User's Rights to Dispute Bills: Billing statements sent to utility users/tenants will advise them that failure to pay a bill by the 20th day following the month for which service was rendered shall result in disconnection of utility services or other services provided by the City pursuant to this ordinance and the utility user's agreement, if applicable. The ordinance will be referred to by number, and the copies of the ordinance and utility user's agreement will be available upon request by contacting City Hall. Billing statements will inform customers that they may contact City Hall with any billing questions.

If a utility user has questions regarding their bill, if they dispute any charges, or if they wish to dispute the City's actions in discontinuing their utility services or other services provided by the City, they may schedule an informal hearing with the City to discuss any disputed issues.

The informal hearing will consist of an appointment with the City Mayor and Council during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays at City Hall. Appointments can be made by contacting City Hall located at 605 Main Street, Ridgeway, MO 64481 or by calling 660/872-6414. The meeting will be made, as much as possible, at a time that is mutually convenient for the user and the City Mayor and Council or City Clerk if the Mayor and Council are not available.

The City Mayor and Council is hereby authorized to hear such complaints relating to claims of charges for services not rendered and billing errors, and is authorized to adjust bills if any errors exist. The City Clerk is hereby authorized to exercise the same authority in hearing such complaints, if the City Mayor and Council are unavailable.

If after an informal hearing and a review of the facts the City Mayor and Council or City Clerk as applicable, determines that the charges are justly due and there are no billing errors, the City may shut off utility services or other services rendered by the City after the 20th of the month following a month for which service was rendered by the City and satisfactory arrangements have not been made with the City for payment of the delinquent charges.

SECTION 4: Notice to Be Sent to Property Owner, When: Utility users who are tenants shall list the property owner(s) and the property owner's address when the Tenant applies for the City utility services.

When the occupant is delinquent in payment for thirty days, the City shall make a good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. Notwithstanding any other provisions of this Ordinance to the contrary, when an occupant is delinquent more than ninety days, the owner shall not be liable for sums due for more than ninety days of service.

The provisions of this ordinance shall apply only to residences that have their own private water and sewer lines. In instances where several residences share a common water or sewer line, the owner of the real property upon which the residences sit shall be liable for water and sewer expenses.

If the tenant does not inform the city that he or she does not own the property or fails to provide the address of the property owner, the City shall, notwithstanding, send written notice by regular mail to a property owner from whom it receives a written request. Such request shall provide a mailing address where notification is to be sent, along with the name(s) of the tenant(s) and the address of the property for which notice is to be sent. If a tenant fails to provide the City with the property owner's name and address, and if a property owner fails to request notification in writing, the tenant and property owner will nonetheless remain jointly liable for any unpaid utility services or other services provided by the City.

SECTION 5: Owner's Right to Request that City Disconnect Tenant's Utilities:

The City shall make a good faith effort to notify Property Owners who are entitled to notice pursuant to Section 4 above. If the utility user is a tenant, the property owner's consent is required before alternative payment arrangements can be made between a tenant and the City. If the property owner does not consent in writing to alternate payment arrangements pursuant to Section 3 above, the tenant's utility services and other services provided by the City will be discontinued the same day the City receives such written notice.

The property owner will have the right to request in writing that the tenant's utility services or other services the tenant is receiving from the City, be disconnected, including without limitation, water, sewer or trash removal services. A "Request for Termination of Tenant's Utility Services" form is available at City Hall for this purpose.

SECTION 6: Change in Customer: When the City receives written notice that there has been a change in utility customers, whether from the tenant or the property owner, the City will read such customer's meter(s) and credit any deposits to the former customer's bill, including any penalties, as soon as practicable. Service will be deemed to be provided to the former customer until and including the date the City receives notice of a change in customer.

SECTION 7: Severability: If any section, subsection, paragraph, sentence, clause, or phase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this chapter, which shall remain in full force and effect.

This ordinance shall become in force and effect on August 28, 2005, after its passage and approval.

PASSED this 28th day of August, 2005.

(signed) *Johnny C. Taylor*
Mayor and Ex Officio President
Of the Board of Aldermen of
The City of Ridgeway, Missouri

ATTEST:

(signed) *Debra A. Ware*
City Clerk

Approved this 28th day of August, 2005

(signed) *Daniel W. Claycomb*
Mayor of the City of Ridgeway

ATTEST:

(signed) *Debra A. Ware*
City Clerk

Ordinance No. 101606

An ordinance of the City of Ridgeway, Missouri, amending the ordinances of the City of Ridgeway, to provide the Board Of Aldermen be elected at-large.

Whereas, the 93rd General Assembly enacted H.B. 977 providing Fourth Class Cities under 1,000 population the option of electing the Board of Alderman At - Large, rather than from Wards.

BE IT ORDAINED BY THE (Board of Aldermen) OF THE CITY OF RIDGEWAY AS FOLLOWS:

Section 1. At-Large Elections: Election to the Board of Aldermen shall be At- Large. The seats of current Aldermen shall be filled At-Large as soon as the current term expires. Each year thereafter, one-half the board of Aldermen shall stand for election At- Large for a two-year term.

Section 2. Wards Abolished: The Election Wards are hereby abolished.

Section 3. Effective Date: This Ordinance shall be in full force and effect from and after its passage and approval.

Passed this 16th Day of October, 2006.

Approved: 5 approved

(signed) *Rebecca A Renner*
Mayor

ATTEST:
(signed) *Debra A. Ware*
City Clerk

Ordinance No. 30810

Review of Water & Sewer Rates Annually

Section 1. The City of Ridgeway shall review Water and Sewer rates annually and revise user rates as necessary to ensure that the Water and Sewer system generates adequate revenues to pay the costs of operations and maintenance including replacement and that the system -continues to provide for the proportional distribution -- of operation and maintenance. Following the review, the rates may be adjusted accordingly.

Section 2. The City of Ridgeway will notify each Water & Sewer user annually if the rate of Water or Sewer is going to be increased.

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

PASSED this 8th day of March, 2010.

(signed) *O. Dee Smith*
Mayor

Attest:
(signed) *Debra A. Ware*
City Clerk

(Seal

Ordinance No. 122010 – B

In the Circuit Court of Harrison County, Missouri, City of Ridgeway Municipal Division
Order Establishing Traffic Violations Fine Schedule

General City of Ridgeway Ordinance to enforce any and all violations be it traffic or otherwise stated. This will pertain to any or all of the following listed on the following schedule:

OFFENSE	FINE TO BE IMPOSED	COURT COST	TOTAL FINE AND COSTS
Speeding in excess Of the posted speed limit			
0-5 mph	42.50	32.50	75.00
6-10 mph	47.50	32.50	80.00
11-15 mph	77.50	32.50	110.00
16-20 mph	102.50	32.50	135.00
21-25 mph	152.50	32.50	185.00
26-30 mph	202.50	32.50	235.00
31-35 mph	252.50	32.50	285.00
35 and over	302.50	32.50	335.00
Slow speed impeding traffic	52.50	32.50	85.00
Failed to stop at stop sign	52.50	32.50	85.00
Failed to yield right of way	52.50	32.50	85.00
Failed to stop for flashing red signal	52.50	32.50	85.00
Improper turn	52.50	32.50	85.00
Failed to yield at intersection	52.50	32.50	85.00
Failed to dim lights	42.50	32.50	75.00
Driving without lights	42.50	32.50	75.00
Failed to drive on right half of roadway	52.50	32.50	85.00
Improper Passing	52.50	32.50	85.00
Failed to signal when turning	52.50	32.50	85.00
Following to close	52.50	32.50	85.00
Failed to register motor vehicle	52.50	32.50	85.00
Failed to display or	52.50	32.50	85.00
Affix Plates	27.50	32.50	60.00
No Chauffeur license	102.50	32.50	135.00
No Operator's license	102.50	32.50	135.00
Expired Chauffeur's license	37.50	32.50	70.00
Expired Operator's license	37.50	32.50	70.00

City of Ridgeway, Missouri - Current Ordinances

Not Validated for motorcycle	37.50	32.50	70.00
No motorcycle helmet	37.50	32.50	70.00
No triangular emblem on slow Moving traffic	37.50	32.50	70.00
Failed to display headlight or Tail light on towed vehicle	27.50	32.50	60.00
Defective equipment: Tires, brakes, lights, muffler, etc.	32.50	32.50	65.00
Permitted unlicensed Person to drive	42.50	32.50	75.00
No Child Restraint	42.50	32.50	75.00
Failed to display inspection sticker	22.50	32.50	55.00
No Insurance	117.50	32.50	150.00
No Seat Belts	10.00	00.00	10.00
Minor in possession	AUTHORITY WITHHELD - BOND		\$150.00
Failed to yield to Emergency Vehicle	AUTHORITY WITHHELD - BOND		\$200.00
Leaving scene of an accident	AUTHORITY WITHHELD - BOND		\$200.00
Driving while license suspended	AUTHORITY WITHHELD - BOND		\$450.00
Driving while license revoked	AUTHORITY WITHHELD - BOND		\$450.00
Driving while intoxicated	AUTHORITY WITHHELD - BOND		\$450.00
Possession of marijuana	AUTHORITY WITHHELD - BOND		\$450.00
Possession of drug paraphernalia	AUTHORITY WITHHELD - BOND		\$450.00

Parking Offenses

<u>Offense</u>	<u>First</u>	<u>Second</u>	<u>Third</u>	<u>Fourth</u>
Overtime Parking	5.00	20.00	50.00	Appearance Required
Loading Zone	5.00	20.00	50.00	Appearance Required
Prohibited Area	5.00	20.00	50.00	Appearance Required
Too Close to Intersection	5.00	20.00	50.00	Appearance Required
Obstructing Traffic Lane	5.00	20.00	50.00	Appearance Required
In Crosswalk	5.00	20.00	50.00	Appearance Required
Double Parking	5.00	20.00	50.00	Appearance Required
Wrong Direction	5.00	20.00	50.00	Appearance Required
Across Lines	5.00	20.00	50.00	Appearance Required
Blocking Driveway	5.00	20.00	50.00	Appearance Required
City Park Restricted	5.00	20.00	50.00	Appearance Required
On Sidewalk	20.00	50.00	75.00	Appearance Required
Too Close to Fire Plug	20.00	50.00	75.00	Appearance Required
Fire Lane	20.00	50.00	75.00	Appearance Required
Alley	20.00	50.00	75.00	Appearance Required

City of Ridgeway, Missouri - Current Ordinances

Handicapped Zone	50.00	75.00	150.00	Appearance Required	Amount
for parking offenses represents fine only. Court costs of \$32.50 per violation will be waived if parking fines are paid prior to court date indicated on the <i>Parking Violation Notice</i> when issued.					

It was moved by Louise Patterson and seconded by Gary Lanning that Ordinance No. 122010 is placed upon final passage. Ordinance No. 122010 was placed upon final passage with the following vote:

	<u>Yes</u>	<u>No</u>
Gary Lanning	X	
Ronnie Claycomb	X	
Robert Evans	X	
Louise Patterson	X	

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON 12/20/2010.

Read three times, Passed and unanimously approved this 20th day of December, 2010.

(signed) *O. Dee Smith, Mayor*
O. Dee Smith - Mayor

Attest:

(signed) *Debra A. Ware*
Debra Ware, City Clerk

Ordinance No. 021411

An ordinance regulating All-Terrain Vehicles

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

Section 1. It shall be unlawful for any person to operate any all-terrain vehicle within the City limits of Ridgeway Missouri, except in accordance with the following rules and all applicable state laws.

Section 2. Each all-terrain vehicle must display a city sticker, purchased annually with a valid driver's license for which the city may charge a fee of \$10.

Section 3. The operator shall be sixteen years of age and older and shall have in his possession and display to any Law Enforcement officer upon request, a valid state driver's license.

Section 4. No one under the age of sixteen will be able to drive all-terrain vehicles on the streets of Ridgeway.

Section 5. Each all-terrain vehicle shall be equipped with a proper bicycle safety flag and the passenger shall be wearing a securely fastened helmet on his head if he or she be under the age of 16 years.

Section 6. All-terrain vehicles will have to stay on the property during races. (Pre-designated Areas)

Section 7. Each all-terrain vehicle shall be equipped with proper headlights and taillights, which shall be functional and turned on at all times when the vehicle is moving.

Section 8. This ordinance shall become effective from and after the date of its passage.

Passed this 14th Day of February, 2011.

(signed) *O. Dee Smith*
Mayor of Ridgeway

Attest:
(signed) *Debra A. Ware*
City Clerk

Ordinance No. 111411

An ordinance regulating archery shooting within city limits

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

Section 1. Shall be lawful to allow Archery Practice within the City Limits of Ridgeway, Missouri with a proper back stop and safe distances from houses and roads. No shooting across the streets/roads will be permitted.

Section 2. There will be a \$50.00 - \$500.00 fine if not in compliance with City Ordinance as with shooting a firearm.

Section 3. This ordinance shall become effective from and after the date of its passage.

Passed, this 14th day of November, 2011.

(signed) *O. Dee Smith, Mayor*
Mayor of Ridgeway

(signed) *Gary. L Lanning*
Alderman

(signed) ?? – signature illegible
Alderman

(signed) *Louise Patterson | Alderman*
Alderman

Attest:

(signed) *Debra A. Ware*
City Clerk

Ordinance No. 121211

An ordinance approving an agreement with Harrison County to collect Ad Valorem taxes for city.

WHEREAS, the Board of Aldermen has determined that it is economically efficient to contract with the County of Harrison for the collection of ad valorem taxes for the City; and

WHEREAS, it is necessary pursuant to Section 70.220 RS.Mo. to enter into a written agreement with the County for the collection of such taxes;

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

Section 1. Section 1: The agreement with Harrison County attached hereto and incorporated herein by reference is approved and the Mayor and Clerk are authorized to sign the same on behalf of the City.

Section 2. Section 2: This Ordinance shall be in full force and effect from and after its passage and approval, with the County to begin collection of taxes for the City effective this date until said agreement is terminated according to the terms thereof.

THIS ORDINANCE was passed by the Board of Alderman of the City of Ridgeway, Missouri this 12th day of December, 2011.

(signed) *Dee Smith, Mayor*
Mayor of Ridgeway

Attest:

(signed) *Debra A. Ware | City Clerk*
City Clerk

This ordinance was approved on the 12th day of December, 2011.

(signed) *Dee Smith, Mayor*
Mayor of Ridgeway

(SEAL)

Ordinance No. 717 Revised

A revision to Ordinance 717 in relation to load limits on streets and regulations of trucks and the truck parking lot with the City of Ridgeway, Missouri.

LET IT BE KNOWN, BY THE BOARD OF ALDERMEN OF THE CITY OF RIDGEWAY, MISSOURI, AS FOLLOWS:

Section 1. The City of Ridgeway has imposed an 11 ton load limit on-city streets. Trucks in excess of this may only use city streets to the truck parking lot and route T and A highways. Trucks delivering goods and services into the city are exempt. Also, anyone with an existing parking lot or shop that can park said trailer off of city property and streets may be grandfathered in and still use city streets to get to and from private property/parking lots.

Section 2. Violators of this ordinance are subject to \$50.00 fine which will double after each violation. City may collect-these fines by impounding trucks until restitution has been made or shutting off city utilities to said violator.

This ordinance shall take effect and be in force from and after its passage by the Board of Aldermen of the City of Ridgeway, Missouri.

With this ordinance being read more than once, passed by the Board of Aldermen and Mayor of the City of Ridgeway, Missouri this 15th day of July, 2016.

(signed) *Daniel W. Claycomb*

Mayor

ATTEST:

(signed) *J. Diann Cunningham* / city clerk

City Clerk

(SEAL)

Ordinance No. 17014

An ordinance regarding the shutting off and turning on of city utilities.

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

This ordinance number 17014 is hereby enacted to read as follows

Section 1. Prohibits any person other than a City employee, or a person employed by or given permission by the City to turn on or shut off water meters. This will insure that meters are not damaged during the procedure.

Section 2. If it is found that an individual has violated this ordinance, they will be issued a \$200.00 fine plus any damages assessed.

Section 3. Exceptions may be considered when an emergency deems it necessary.

Section 4. This ordinance shall become effective from and after the date of its passage.

Passed this 14th Day of April, 2017.

(signed) *Daniel W. Claycomb*
Mayor

Attest:

(signed) *J. Diann Cunningham* | city clerk
City Clerk

Ordinance No. 170609

An ordinance for the City of Ridgeway pertaining to individuals who do not have water service.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF RIDGEWAY, MISSOURI, AS FOLLOWS:

This ordinance number 170609 is hereby enacted to read as follows:

Section 1.

- A. It shall be unlawful for anyone to reside within the City Limits of the City of Ridgeway without procuring sewerage and trash services.
 - 1. An individual may reside within the City Limits and not have water service.
 - 2. If an individual chooses to not have water turned on, they must procure from the City of Ridgeway sewer and trash service. If they choose not to procure these services from the City of Ridgeway, they must show proof that they are discarding both according to State Sanitation Laws and not using the City of Ridgeway's sewer or trash collection in any way.
- B. Anyone found to be in violation of this ordinance will be fined a \$500.00 fee for violating this ordinance.

PASSED THIS 9th day of June, 2017.

(signed) *Daniel W. Claycomb*
Mayor

Attest:

(signed) *J. Diann Cunningham* / city clerk
City Clerk

Ordinance No.170714

An ordinance establishing a municipal division of circuit court for the City of Ridgeway, Missouri pursuant to Missouri Revised Statutes, and related matters.

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

SECTION 1: VIOLATIONS-TO BE HEARD BY ASSOCIATE CIRCUIT JUDGE

The City of Ridgeway, Missouri, a fourth-class city, hereby elects to have all violations of its municipal ordinances heard and determined by an Associate Circuit Judge of the Circuit Court of Harrison County, Missouri, the county in which Ridgeway is located.

SECTION 2. MUNICIPAL DIVISION-CIRCUIT COURT

The Division of the Circuit Court of Harrison County, Missouri, which hears and determines violations of the ordinances of the City of Ridgeway, shall be known as the "Municipal Division of the Circuit Court of Harrison County, Missouri (hereafter Ridgeway Municipal Division).

SECTION 3. CLERK-MUNICIPAL DIVISION

The City of Ridgeway elects to use the District Court personnel to serve as their Municipal clerk.

SECTION 4. COURTROOM

The associate Circuit Judge may hear and determine violations of the ordinances of the city in a courtroom provided by the county or, at the request of the Associate Circuit Judge, the city shall provide a suitable courtroom in which to hold court.

SECTION 5. PROSECUTIONS-ON INFORMATION

All prosecutions for violations of the city ordinances shall be instituted by information and shall be based upon notice of violation. Proceedings shall be in accordance with the Supreme Court Rules governing practices and procedures in proceedings before municipal judges.

SECTION 6. WARRANTS-HOW ISSUED AND EXECUTED

All warrants issued by a judge hearing violations of city ordinances shall be Directed to an ordinance enforcement officer of the city or to the sheriff of Harrison County. The warrants shall be executed by an ordinance enforcement officer at any place within the limits of the city or by the sheriff at any place within the limits of the Harrison County, and not elsewhere, unless the warrants are endorsed in the manner provided for warrants in criminal cases, and when so endorsed, shall be served in other counties, as provided for in warrants in criminal cases.

SECTION 7. ATTORNEY TO PROSECUTE VIOLATIONS

The city shall appoint an attorney to prosecute violations of city ordinances on behalf of the city before the judge hearing such violations. The city shall determine the compensation of the attorney and the expenses to be paid. Such compensation and expenses shall be paid by the city.

SECTION 8. JUDGE TO BE TRIER OF FACT

In any trial for the violation of the city, all issues of fact shall be tried by the Judge.

SECTION 9. RECOGNIZANCES AND FORFEITURES

In case of a breach of any recognizance entered into before a judge hearing violations of the ordinances of the city, the same shall be deemed forfeited and the judge shall cause the same to be prosecuted against the principal and surety or either of them, in the name of the City of Ridgeway as Plaintiff. All monies recovered in such action shall be paid over to the city treasury to the general revenue fund of the city.

SECTION 10. CITY ORDINANCE-EVIDENCE

It shall be the duty of the city clerk to properly certify and maintain a complete copy of the ordinances of the city on file with the clerk of the Ridgeway Municipal Division, which shall constitute prima facie evidence before the Court.

SECTION 11. COURT COSTS-FILING FEES

1. The Ridgeway Municipal Division shall adopt a schedule of standard court costs and filing fees consistent with such court costs and fees as required or permitted by law and Supreme Court Rule, which schedule of costs and fees shall be adopted by the Ridgeway Board of Alderman by ordinance.
2. In the event a defendant pleads guilty or is found guilty, the judge shall assess the court costs aforesaid against the defendant. In the event a defendant is acquitted or the case is dismissed, the judge shall not assess costs against the city.

SECTION 12. PROCEDURE-FINES AND COSTS-REPORTING

1. The Ridgeway Municipal Division will utilize the Justice Information System(JIS). The court clerk shall collect and transmit fines and costs, report all transactions, and manage all cases in accordance with the procedures established for JIS, and is hereby authorized to collect outstanding fines and costs through the Missouri Courts Tax Offset Program as administered under the procedures of JIS.
2. All fines shall be paid at least monthly into the city treasury, and all court costs shall be remitted into the state treasury in the same manner provided by law for costs in ordinance violations.

SECTION 13. FINE-INSTALLMENTS ALLOWED-COMMUNITY SERVICE.

City of Ridgeway, Missouri - Current Ordinances

1. The Ridgeway Municipal Division shall adopt a schedule of standard fines and penalties consistent with such fines and penalties as required or permitted by law and Supreme Court Rule, which schedule of fines and penalties shall be adopted by the Ridgeway Board of Aldermen by ordinance.
2. When a fine is assessed for violation of an ordinance, it shall be within the discretion of the judge to provide for the payment of the fine on an installment basis under such terms and conditions as he may deem appropriate.
3. When in his judgement it seems advisable, the judge may order the performance of a designated amount of free work for a public or charitable purpose approved and supervised by the municipality, in lieu of or in addition to a fine.

This ordinance shall be in full force and effect on and after its date of passage.

The City Clerk is directed to file a certified copy of this ordinance with the Circuit Clerk of this County, the same to serve as official notification of the city's intention to retain its municipal court.

Approved this 14th day of July 2017.

AYES: 3 Namely: Scott Boswell
 Stephanie Andrew
 Danny Claycomb

Nays: _____ Namely: _____
Abstain: Rita Cox

(signed) *Daniel W. Claycomb*
Daniel W. Claycomb, Mayor

ATTEST: (City Seal)

(signed) *J. Diann Cunningham* / city clerk
J. Diann Cunningham, City Clerk

Ordinance No. 170908

An ordinance repealing the following ordinances listed. The Board of Aldermen of the City of Ridgeway has found it necessary to repeal these outdated ordinances so that the city's ordinances may be more compliant with state statutes.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RIDGEWAY, MISSOURI TO REPEAL THE ORDINANCES LISTED AS FOLLOWS:

Section 1.

Ordinance #6- An ordinance in relation to sidewalks, their construction, reconstruction and repair.

Ordinance #7-An ordinance in relation to licenses, etc.

Ordinance#8- An ordinance in relation to the erection, ,maintenance and regulation of telegraph and telephone lines within the City of Ridgeway, Missouri: For licensing the same, and providing for compensation for use of streets and alleys for that purpose and prescribing penalties for violation of ordinance.

Ordinance #8a-An ordinance in relation to misdemeanors.

Ordinance #20-An ordinance in relation to taxation.

Ordinance #6-An ordinance in relation to bringing suit against Sarah E & Frank M Melton

Ordinance#18-An ordinance in relation to city election

Ordinance #19-An ordinance in relation to poll tax.

Ordinance #22- An ordinance in relation to peddler's license.

Ordinance #23- An ordinance in relation to city elections.

Special Sidewalk Ordinance #1 - An ordinance to construct a specific sidewalk.

Special Sidewalk Ordinance #3-An ordinance to construct a specific sidewalk

Special Sidewalk Ordinance#7- An ordinance to construct a specific sidewalk.

Ordinance #4- An ordinance in relation to the election of officers of the City of Ridgeway

Ordinance #10-An ordinance in relation to sanitary conditions and creating a board of Health

Ordinance #12-An ordinance in relation to restraining domestic animals from running at large.

Ordinance #21-An ordinance in relation to filling vacancies on the Board of Alderman and Mayor of the City of Ridgeway, MO.

Ordinance #26-An ordinance in relation to taxation.

Ordinance #24- An ordinance in relation to telephone and telegraph lines, regulating the location of same and providing a tax for the use of streets therefore and providing penalties for violations of provisions.

City of Ridgeway, Missouri - Current Ordinances

Special Ordinance #8- An ordinance in relation to the acceptance of and payment for a certain sidewalk.

Ordinance #14- An ordinance in relation to the building of sidewalks and parkways and side- walk approaches and regulating the placement of shade trees.

Ordinance #24- An ordinance in relation to telephone and telegraph lines and regulating the placement of same.

Ordinance #38-An ordinance in relation to issuing a direct annual tax upon all the taxable property in the city of Ridgeway, MO.

Ordinance #39- An ordinance in relation to issuing a direct annual tax upon all taxable property in the city of Ridgeway, MO.

Ordinance #36-An ordinance in relation to the election of a police judge for the City of Ridgeway, MO.

Ordinance #20-An ordinance in relation to condemn a defective sidewalk and order its removal.

Ordinance #133-An ordinance in relation to the growth of weeds.

Ordinance #9-An ordinance in relation to poll tax.

Ordinance# 122-An ordinance in connection with the election called for in Ordinance #121.

Ordinance #120-An ordinance in relation to a city election.

Ordinance #123-An ordinance in relation to the salary of the city marshal.

Ordinance #121- An ordinance in relation to an election to create a city park fund.

Ordinance # 108-An ordinance in relation to a tax levy on property

Ordinance #107-An ordinance in relation to gas and oil engines within the city limits of Ridgeway MO.

Ordinance #64-An ordinance in relation to the sale and gift of cigarettes and the use thereof.

Ordinance #50B-An ordinance in relation to the holding of a special election in the city of Ridgeway for mayor and two board members.

Ordinance #AA-An ordinance in relation to operating a vehicle with headlights in the city of Ridgeway and the specifications for such lights.

Ordinance #BB-An ordinance in relation to using dirigible searchlights on vehicles in the city of Ridgeway.

Ordinance# 11-An ordinance in relation to construction of a certain sidewalk.

Ordinance#13-An ordinance in relation to construction of a certain sidewalk.

Ordinance #41 and any amendments thereof-An ordinance in relation to establishing Regulations and rates for furnishing electricity by the City of Ridgeway and for the protection of the electric plant of said city.

Ordinance #160- An ordinance in regard to motor vehicles.

Ordinance #106-An ordinance submitting to the qualified voter of the City of Ridgeway at a special election to be

held for the city to incur an indebtedness.

Ordinance #107-An ordinance designating polling places and the judges and clerks for such

Bill #108- An ordinance declaring the result of the special election of August 26, 1921.

Ordinance #110- An ordinance providing for and levying an additional annual tax for 1921

Ordinance #109- An ordinance authorizing and providing for the issue and sale of negotiable coupon bonds to provide for upkeep/maintenance of the power plant.

Ordinance #111-An ordinance authorizing and providing for the issue and sale of negotiable Coupon bonds to provide for the upkeep/maintenance of the power plant.

Ordinance #112-An ordinance in relation to amending Section 2 of Ordinance 111.

Ordinance #113_ In relation to a city election.

Ordinance #114-An ordinance in relation to poll tax.

Ordinance# 115- An ordinance in relation to the fees for the city physician and marshal for quarantining contagious diseases.

Ordinance #116- An ordinance in relation to the levying of taxes.

Special Sidewalk Ordinance #117-An ordinance relating to building a specific sidewalk.

Ordinance#118-An ordinance establishing regulations and rates for furnishing electricity by the City.

Ordinance#119-An ordinance forbidding the manufacture, possession, sale or transportation of intoxicating liquors and providing a penalty.

Ordinance #120-An ordinance in relation to a city election.

Ordinance #122-An ordinance in relation to a poll tax.

Ordinance#124-An ordinance in relation to levying taxes in the corporate limits of the city of Ridgeway.

Ordinance #125-An ordinance calling for a special election to increase the bond debt.

Ordinance #126-An ordinance calling for a special election go test the sense of the qualified voters of the City of Ridgeway MO

Ordinance #127-An ordinance calling for a special election in September 1923.

Ordinance #128-An ordinance declaring the results of the special election for September 1923.

Ordinance#129-An ordinance authorizing the issuance of a 5 ½% improvement bond for the City of Ridgeway.

Ordinance#130-An ordinance in relation to extending the tax levy.

Ordinance#131-An ordinance in relation to a city election.

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Ordinance #132-An ordinance in relation to levying taxes.

Ordinance#133-An ordinance in relation to the growth of weeds adjoining at streets and alleys.

Ordinance#134-An ordinance in relation to the parking of cars and other vehicles in Main Street of the City of Ridgeway.

Ordinance#135-An ordinance in relation to driving vehicles while intoxicated.

Ordinance#136-An ordinance in relation to poll tax.

Ordinance#137-An ordinance authorizing the Mayor and City Clerk to execute a contract with Fairbanks, Morse and Co. for operation of the electric plant.

Ordinance #138-An ordinance in reference to paying notes to Fairbanks, Morse and Co.

Ordinance#139-An ordinance in relation to levying taxes.

Ordinance #140-An ordinance in relation to a city election

Ordinance#141-An ordinance in relation to levying taxes

Ordinance#142-An ordinance in relation to a poll tax

Ordinance#151-An ordinance in relation to a city election

Ordinance#153-An ordinance in relation to grant Missouri Public Service the right of franchise.

Ordinance#152-An ordinance providing the sale and transfer by the city to Missouri Public Service of the electric plant and distribution system.

Ordinance #154-An ordinance setting forth an agreement with Missouri Public Service to provide for electric lighting for the City of Ridgeway.

Ordinance#155-An ordinance setting for an agreement with Missouri Public Service providing for furnishing current for water pumping for the City of Ridgeway.

Ordinance#156-An ordinance calling for a special election for the voters to approve or reject selling of the electric plant to Missouri Public Service.

Ordinance#159-An ordinance in relation to poll tax.

Ordinance#102A-An ordinance in relation to poll tax

Ordinance#109A-An ordinance in reference to the grading and paving of roads with gravel 4 inches deep and sixty feet wide in front of the property and seventy feet wide at the street intersections of Main and Walnut to the center line of the intersection of Main and Pine.

Ordinance #103-An ordinance in relation to taxation.

Ordinance#107A-An ordinance providing for the grading and paving with gravel Main Street from Walnut to Pine Street.

City of Ridgeway, Missouri - Current Ordinances

Ordinance #108A and any amendments thereof-An ordinance letting the contract for paving with gravel on Main from Walnut to Pine Street to Cooley Gravel Co.

Ordinance #111-An ordinance in relation to taxation.

Ordinance#112A-An ordinance in relation to city election.

Ordinance#112A-An ordinance in relation to public health.

Ordinance#113A-An ordinance in relation to a peddler's license.

Ordinance#114A-An ordinance in relation to taxation.

Ordinance#115A-An ordinance in regards to driving motor cars past stop signs and other traffic signs.

Ordinance#116A-An ordinance prohibiting driving motor vehicles on the left side of the street.

Ordinance#117A-An ordinance in relation to city elections.

Ordinance#118A-An ordinance regulating and licensing dance halls.

Ordinance#119A-An ordinance regulating the hours and days of operating and closing of barber shops.

Ordinance#10-87-An ordinance pertaining to public health, safety and welfare, regulating storage, collection and process and disposal of solid waste.

Ordinance#125A-An ordinance in relation to the license of motor vehicles.

Ordinance #486-An ordinance pertaining to public health, safety and welfare, regulating storage, collection and transportation and disposal of solid waste and providing a penalty for violation of said ordinance.

Ordinance#07-31-An ordinance pertaining to public health, safety and welfare, regulating storage, collection and transportation and disposal of solid waste and providing a penalty for violation of said ordinance.

Ordinance #117A-An ordinance providing for the licensing and regulation of the manufacturing, distilling, blending and sale of intoxicating liquor in the City of Ridgeway.

Ordinance#121A-An ordinance regulating metal tired vehicles operating on improved streets of the City of Ridgeway.

Ordinance#122Aand any amendments thereof-An ordinance authorizing Missouri Public Service and its successors to construct, operate and maintain for a period of 20 years electric lights, heat and power to the system for the City of Ridgeway.

Ordinance#123-An ordinance changing the grade of Main Street from the intersection of Main and Cedar, south on Main Street to the south city limit.

Ordinance#123A-An ordinance submitting to the qualified voters of the City of Ridgeway authorizing the Missouri Public Service Corporation to construct , operate and maintain light, heat and power systems for the City of Ridgeway.

Ordinance#124-An ordinance providing for a tax levy of .50 per month on each user of the city sewer system in the City of Ridgeway. And providing penalty for not paying said tax.

City of Ridgeway, Missouri - Current Ordinances

Ordinance #124A-An ordinance authorizing a contract with Missouri Public Service Corporation for the furnishing of street lighting for a period of 10 years in the City of Ridgeway.

Ordinance#175-An ordinance calling for a special election in the City of Ridgeway to submit to the qualified voters to issue the combined waterworks and sewerage system revenue bonds of \$146,000. For the purpose of constructing, extending, and improving the waterworks and sewerage system.

Ordinance#176-An ordinance declaring the result of the special bond election held on February 16, 1965.

Ordinance#0045-An ordinance to enact 5 sections of the ordinances of the City of Ridgeway MO to be known as sections A, B, C, D, E declaring the policy and purpose of the City of Ridgeway to extend all eligible employees and officials of said city the benefits of the system of federal old-age and survivors' insurance as authorized by the Social Security Act Amendments of 1950.

Ordinance#2-C-An ordinance setting rates and free service for cable television.

Ordinance#42-An ordinance to grant Dean Pierce and Larry Selby, rights and privileges to construct, maintain, operate, repair and replace a cable television system across the public property in the City limits for a period of 15 years.

Ordinance #1-1985-An ordinance authorizing a contract with Missouri Public Service for the furnishing of street lights in the city of Ridgeway for a period of 10 years.

Ordinance#210-An ordinance in reference to changing water and sewerage rates in the City of Ridgeway.

Ordinance#1-83-B-An ordinance granting Missouri Public Service a franchise and authority to generate, sell and distribute and furnish electric power and energy subject to an occupation tax and granting the right to use the streets, alleys, and other public places with the present or future corporate limits of the City of Ridgeway.

Ordinance#2-86-An ordinance pertaining to setting up a park board, the requirements and responsibilities of said members.

Section 2:

This ordinance shall become effective and in full force upon this day of August, 2017.

(signed) *Daniel W. Claycomb*
Mayor

ATTEST:

City Clerk/City of Ridgeway

Ordinance No. 171216

An ordinance for the City of Ridgeway pertaining to the maintenance and beautification of Main Street/State Highway T of the City of Ridgeway.

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

This ordinance number 171216 is hereby enacted to read as follows:

Section 1.

- A. For any renovations or improvements of properties abutting Main Street/State Hwy T herein after referred to as Main Street and sections of State Hwy A which lie within the city limits of the City of Ridgeway, the property owner must make application to the Board of Alderman, City of Ridgeway for said renovation/improvements.
- B. When the property owner submits the application, they must also submit a proposed plan of what improvements will be done on said property. The council will review the owners' plan of action and make the decision to either approve or deny the application.

Section 2.

- A. Any renovations or remodeling shall be conducive to beautification of the Main Street area.
- B. There shall be no unlicensed vehicles parked on any of the vacant lots on Main Street.
- C. All items not stored within a building shall be maintained in good repair and shall not allow infestation by insects, rodents or other animals.
- D. It shall be unlawful for any person to leave any abandoned, unattended, or discarded ice box, refrigerator or any other locking device which has an airtight door or lid, snap box or other locking device which may not be released from the inside, without first removing said door or lid, snap lock, or other locking device from said ice box, refrigerator or container. It shall be unlawful for any person to store, for longer than fourteen days any trailer whether it be a temporary storage container or a construction/semi type trailer. If it is a construction/semi-trailer it must not be any longer than 16 feet in length, eight feet in width, and nine feet high.
- E. All containers of this type must be kept free of rust , peeling paint or other visible forms of deterioration.

Section 3.

- A. If an individual is wanting to apply to use their lot for the purposes of storage, they must get the appropriate approval of the City Council and Mayor. If they are wanting to use storage trailers/containers of any type for long term storage said containers must be kept inside a building so as not to be a blight on the Main Street area.

Passed this 16th day of December, 2017.

(signed) *Daniel W. Claycomb*
Mayor

Attest:

(signed) *J. Diann Cunningham* | city clerk

City of Ridgeway, Missouri - Current Ordinances

City Clerk

Ordinance No. 171216-01

An ordinance for the City of Ridgeway pertaining to occupation of RVs or Motor Homes located inside the city limits of the City of Ridgeway

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

This ordinance number 171216-01 is hereby enacted to read as follows:

Section 1.

- A. RVs or motorhomes which the owner have for the intent of turning into a residence must comply with the mobile home/trailer ordinance #4-98 and its amendment. These residences shall be occupied solely by the owner of said property.

Section 2. The resident of said property will also comply with the nuisance ordinance # 160715.

Section 3. Any non-compliance of either of the listed ordinances will result in a thirty (30) day warning, which may be followed by a \$250.00 per month fine plus cost of maintenance of said property by the City of Ridgeway.

Section 4. Section 4. This ordinance shall become effective from and after the date of its passage.

Passed this 16th of December, 2017.

(signed) *Daniel W. Claycomb*
Mayor

ATTEST:

(signed) *J. Diann Cunningham* / city clerk
City Clerk

Ordinance No. 071222-01

An ordinance regulating the owning, keeping and harboring of dogs and other animals in the City of Ridgeway.
(Replaces Ord. No. 20211115)

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RIDGEWAY, MISSOURI, THAT A NEW ORDINANCE IS ENACTED AS FOLLOWS:

Section I. Dangerous dogs

- A. *Unlawful/Definitions.* It shall be unlawful for any person within the corporate limits to own, keep or harbor any dog which is dangerous. Any dog with the following characteristics shall be classified and defined as dangerous:
1. Any dog which has inflicted a severe or fatal injury on a human being on public or private property. "Severe injury" means any physical injury, resulting directly from a dog's bite, which results in broken bones, or lacerations requiring stitches, or in-patient hospitalization. The victim receiving severe injuries, as defined above, must provide the city a signed physician's statement documenting injury and treatment qualifying such as severe injury or sign an authorization for release of such statement.
 2. Any dog which has killed a domestic animal, livestock or poultry without provocation, while off the owner's property.
 3. Any dog owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting.
 4. Any dog which has bitten a human being, without provocation, on public or private property owned by anyone other than the dog owner.
 5. Any dog which, while on the owner's property, has bitten, without provocation, a human being other than the owner or a member of the owner's family who normally resides at the place where the dog is kept.
 6. Any dog which, when unprovoked, chases or approaches a person upon the streets, sidewalks, or any public grounds, or private property-other than that property of the owner, in a fashion or apparent attitude or attack, regardless of whether or not a person is injured by said dog.
 7. Any dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise threaten the safety of human beings or domestic animals, including, but not limited to, dogs found by the Court to be dangerous pursuant to a court proceeding.
 8. Any dog which has been declared by the City pursuant to the terms contained herein to be dangerous, vicious or a threat to the public health, safety and welfare.
- B. *Exemptions to Dangerous Dog Classification.*
1. With the exception of Subsection (A)(I), no dog may be declared dangerous if the threat, injury or damage was sustained by a person who, at the time, was committing a willful trespass, tormenting, abusing or assaulting the dog, or has in the past tormented, abused or assaulted the dog or was committing or attempting to commit a crime.
 2. With the exception of Subsection (A)(I), the city, because of extenuating circumstances, determine from the investigation of an incident that an animal is not dangerous. However, the owner being responsible for said dog may be warned of the animal's tendencies and to take appropriate action to prevent subsequent incidences. This, however, does not exempt the owner from being cited for other animal control ordinance violations.
 3. Dogs owned by governmental or law enforcement agencies when being used in the service of those agencies are exempt.

C. *Guard Dogs.*

1. No person shall own, keep, harbor, maintain or allow to be upon the premises occupied by him/her or under his/her charge or control any guard dog (for the purposes of this Chapter here defined as a dog not owned by a governmental unit which dog is used to guard public or private property) without such dog being confined behind a fence from which it cannot escape, or within any part of a house or structure except when the windows or screen doors are the only obstacle preventing the dog from exiting the structure; and must not be used or maintained in a manner which, as determined by the City, endangers individuals on or off the premises guarded. Provided however, these restrictions shall not apply to any guard dog for which a certificate or other suitable documentation evidencing satisfactory completion of Schutz hound training, training approved by the American Kennel Club or other equivalent and recognized training has been issued and which is on file with the Animal Control Director.
2. Any guard dog, including law enforcement dogs, used in the City by virtue of such use is hereby declared to be subject to the license and rabies vaccination requirements of this Chapter.

D. *Determination by the City that a Dog is a Dangerous Dog.*

1. Upon the written complaint of any person that a person is harboring or keeping a dangerous dog as herein defined within the corporate limits of the City of Ridgeway, the City will cause the matter to be investigated. Upon such complaint, the City will forward the complaint and results of the investigation to the Prosecutor for the City of Ridgeway.
2. If the Prosecutor determines that the dog is a dangerous dog, the Prosecutor may file an Information requesting a summons to compel an appearance in the Municipal Court of the City of Ridgeway, Missouri.

E. *Confinement*

1. Any dangerous dog as determined by this Section, including all dogs during the pendency of the outcome including any appeal period of any summons issued by the Harrison County Circuit Clerk's office shall be subject to the following standards of confinement:
 - a. No such dangerous dog shall be permitted to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four (4) feet in length. No person shall permit such dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless an adult person at least eighteen (18) years of age is in physical control of the leash at all times. Further, such dog shall not be leashed to any inanimate object including, but not limited to, trees, posts, buildings or vehicles. In addition, any such dog on a leash outside a kennel or pen shall be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.
 - b. All such dogs shall be securely confined indoors or in a securely enclosed and locked pen, kennel or structure except when leashed and muzzled as provided for herein above. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine such dogs must be locked with a key or combination lock when such dogs are within the structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two (2) feet. All structures erected to house such dog must comply with all zoning and building regulations in the City. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.
 - c. No such dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition. In addition, no such dog may be kept in a house or structure when the windows are open or when screen windows or doors are the only obstacle preventing the dog from exiting the structure.
 - d. Each dangerous dog shall have an electronic monitoring microchip implanted under its skin by a licensed veterinarian that can be read by an electronic microchip reader. The expenses of the implantation of the electronic microchip, including but not limited to, the cost of the microchip and any medical equipment necessary for the implantation and the fee charged by any licensed veterinarian performing said

procedure, shall be borne by the person owning, keeping, harboring or sheltering said dog.

- F. *Violations and Penalties.* Any person violating or permitting the violation of any provision of this Section shall upon conviction be fined a sum not less than two hundred fifty dollars (\$250.00) and not more than five hundred dollars (\$500.00). In addition to the fine imposed, the Court may sentence the Defendant to imprisonment in the City Jail for a period not to exceed thirty (30) days. In addition, the Court shall have the dog removed from the City. Should the Defendant refuse to remove the dog from the City, the Judge shall find the defendant owner in contempt and order immediate confiscation and humane destruction of the animal. Each day of the violation of this Section shall be deemed a separate offense. In addition to the foregoing penalties, any person who violates this Section shall pay all expenses, including shelter, transportation, food, handling, veterinary care, testimony fees and disposal fees necessitated by the enforcement of this Section.

Section 2. Running at Large

It shall be unlawful for any person who owns, possesses or keeps a dog to permit such dog to run at large within the limits of the City, meaning that each dog must be attached to a leash or kept in a kennel or fenced-in area sufficient to contain and control such dog.

Section 3. License Required

Every person who harbors, keeps or possesses a dog in the City, except animals confined in a commercial kennel, shall purchase from the City Clerk an animal license. The City Clerk shall issue a license to any person requesting the same, upon the payment of a fee of five dollars (\$5.00), and on the presentation of a certificate of a duly licensed veterinarian that the animal has been inoculated for rabies and the inoculation is still in effect. The person shall give all information requested by the City Clerk in the process.

Section 4. Impounding

Any dog within the City, not having secured on its body a valid animal license or running at large in violation of this Ordinance, shall be subject to being collected by any Peace Officer, Animal Control Director or any designee of the City. Such animal shall be retained for one (1) week after the date of the collection for the purpose of being claimed by the owner. Any animal so detained shall be returned to the owner when the owner shall display an animal license issued for the animal and on the payment of a fee up to twenty dollars (\$20.00) per day for care and food and water expended on the dog. Any animal unclaimed after one (1) week may be destroyed in a humane manner or may be sold to be used for any humane purpose; provided that at all times the animal is confined, such animal shall have adequate and proper care, food and water.

In addition to the impound fee the owner shall also be charged an additional \$7.00 per day up to a week. This daily fee will be required in addition to the impound fee in order for dog to be returned to owner.

Section 5. Annoying, Howling, Barking Dogs Unlawful.

It shall be unlawful for an owner, possessor or keeper of a dog to allow or permit such dog to cause serious annoyance or disturbance to any person or persons by frequent and habitual howling, yelping, or barking, causing annoyance to the neighborhood or to persons passing upon the streets and sidewalks.

Section 6. Number of Dogs

Any person who shall own, keep or harbor upon his premises. four (4) or more dogs other than those under the age of six months shall be deemed the owner of a dog kennel. In the event a female dog has puppies, the owner shall be allowed six (6) months from birth to dispose of the puppies. This provision shall not apply to proprietors of animal hospitals and veterinarians when such animals are kept upon premises for such business. This provision shall not apply to owners of animals who are animal breeders or kennel operators who hold a license from the state for breeding or kennel operation. Any person within the City conducting, managing or maintaining a dog kennel shall pay an annual license fee of Twenty Dollars (\$20.00) for the first four (4) dogs, plus Ten Dollars (\$10.00) for each additional dog for the privilege of maintaining a dog kennel, provided however, that the payment of a kennel license fee shall not free the owner of said kennel from an obligation to provide for the vaccination of each dog maintained. Kennel premises shall be maintained in a clean, satisfactory and sanitary condition at all times and sanitary methods shall be used to obliterate or prevent any offensive odors. The City shall have the right to inspect the kennel at reasonable times.

Section 7. Nuisance Animals

- A. A dog or cat shall be considered a nuisance if it:
 - 1. Damages, soils, defiles or defecates on public or private property other than the owners unless such waste is immediately removed and properly disposed of by the owner;
 - 2. Causes unsanitary, dangerous or offensive conditions;
 - 3. Causes a disturbance by excessive barking or other noise making; or
 - 4. Chases vehicles or molests, attacks or interferes with a person or other domestic animals on public property.
- B. No dog or cat shall be allowed to cause a nuisance. The owner of every dog or cat shall be held responsible for every behavior of such dog or cat under the provisions of this Ordinance.

Section 8. Stray cats not to be fed.

With the exception of any animal shelter approved by the City of Ridgeway for the sheltering and care of animals, no person shall feed or harbor stray or feral cats where such feeding and harborage causes a nuisance to residents, increased risk of disease or injury to the cats, or uncontrolled breeding of the cats in question.

Section 9. Animal Abuse.

A person is guilty of animal abuse when a person

- 1. Intentionally or purposely kills an animal in any manner not allowed by or expressly exempted from the provisions of Section 578.005 to 578.023 and 273.030. RSMo.;
- 2. Purposely or intentionally causes injury or suffering to an animal; or
- 3. Having ownership or custody of an animal knowingly fails to provide adequate care or adequate control.

Section 10. Animal Neglect - Penalties

- A. A person is guilty of animal neglect when he/she has custody or ownership or both of an animal and fails to provide adequate care or adequate control, which results in substantial harm to the animal. A person is guilty of abandonment when he/she has knowingly abandoned an animal in any place without making provisions for its adequate care.

- B. Animal neglect is an ordinance violation. All fines and penalties for a first conviction of animal neglect may be waived by the court provided that the person found guilty of animal neglect shows that adequate, permanent remedies for the neglect have been made. Reasonable costs incurred for the care and maintenance of neglected animals may not be waived.

Section 11. Regulations for Keeping Livestock, Domestic Animals and Fowl.

- A. No person shall keep swine of any kind anywhere within the City limits of Ridgeway, Missouri, except as provided in Subsection (D) hereof.
- B. No cattle, horses, mules, jacks, jennets, sheep, goats or other such animals, or ruminants of any kind, may be kept or maintained within fifty (50) feet of any residence or other dwelling place other than that of the owner; nor shall any person keep or maintain any rabbits, geese, ducks, chickens, turkeys, guineas, quail, pheasants, peacocks, peahens or other such domestic fowl or animals or any animals used for fur harvesting within seventy-five (75) feet of any residence or other dwelling place other than that of the owner.
- C. In addition to those requirements set forth in Subsection (B) hereinabove, no person shall keep any cattle, horses, mules, jacks, jennets, sheep or goats, or any other such animals or ruminants, of any kind or any combination of such animals, in any enclosure or pasture unless such enclosure or pasture shall be located within or have an area of at least forty-three thousand and five hundred sixty (43,560) square feet (one acre) for each foraging unit. The term "foraging unit" as used in this Section shall include cattle, horses, mules, jacks, jennets, sheep, goats or any other such animals or ruminants of any kind or any combination of such animals which have a total weight of not more than one thousand (1,000) pounds. This Section shall not apply to nursing animals. Owners of properties which house such animals in excess of this requirement on the date of this ordinance shall be exempt from the requirements of this Subsection.
- D. Nothing in this Section shall prevent the keeping of those animals set forth in Subsections (A) and (B) hereinabove in any sale or auction facility; in any veterinary hospital; or in any stable or facility for the keeping of horses in individual stalls, provided such stable consists of not less than twelve (12) nor more than twenty-four (24) such individual stalls, and is located on property consisting of not less than three (3) acres in area; and provided that the same are kept in a clean and non-odorous condition. Furthermore, nothing in this Section shall prevent the keeping of those animals set forth in Subsections (A) and (B) hereinabove as a part of any exhibit in conjunction with organized activities such as fairs or livestock shows.
- E. No person shall keep, allow or permit to be kept on any premises occupied by him/her or under his/her charge and control, any animal or animals or fowl in a pen or other enclosure of any kind, under such conditions that an offensive or noxious smell or odor shall arise therefrom to the injury, annoyance or inconvenience of any inhabitant or the neighborhood.

Section 12. Penalty

Any person violating the provisions set forth in this Ordinance, with the exception of those offenses contained in Section I herein, shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the County Jail not exceeding ninety (90) days, or by both such fine and imprisonment.

Section 13. Conflicting Ordinances Repealed.

All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed.

City of Ridgeway, Missouri - Current Ordinances

Effective date

This Ordinance shall be in full force and effect from and after its passage and approval.

READ TWO TIMES.

PASSED BY THE BOARD OF ALDERMEN AND APPROVED BY THE MAYOR OF THE CITY OF RIDGEWAY,
THIS 12th DAY OF July, 2022.

(signed) *Tracy Scott, Mayor*
Mayor

ATTEST:

(signed) *Toni Storms, City Clerk*
City Clerk

(SEAL)

Ordinance No. 071222-02

Procurement Ordinance Outlining Purchasing/Procuring Policies for City of Ridgeway:

Introduction.

Purpose.

This policy is intended to outline the purchasing policies for the City of Ridgeway. This policy is not intended to override any other policies, ordinances, etc. relating to when and how contracts and related documentation is approved by a respective board or commission.

Overall Guidelines.

1. The City Clerk shall act as Purchasing Agent unless otherwise provided. The City's Purchasing Policy is established to ensure that needed goods and services are obtained in a timely manner, at the lowest prices possible, consistent with acceptable quality standard, and within the requirements of public purchasing laws.
2. Consistent with these objectives, a part of the City's procurement activity is decentralized. In recognition of the cost of staff time and to reduce the cost of making small purchases up to \$1000 maintenance personnel may be given the authority as prescribed by the City Clerk to make limited purchases without additional approvals.
3. Purchases in the amount of \$1000 to \$5000 must be authorized by City Council upon receipt of 3 proposals solicited from prospective providers.
4. Purchases of over \$5000 must be secured on a competitive bid basis as outlined herein and approved by the City Council.
5. Procedures which apply to purchases made directly by City staff as well as the steps followed by the Purchasing Agent are described below.
6. *Governing laws and regulations.* Procurements by the City of Ridgeway are governed by State and local laws and regulations. The City policy, adopted by ordinance, along with the State Statute and the City's administrative policies and procedures describe basic procurement processes: e.g., public bidding, bid opening, bid evaluation and bid award.

Conflict Of Interest:

1. No employee or official of the City shall participate in a transaction, contract, activity or service of the City in which he or she personally has a direct or predictable effect on his or her financial interests or the interests of an immediate family member.

Personal Purchases.

1. It is prohibited for an employee or official to make purchases for his or her own personal purposes or to receive special pricing from a vendor using the City's name or reputation.

Scope Of Purchasing Authority: Duties.

1. *Rules and regulations.* Establish and amend, when necessary, all rules and regulations for purchasing.
2. *Purchasing analysis.* Keep informed of current developments in the fields of purchasing, prices, market conditions and new products, and secure for the City the benefits of research done in the field of purchasing by other governmental jurisdictions, national technical societies, trade associations having national recognition and private businesses and organizations.

3. *Forms.* Prescribe and maintain such forms as he/she shall find reasonable and necessary to the implementation of the purchasing policy.
4. *Bulk Purchases.* Exploit the possibilities of buying in bulk so as to take full advantage of discounts.
5. *Federal tax exemptions.* Act so as to procure for the City all Federal and State tax exemptions to which it is entitled.
6. *Disqualification of bidders.* Have the authority to declare vendors who default on their quotations irresponsible bidders and to disqualify them from receiving any business from the City for a stated period of time.

Unauthorized Purchases.

1. No individual has the authority to enter purchase agreements or contracts on behalf of the City unless specifically authorized to do so. Any such purchase classified as unauthorized is considered a personal expense and the obligation of the purchaser.

Bidding Procedures:

1. An advertisement for bidders shall be published in one (1) issue of a newspaper of general circulation in the City with a notice inviting bids. Notice shall be published at least ten (10) days prior to the date set for the receipt of bids. Notice shall include general description of the articles to be purchased or services to be performed and indicated that bids will be reviewed at next city council meeting. Winning bidder will be contacted.
2. In addition, advertisement shall be posted in City Hall and responsible, prospective suppliers suggested by City Council of the items to be purchased or services to be performed shall be contacted to perform bid.
3. All notices and solicitations of bids shall state place, time, and date bids are due.
4. Bids are to be submitted to City Hall or a City official.
5. Bids shall be approved by the City Council using some of the following factors to determine the lowest bidder:
 - a. Bid Price
 - b. Ability, capacity, and skill of the bidder to provide services required.
 - c. Whether the bidder can perform the services promptly and within the required time periods without delay.
 - d. Quality of performance on previous services.
 - e. The location of the bidder with preference given to local bidders.
6. Upon approval of the winning bid, the City Council and the winning bidder shall enter into a bind contract encompassing the terms and conditions set forth in the bidding materials.

Professional Services:

1. Professional services include those services within the scope of the practice of architecture, engineering or land surveying. Professional services shall also encompass attorneys, accountants, auditors, real estate brokers, appraisers or physicians and other similar professionals when those professionals are hired directly by the City.
2. Professional services are not subject to the bidding process and must be approved by the City Council.

Conflicting Ordinances Repealed:

1. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed.

Effective Date:

1. This Ordinance shall be in full force and effective from and after its passage and approval.

Read two times.

Passed by the Board of aldermen and approved by the Mayor of the City of Ridgeway, this 12th day of July 2022.

(signed) *Tracy Scott, Mayor*
Mayor

ATTEST:

(signed) *Toni Storms, City Clerk*
City Clerk

Ordinance No. 071222-03

An ordinance of the City of Ridgeway, Missouri regulating unregistered and inoperable vehicles in the City of Ridgeway and establishing court costs for such municipal ordinance violations.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RIDGEWAY, MISSOURI, AS FOLLOWS,
TO WIT:

Section I. Unregistered and Inoperable Vehicles Prohibited. Except as provided in other regulations and except on properties on which sits a business licensed primarily for the purpose of auto repair, not more than one (1) currently unregistered and/or uninspected motor vehicle or trailer shall be parked, kept or stored on any property and no vehicle shall at any time be in a state of major disassembly, disrepair or in the process of being stripped or dismantled.

Section 2. Exception. A vehicle of any type is permitted to undergo major overhaul, including body work, provided such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

Section 3. Parking of an Unregistered Vehicle. The provisions of any other regulation, ordinance, or Code Section notwithstanding, it shall be unlawful for any person to park an unregistered motor vehicle or trailer on any street, alley, highway, or municipal parking lot within the City. Any such vehicle or trailer so parked shall be deemed to be a nuisance and is subject to immediate removal and disposition thereafter in accordance with the laws of the State of Missouri and the City of Ridgeway.

Section 2. Violation and Penalty. Any person violating or permitting the violation of any provision of this Section shall upon conviction be fined a sum not more than five hundred dollars (\$500.00). In addition to the fine imposed, the Court may sentence the Defendant to imprisonment in the City Jail for a period not to exceed thirty (30) days or some combination of fine and imprisonment.

READ TWO TIMES.

Passed by the Board of aldermen and approved by the Mayor of the City of Ridgeway, this 12th day of July 2022.

(signed) *Tracy Scott, Mayor*
Mayor

ATTEST:

(signed) *Toni Storms, City Clerk*
City Clerk

Ordinance No. 071222-04

An ordinance regulating the speed of vehicles in the City of Ridgeway.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RIDGEWAY, MISSOURI, THAT A NEW ORDINANCE IS ENACTED AS FOLLOWS:

Section I. Speed Limits.

No person shall operate a motor vehicle or any type of vehicle at a speed in excess of twenty (20) mile per hour on any street in the City, unless signs are posted designating another speed limit. (Exception: Ambulances, police cars or fire department vehicles on emergency calls. where drivers give audible signals by bell, siren or whistle.

Section 2. Penalty

Any person violating the provisions set forth in this Ordinance, shall be punished by a fine nor exceeding five hundred dollars (\$500.00) or by imprisonment in the County Jail not exceeding ninety (90) days, or by both such fine and imprisonment.

Section 3. Conflicting Ordinances Repealed.

All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed.

Effective date

This Ordinance shall be in full force and effect from and after its passage and approval.

READ TWO TIMES.

Passed by the Board of Aldermen and approved by the Mayor of the City of Ridgeway, this 12th day of July 2022.

(signed) *Tracy Scott, Mayor*
Mayor

ATTEST:

(signed) *Toni Storms, City Clerk*
City Clerk

Ordinance No. 071222-05

An ordinance of the City of Ridgeway creating standards for mobile homes in the City of Ridgeway.

BE IT ORDAINED, BY THE BOARD OF ALDERMEN OF THE CITY OF RIDGEWAY, MISSOURI, AS FOLLOWS,
TO WIT:

Section 1. Definitions.

MANUFACTURED HOME OR TRAILER-- A factory-built structure or structures which in the traveling mode is eight (8) body feet or more in width or forty (40) body feet or more in length. or when erected on site, contains three hundred twenty (320) or more square feet. equipped with the necessary service connections and made so as to be readily movable as a unit or units on its or their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation. The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the manufactured home placed thereon may be moved from time to time at the convenience of the owner.

Section 2. Standards for Placement and Use of Trailers upon Individual City Lots.

- A. Any trailer placed on a lot pursuant to the provisions of this ordinance shall have all exterior walls, windows and doors free from evidence of damage and deterioration at the time of placement.
- B. The trailer shall be well-maintained after placement so as to avoid unsightly rust or other exterior deterioration. It shall be well-secured to a full concrete pad and be neatly skirted on all sides with concrete blocks.
- C. The trailer shall be no older than fifteen (15) years.
- D. The trailer shall be at least twenty (20) feet from any building or structure on all adjacent lots.
- E. If there are no buildings or structures on adjacent lots. the trailer shall be at least ten (10) feet from all adjacent lot lines.
- F. The home shall be at least five (5) feet from any other separate building or structure on the same lot.
- G. Yard size minimums: front yard - 40 feet; side yard -8 feet on both sides; rear yard - at least 15 feet.
- H. Add-ons or alterations to a trailer shall be governed by the same rules and procedures as set forth herein for the original trailer.
- I. Trailer shall not be placed on a lot which has an existing residential building; exception.
 - 1. A trailer may not be placed on a lot which has an existing residential building. whether said residence is in use or not and whether it is habitable or not.
 - 2. Exception. The only exception to this is when a property owner wishes to reside in a trailer while repairing or altering an existing residential building on the same lot. In this case, a temporary permit must be obtained for a ninety (90) day period for use of the trailer as a temporary residence and for temporary placement for such purpose. Any trailer allowed on a temporary basis shall be removed prior to expiration of the temporary permit.
- J. The trailer shall meet all City utility and relevant building codes, including standards set forth by HUD. and the property owner and occupant shall comply in all respects with all utility rules and regulations of the City.
- K. The lot on which the trailer is located must have a driveway for parking vehicles.

Section 3. Penalty.

A violation of this ordinance shall be an ordinance violation for each day the trailer remains in violation and the violator shall be punished b) a tine not exceeding five hundred dollars (\$500.00) or by imprisonment in the City or County Jail not exceeding ninety (90) days. or by both such fine and imprisonment.

Section 4. Ordinance Effective.

This Ordinance shall be in full force and effect immediately from and after its passage and approval.

READ TWO TIMES.

Passed by the Board of Aldermen and approved by the Mayor of the City of Ridgeway, this 12th day of July 2022.

(signed) *Tracy Scott, Mayor*
Mayor

ATTEST:

(signed) *Toni Storms, City Clerk*
City Clerk

Ordinance No. 071222-06

An ordinance regulating the stopping, standing and parking of vehicles in the City of Ridgeway.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RIDGEWAY, MISSOURI, THAT A NEW ORDINANCE IS ENACTED AS FOLLOWS:

Section I. Stopping, Standing or Parking Prohibited.

- A. Except when necessary to avoid conflict with other traffic or in compliance with the law or the directions of a Police Officer or official traffic control device, no person shall:
 - 1. Stop, stand or park a vehicle:
 - a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - b. On a sidewalk;
 - c. Within an intersection;
 - d. On a crosswalk;
 - e. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone unless the traffic authority indicates a different length by signs or markings;
 - f. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
 - g. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
 - h. On any railroad tracks;
 - i. At any place where official signs prohibit stopping.
 - 2. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
 - a. In front of a public or private driveway;
 - b. Within thirty (30) feet of an intersection;
 - c. Within fifteen (15) feet of a fire hydrant;
 - d. Within twenty (20) feet of a crosswalk at an intersection;
 - e. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a roadway;
 - f. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance (when properly signposted);
 - g. At any place where official signs prohibit standing.
 - 3. Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in load or unloading passengers:
 - a. Within fifty (50) feet of the nearest rail of a roadway crossing;
 - b. At any place where official signs prohibit parking.
- B. No person shall move a vehicle not lawfully under his/her control into any such prohibited area or away from a curb such a distance as is unlawful.
- C. No person shall park a trailer (including campers and recreational vehicles) on any public street and/or upon the public right-of-way at any time except as follows:
 - 1. Construction trailers while actually performing work or repairs for a residence or business at the location of said trailer;
 - 2. Trailers parked in business districts parked less than forty-eight hours.

Section 2. Parking not to Obstruct Traffic.

No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic.

Section 3. Parking in Alleys.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

Section 4. Parking for Certain Purposes Prohibited.

No person shall park a vehicle upon any roadway for the principal purpose of displaying such vehicle for sale or repairing such vehicle, except repairs necessitated by emergency.

Section 5. Parking Adjacent to Schools.

- A. The City Traffic Engineer is hereby authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in his/her opinion, interfere with traffic or create a hazardous condition.
- B. When official signs are erected indicating no parking upon either side of a street adjacent to any school property as authorized herein, no person shall park a vehicle in any such designated place.

Section 6. Parking Prohibited on Narrow Streets.

- A. The City Traffic Engineer is authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed twenty (20) feet or upon one (1) side of a street as indicated by such signs when the width of the roadway does not exceed thirty (30) feet.
- B. When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

Section 7. Standing or Parking on One-Way Streets

The City Traffic Engineer is authorized to erect signs upon the left-hand side of any one-way street to prohibit the standing or parking of vehicles, and when such signs are in place, no person shall stand or park a vehicle upon such left-hand side in violation of any such sign.

Section 8. Standing or Parking on One-Way Roadways.

In the event a highway includes two (2) or more separate roadways and traffic is restricted to one (1) direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking. The City Traffic Engineer is authorized to determine when standing or parking may be permitted upon the left-hand side of any such one-way roadway and to erect signs giving notice thereof.

Section 9. No Stopping, Standing or Parking Near Hazardous and Congested Places.

- A. The City Traffic Engineer is hereby authorized to determine and designate by proper signs places not exceeding one hundred (100) feet in length in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.
- B. When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand or park a vehicle in any such designated place.

Section 10. Physically Disabled Parking.

- A. It shall be unlawful for any person to park or stand any vehicle in any stall or space designated or reserved for physically disabled persons. as defined in Section 301.142. RSMo., as amended, whether upon public or private property properly open to public use, unless the vehicle bears the State of Missouri license plate or placard for the disabled as provided for in Sections 301.071 or 301.142, RSMo., as amended. The space shall be indicated by an upright sign whether on a pole or attached to a building upon which shall be inscribed the international symbol of accessibility and may also include any appropriate wording such as "Accessible Parking" to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card. The sign described in this Subsection shall also state, or an additional sign shall be posted below or adjacent to the sign stating the following: "\$50 to \$300 fine". Beginning August 28, 2011. when any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot, one (1) in every four (4) accessible spaces, but not less than one (1) shall be served by an access aisle a minimum of ninety-six (96) inches wide and shall be designated "lift van accessible only" with signs that meet the requirements of the Federal Americans With Disabilities Act, as amended, and any rules and regulations established pursuant thereto.
- B. Any vehicle operator who is not physically disabled shall not use the handicapped parking space unless there is a physically disabled person in the vehicle or while the vehicle is being used to transport a physically disabled person.
- C. Any person convicted of violating this Section is guilty of an offense and shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00). Every day upon which such violation occurs shall constitute a separate offense.

Section 11. Penalty

Any person violating the provisions set forth in this Ordinance, shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the County Jail not exceeding ninety (90) days, or by both such fine and imprisonment.

Section 12. Conflicting Ordinances Repealed.

All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed.

Effective date

This Ordinance shall be in full force and effect from and after its passage and approval.

READ TWO TIMES.

PASSED BY THE BOARD OF ALDERMEN AND APPROVED BY THE MAYOR OF THE CITY OF RIDGEWAY,
THIS 12th DAY OF July, 2022.

(signed) *Tracy Scott, Mayor*
Mayor

ATTEST:

(signed) *Toni Storms, City Clerk*
City Clerk