



**CITY OF WELDON SPRING
BOARD OF ALDERMEN REGULAR MEETING
ON TUESDAY, OCTOBER 12, 2021, AT 7:30 P.M.
WELDON SPRING CITY HALL
5401 INDEPENDENCE ROAD
WELDON SPRING, MISSOURI 63304**

******TENTATIVE AGENDA******

A NOTICE IS HEREBY GIVEN that the Regular Board of Aldermen Meeting will be in person at 5401 Independence Road Weldon Spring, Missouri, 63304. Also, the public can attend virtually by video-conference and/or audio-conference call, you may attend the meeting on a desktop, laptop, mobile device, or telephone by following the highlighted instructions below.

Link to join Zoom Video-Conference Meeting:

<https://us02web.zoom.us/j/85665879998?pwd=Uk5weFI2cEhNM3ZsZUpLbStoSEIzd09>

**Meeting ID: 856 6587 9998
Password: WS.BOA**

Or by telephone dial: 1-312-626-6799

**Meeting ID: 856 6587 9998
Password: 225258**

PAGE 1 OF 2

This notice was posted at 5401 Independence Road on 10-7-21 at 2:00pm by [Signature]



****AGENDA****

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL and DETERMINATION OF A QUORUM**
4. **CITIZENS COMMENTS**
5. **APPROVAL OF MINUTES**
 - A. September 23, 2021 – Board Work Session Minutes
 - B. September 23, 2021 – Regular Board Meeting Minutes
6. **UNFINISHED BUSINESS**
 - A. Bill #1169 – An Ordinance Amending the Following Sections (402.020, 405 – Land Use Table Attachment, 405.180, 405.215, 405.225, 405.295, 405.430, 410.135, 410.630 412.010) & Enacting New Sections (405.527 & 410.335) of the Weldon Spring, Missouri, Municipal Code – **Alderman Martiszus**
7. **NEW BUSINESS**
 - A. An Ordinance Amending the Following Sections (402.020, 405.180, & 405.215) & Enacting New Section (405.527) of the Weldon Spring, Missouri, Municipal Code – **Alderman Martiszus**
 - B. An Ordinance Amending the Section 105.030 of the Municipal Codes of the City of Weldon Spring, Missouri, Relating to Declaration of Candidacy – Dates for Filing for Election Within the City of Weldon Spring, Missouri – **Alderman Schwaab (2X Readings)**
 - C. An Ordinance Establishing the Procedure, Requirements, and Time Period for the Office Alderman for the City of Weldon Spring, Missouri in the April 5th, 2022, Municipal Election – **Alderman Kolb (2 Readings)**
 - D. Sale Tax Discussion – **Mayor Licklider**
8. **REPORTS & COMMITTEES**
 - A. Parks & Recreation Advisory Committee
 - B. Board of Adjustment Update
 - C. City Administrator
 - D. City Attorney
9. **RECEIPTS & COMMUNICATIONS**
10. **ADJOURNMENT**



PAGE 2 OF 2

This notice was posted at 5401 Independence Road on 10-18-21 at 2:00pm by [Signature]

CITY OF WELDON SPRING
BOARD OF ALDERMEN WORK SESSION
SEPTEMBER 23, 2021

CALL TO ORDER: A Work Session of the Board of Aldermen of the City of Weldon Spring was held on Thursday, September 23, 2021, at approximately 6:00 PM, at the Weldon Spring City Hall, which is located at 5401 Independence Road. Mayor Licklider called the Work Session to order at 6:01 PM.

Alderman Baker, Alderman Clutter, Alderman Kolb, Alderman Schwaab, and Alderman Yeager were present. Alderman Martiszus came to the meeting late (7:19 PM). Also, present at the meeting were Bob Wohler (City Attorney), Michael Padella (City Administrator), Steve Lauer (City Planner) and Bill Hanks (City Clerk).

BUSINESS FOR DISCUSSION:

Discussion on Municipal Code changes in Chapter 400 pertaining to shipping containers, senior housing, boundary adjustment plat, minor subdivision, reimbursement of development and review cost, and public use donation: Most of the discussion was about the shipping containers and senior housing aspects of the code changes. The shipping container discussion started with a lengthy discussion about time limits for temporary shipping containers and how shipping containers are different than storage pods that people see in residential, construction, or commercial areas.

Alderman Kolb asked if semi-trailers can be added to the code changes without the public being notified prior to the public hearing. Mr. Wohler (City Attorney) stated that semi-trailers can be added after the public hearing because it was discussed in detail on the night of the public hearing for the Planning & Zoning Commission.

Some of the recommended changes include taking the Architectural Review Commission out of the equation for the review process, adding the word gravel for leveling purposes, putting placement conditions for shipping containers under the temporary section for shipping containers, and adding an appeals process for any permits, which are denied by the Zoning Commissioner.

For senior housing discussion, the main points were adding a definition for Nursing and Residential Care Facility, only allowing Congregate Care Facility and Senior Housing Facilities uses as an accessory use to senior care facilities or any other uses which provide medical care and eliminating the use of nursing and care facilities in Residential ½ acre ("RS ½") zoning district.

The Work Session was adjourned at 7:22 PM.

Respectfully submitted,

William C. Hanks, City Clerk

CITY OF WELDON SPRING
REGULAR MEETING OF THE BOARD OF ALDERMEN
SEPTEMBER 23, 2021

CALL TO ORDER: The regular meeting of the Board of Aldermen of the City of Weldon Spring was held on Thursday, September 23, 2021, at approximately 7:30 PM. The meeting was held at the Weldon Spring City Hall, which is located at 5401 Independence Road. Mayor Donald Licklider called the meeting to order at 7:30 PM.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

ROLL CALL AND DETERMINATION OF QUORUM: On a roll call, the following members were present:

Ward 1:	Alderman Clutter	Alderman Yeager
Ward 2:	Alderman Schwaab	Alderman Kolb
Ward 3:	Alderman Martiszus	Alderman Baker

A quorum was declared.

PUBLIC COMMENTS:

Chris Pfleger (Local Business Owner): He spoke about his concerns by leaving the word "permanent" in Bill #1169 when referring to shipping containers because characterizing shipping containers as permanent makes the structure conform to different building codes. Also, he is very appreciated of the City Clerk (Mr. Hanks) for being so helpful and transparent, and going beyond the call of duty on the shipping container issue.

MINUTES:

September 14, 2021, Board Minutes - Alderman Clutter moved to approve the minutes from the September 14, 2021, regular meeting as written. The motion was seconded by Alderman Baker. **Motion carried** with 6 ayes.

TREASURER'S REPORT:

Alderman Baker made a motion to accept the Treasurer's packet of paid bills from September 7, 2021, to September 16, 2021, seconded by Alderman Martiszus. **Motion carried** with 6 ayes.

UNFINISHED BUSINESS:

An Ordinance Amending the Following Sections (402.020, 405 – Land Use Table Attachment, 405.180, 405.215, 405.225, 405.295. 405.430, 410.135, 410.630 412.010) & Enacting New Sections (405.527 & 410.335) of the Weldon Spring, Missouri, Municipal Code:
Alderman Martiszus made a motion to take Bill #1169 off the table for discussion. Alderman Clutter seconded the motion and the **motion carried**.

Alderman Baker made a motion to make 3 amendments to Bill #1169, which are:

- Add a definition of a "Nursing and Residential Care Facilities" to the Bill #1169, which states that "Nursing and Residential Care Facilities" are A residential facility that includes one or more of the following facilities: Skilled Nursing, Assisted

Living, Residential Care and which may include as an accessory use, a Senior Housing Facility and/or Congregate Care Facility.

- Add the "Nursing and Residential Care Facility" category to the "Land Use Table" and remove the Assisted Living, Congregate Care, Residential Care, Senior Living, Skilled Nursing facilities from the "Land Use Table".
- Revised the "Land Use Table" to eliminate the Conditional Use allowance from the Single-Family ½ Acre Residential Zoning District (RS ½) "Residential Principle Uses" category for the "Nursing and Residential Care Facility" category and retain Planned Residential Zoning District (PR) and Planned Commercial Zoning District (PC) Conditional Use (C) allowances and as a permitted use the Medical Zoning District (MED) only. All other districts would not allow this use category.

The motion was seconded by Alderman Clutter. On a roll call vote, the **motion carried** as followed:

AYES: 6 – Baker, Clutter, Kolb, Martiszus, Schwaab, and Yeager
NOES: 0
ABSENT: 0

Alderman Baker made a motion to have City's staff make all the recommended changes that was discussed in the Work Session on September 23, 2021, and provide a clean copy of Bill #1169 for consideration at the Board meeting on October 12, 2021. ‘

On a roll call vote, the **motion carried** as followed:

AYES: 6 – Baker, Clutter, Kolb, Martiszus, Schwaab, and Yeager
NOES: 0
ABSENT: 0

Bill #1169 was placed back on the table.

NEW BUSINESS:

ARC Appeal – 4828 Sammelman Road: The Architectural Review Commission (ARC) denied the applicants' request because the front façade of the structure consisted of materials that were not brick & stone masonry. A calculation given to the Board was the front façade consisted 44% of brick & stone.

Alderman Baker moved to grant the appeal for 4828 Sammelman Road, seconded by Alderman Clutter. The **motion carried** with 6 ayes.

REPORTS AND COMMITTEES:

PRAC Committee: None

City Administrator Report: The City Administrator Report was submitted to the Board prior to the meeting.

City Attorney Report: None

RECEIPTS & COMMUNICATIONS:

Alderman Clutter brought up an article that he saw in the Mid Rivers Newspaper regarding a new mixed-used development in Dardenne Prairie and he feels the city should research possible code changes in the future to allow this type of development in Weldon Spring.

Mayor Licklider stated that he recently had a meeting with the Superintendent of Francis Howell District to discuss several topics, such as taxes and the future of Meadow Parkway.

Alderman Yeager stated that there needs to be a discussion about design standards, so the ARC Commission and Board are on the same page about expectation of materials used on the front façade of buildings. A brief discussion took place

ADJOURNMENT:

Alderman Kolb moved to adjourn the meeting at 7:55 PM and Alderman Yeager seconded the motion. **Motion carried** with 6 ayes.

Respectfully submitted,

William C. Hanks
City Clerk



CITY OF WELDON SPRING

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Weldon Spring, MO 63304
phone: (636) 441-2110
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www.weldonspring.org

MEMORANDUM

To: Board of Aldermen

Date: 10/8/21

From: William C. Hanks, City Clerk

Subject: Bill #1169 – Chapter 400 Code Changes

CC: Michael Padella, City Administrator, Steve Lauer, City Planner

After conversations with the Missouri Municipal League and the City Attorney, there is an agreement on the procedural process for Bill #1169 status moving forward, which are:

1. Bill #1169 could be passed with direction from the last Board Work Sessions and proposed amendments from the Board meeting on September 23, 2021.
2. Bill #1169 could be passed with the direction from the Aldermen discussed in the last Work Session September 23, 2021, and proposed amendments from the September 23, 2021 Board meeting. In addition, an amendment can be made to remove all language related to Shipping Containers, which will introduce new Bill regarding Shipping Containers. The new Bill regarding Shipping Containers would have the First Reading under New Business at the October 12. A new Public Hearing would not be necessary in this option.
3. Bill #1169 could be voted down or left to die on the Table. Then, two new Bills introduced splitting the language between Shipping Containers and everything else would be introduced under New Business. Under this option, the Missouri Municipal League recommends that a new Public Hearing should be advertised and held and the City basically start over with the process.

The sponsor of Bill #1169, Alderman Martiszus, had mentioned, via an electronic communication, that these details can be discussed at the next meeting and the desired process can be agreed upon at that time by the entire Board of Aldermen.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS (402.020, 405 – LAND
USE TABLE ATTACHMENT, 405.180, 405.215, 405.225, 405.295, 405.430, 410.135, 410.630
412.010) AND ENACTING NEW SECTIONS (405.527 & 410.335) OF THE
WELDON SPRING, MISSOURI, MUNICIPAL CODE

WHEREAS, That Missouri cities of the fourth class, Weldon Spring being such, have the authority from time to time to amend, supplement, change, modify or repeal its regulations and restrictions pursuant to the provisions of Section 89.060 of the Missouri Revised Statutes; and

WHEREAS, said notices of public hearings were published at least fifteen (15) days in advance of the Public Hearing held by the Planning & Zoning Commission on August 2, 2021, and the Public Hearing held by the Board of Aldermen on August 10, 2021; and

WHEREAS, the Planning & Zoning Commission has recommended the following amendments, which are outlined and set out in this legislation and “Exhibit A”, to the Board of Aldermen for consideration; and

WHEREAS, the Board of Aldermen has taken up this matter based upon the recommendations made by the Planning & Zoning Commission of the City of Weldon Spring, Missouri.

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

SECTION 1: That Section 402.020 of the Municipal Code is hereby amended as follows (added text is shown in boldface type, deleted text shown in ~~[bracket and stricken]~~ type):

Section 402.020: **Definition of Terms**

ASSISTED LIVING FACILITY: A residential facility licensed by the State of Missouri that provides twenty-four (24) hour care, services and protective oversight to residents who are provided with shelter and board and who may need assistance with daily living activities.

CONGREGATE CARE FACILITY: A senior residential facility that offers apartment style living for adults who are in good health and do not require medical care. Facilities may offer services such as meals, housekeeping, transportation and other forms of personal care.

MINOR SUBDIVISION: Any subdivision containing not more than two (2) lots fronting on an existing street or access easement, not involving the creation of an access easement, a new street, the extension of City facilities or the creation of any public improvements and not adversely affecting the remainder of the parcel or

DRAFT – 10/6/2021

adjoining property and not in conflict with any provision or portion of the Comprehensive Plan, Zoning Ordinance or these regulations, ~~including lot line adjustments~~. One (1) minor subdivision shall be permitted per parcel from the City incorporation date (November 8, 1984) or the annexation date of the parcel, whichever is earlier.

NURSING AND RESIDENTIAL CARE FACILITIES: A residential facility that includes one or more of the following facilities: Skilled Nursing, Assisted Living, Residential Care and which may include as an accessory use, a Senior Housing Facility and/or Congregate Care Facility.

PLAT, BOUNDARY ADJUSTMENT: A plat which depicts a change in a recorded subdivision that affects any lot line, provided that no new lot or illegal zoning lot is created.

RESIDENTIAL CARE FACILITY: A residential facility licensed by the State of Missouri that provides twenty-four (24) hour accommodation and care during short term illness or recuperation.

SEMI-TRAILER: A detachable trailer for hauling freight, with wheels at the rear end, the forward end being supported by the rear of a truck tractor when attached, either with or without axels and wheels.

SENIOR HOUSING FACILITY: A premises consisting of age-restricted dwelling units designed for and occupied exclusively by persons fifty-five (55) years of age and older who are in good health and do not require medical or skilled nursing. In the case of individuals residing together either by marriage or domestic partnership, at least one (1) of the residents must be fifty-five (55) years of age or older. Such facilities would be an accessory use to skilled nursing facilities, residential care facilities, assisted living facilities or any other uses which provide medical care.

SHIPPING CONTAINER: A portable storage container designed and manufactured according to specifications from the International Standards Organization (ISO) as a standard, reusable vessel intended to be loaded on a truck, railcar or ship, used primarily for shipping goods.

SHIPPING CONTAINER STRUCTURE: A structure constructed on one (1) or more shipping containers.

SKILLED NURSING FACILITY: A residential facility licensed by the State of Missouri that provides twenty-four (24) hour accommodation, nursing care and treatment services for persons who need nursing care and medical service, but do not require intensive hospital care.

SECTION 2: That the Land Use Table Attachment, which is shown as “Exhibit A”, in Chapter 405 of the City of Weldon Spring, Missouri, Municipal Codes is hereby amended as follows:

In the Residential Principal Uses section of the Land Use Table - Nursing Home, Assisted Living and Residential Care uses were deleted, and Nursing and Residential Care Facilities was added. These uses are no longer permitted as a conditional use in Agricultural “AG” zoning district. All the changes are highlighted in “Exhibit A,” which is attached hereto and is incorporated by reference herein.

SECTION 3: That subsection (J) is added to Section 405.180 of the Municipal Code to be hereby amended as followed (the added text is shown in boldface typeface):

Section 405.180

Temporary Use Permits

J. Temporary Shipping Containers

1. A Land Use Permit may be issued for a temporary shipping container for up to 180 days with a provision allowing for future extension only for demonstrated cause.
2. Temporary shipping containers do not require a permanent foundation or anchoring.
3. An exemption may be allowed for shipping containers when used temporarily on a site for and during construction of a building having a valid building permit and if used for the storage of equipment/props during a permitted special event.
4. An exemption may be allowed for shipping containers that are stored on construction contractor’s business sites that are waiting to be taken to offsite job sites.
5. Must be located on a level base of gravel, asphalt, concrete, paver stones, or other suitable paving surface.
6. A No-Cost Land Use Permit will be issued for those temporary shipping containers that were placed on the lot/parcel prior to the effective date of this Ordinance. These units will be administratively reviewed by the Zoning Commissioner
7. Must be painted in those areas that contain rust, corrosion, or graffiti to prevent future rust and corrosion.
8. Shipping containers shall be in compliance with Chapter 500 of the Municipal Code that are in the same location for more than 180

consecutive days unless approval has been granted for the shipping container to be a temporary structure.

9. Shall not be stacked.
10. May be located in either a side or rear yard but no closer to the front lot line than the principal building.
11. Shall not occupy required off street parking spaces, loading zones, building exits, public right-of-ways or impede the flow of traffic within the site development.
12. Shall meet the setback requirements of the underlying zoning district.
13. Shall be a single-unit, stand-alone unit, and shall not be in contact with or supporting any other shipping container or other structure.
14. Materials stored within temporary shipping containers are subject to review by the Cottleville Fire Protection District. Failure to eliminate any fire hazards as recommended by the Cottleville Fire Protection District shall constitute a violation of municipal code.
15. The denial of any Land Use Permit for a temporary shipping container by the Zoning Commissioner may be appealed to the Board of Aldermen for review and a decision.

SECTION 4: That subsection (D) is added to Section 405.215 of the Municipal Code to be hereby amended as followed (the added text is shown in boldface type):

Section 405.215

Performance Standards for Accessory Uses

D. Shipping Containers/Semi-Trailers

In the same location for more than 180 consecutive days

1. Must be located in the (LI) Light Industrial zoning district.
2. Must be depicted on an approved site plan.
3. A Land Use Permit must be obtained for shipping containers/semi-trailers larger than 120 sq. ft. in size.
 - a. Must be located on a level base of gravel, asphalt, concrete, paver stones, or other suitable paving surface.

- b. A No-Cost Land Use Permit will be issued for those shipping containers/semi-trailers that were placed on the lot/parcel prior to the effective date of this Ordinance. These units will be administratively reviewed by the Zoning Commissioner.
- 4. Must be painted in those areas that contain rust, corrosion, or graffiti to prevent future rust and corrosion.
- 5. Shipping containers shall be in compliance with Chapter 500 of the Municipal Code that are in the same location for more than 180 consecutive days unless approval has been granted for the shipping container to be a temporary structure.
- 6. Shall not be stacked.
- 7. May be located in either a side or rear yard but no closer to the front lot line than the principal building.
- 8. Shall not occupy required off street parking spaces, loading zones, building exits, public right-of-ways or impede the flow of traffic within the site development.
- 9. Shall meet the setback requirements of the underlying zoning district.
- 10. Shall be a single-unit, stand-alone unit, and shall not be in contact with or supporting any other shipping container or other structure.
- 11. Materials stored within shipping containers/semi-trailers are subject to review by the Cottleville Fire Protection District. Failure to eliminate any fire hazards as recommended by the Cottleville Fire Protection District shall constitute a violation of municipal code.
- 12. The denial of any Land Use Permit for a shipping container/semi-trailer by the Zoning Commissioner may be appealed to the Board of Aldermen for review and a decision.

SECTION 5: That Section 405.225 of the Municipal Code is hereby amended as follows (added text is shown in boldface type, deleted text shown in ~~[bracket and stricken]~~ type):

Section 405.225 Performance Standards for Conditional Uses

E. Nursing and Residential Care Facilities ~~[Nursing homes and residential care facilities]~~
may be allowed in the "PR," and "PC" zoning districts based on the following criteria:

DRAFT – 10/6/2021

1. Shall be on a site of at least five (5) acres.
2. The density of development (for apartment-type units) within a **Nursing and Residential Care Facility** shall not exceed ~~[twenty (20)]~~ **fifteen (15)** dwelling units per acre. Living units with cooking facilities shall count as one (1) dwelling unit and living units without cooking facilities shall count as two-thirds (2/3) of a dwelling unit for purposes of calculating the density of development.
3. **Nursing and Residential Care Facilities** shall be primarily residential in character; however, for **Assisted Living, Congregate Care, Residential Care, & Skilled Nursing Facilities**, centralized eating facilities for residents of the facility, medical facilities and similar uses associated with the long- or short-term care of patients may be included.
4. ~~[The maximum floor area ratio, as defined in Chapter 402, shall be two-tenths (0.2). For example, if a five (5) acre site was developed at a FAR of two-tenths (0.2) it may have a single story building with forty-three thousand five hundred sixty (43,560) square feet of gross floor area or a two (2) story building on the same lot with twenty-one thousand seven hundred eighty (21,780) square feet of gross floor area for each level, etc.]~~ **An accessible elevator is required for structures with two or more floors.**
5. **In compliance with** other additional reasonable requirements designed to protect the safety and general welfare of adjoining landowners and other residents of the City.

SECTION 6: That Section 405.295 of the Municipal Code is hereby amended as follows (added text is shown in boldface type, deleted text shown in ~~[bracket and stricken]~~ type):

Section 405.295 Minimum Required Off-Street Parking Spaces

B. General Parking Requirements.

3. Residential Uses.

c. ~~[Assisted living]~~ **Senior housing** facilities: one (1) space per dwelling unit.

~~[f. Congregate care facilities: one and one-half (1 1/2) spaces per resident.]~~

K. Health Care And Social Assistance.

4. ~~[Nursing And Personal Care]~~ **Assisted Living, Residential Care, & Skilled Nursing Facilities** (Uses Within NAICS Code 623): One (1) parking space ~~[per two (2) patient]~~ **for every five (5) beds plus one (1) space for every one (1) employee on the maximum shift.**

5. Congregate Care Facility: One (1) parking space per dwelling unit.

[5] 6. All Other Health Services: One (1) parking space per two hundred fifty (250) square feet of floor area.

[6] 7. All Other Social Service Uses: One (1) parking space per three hundred (300) square feet of floor area.

SECTION 7: That Section 405.430(A) of the Municipal Code is hereby amended as follows (added text is shown in boldface type, deleted text shown in ~~bracket and stricken~~ type):

Section 405.430 Design Standards

- A. The Architectural Review Commission shall use the following design standards when reviewing land use permit applications in any applicable zoning district for permanent buildings. For purposes of this Section 430.430, residential buildings shall include single-family, single-family attached villas, and multi-family dwellings; commercial buildings shall include retail, office and related uses allowed in the "MED" Medical District, "GC" General Commercial District and "PC" Planned Commercial District; institutional buildings shall include private schools, hospitals, ~~nursing homes~~ skilled nursing facilities, and similar institutional uses in any applicable zoning district; industrial buildings shall include manufacturing, warehousing and similar industrial uses allowed in "LI" Light Industrial District; major recreational buildings shall include ice rinks, indoor soccer facilities and buildings housing similar uses allowed in the "LI" Light Industrial District; and agricultural buildings shall include barns, kennels and similar buildings, whether principal or accessory, used for agricultural, livestock or large animal support or other accessory uses when located in the "AG" Agricultural District or "RS-3" Single-Family Residential District.

SECTION 8: That Section 405.527 of the Municipal Code is enacted as follows:

Section 405.527 Shipping Container Compliance

- A. All owners/users of property within the City of Weldon Spring shall be in compliance with the provisions of this Ordinance in any future installation use of shipping containers after the effective date of the Ordinance.
- B. If a shipping container is found to be in a zoning district where it is prohibited, the Zoning Commissioner shall cause written notice to be served upon the owner of the property on which the shipping container is located. Such notice shall state that the shipping container shall be removed within thirty (30) business days of receipt of notice. In addition, the provisions of Section 405.530. Violations and Penalties of the Municipal Code of the City of Weldon Spring shall be applicable.

SECTION 9: That Section 410.135 of the Municipal Code is hereby amended as followed (added text is shown in boldface type, deleted text shown in ~~[bracket and stricken]~~ typeface):

Section 410.135 Definition of Minor Subdivision

Any subdivision containing not more than two (2) lots fronting on an existing street or access easement, not involving the creation of a commercial access easement, a new street, the extension of City facilities or the creation of any public improvements and not adversely affecting the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the Comprehensive Plan, Zoning Ordinance or these regulations ~~including lot line adjustments~~. One (1) minor subdivision shall be permitted per parcel from the City incorporation date (November 8, 1984) or the annexation date of the parcel, whichever is earlier.

SECTION 10: That Section 410.335 of the Municipal Code is enacted as follows:

Section 410.335 Boundary Adjustment Plat

A. Three (3) folded prints of the boundary adjustment plat shall be submitted to the Zoning Commissioner. In addition to the three (3) paper prints and a digitized version that complies with St. Charles County mapping standards shall be submitted. The digitized version should be accompanied by the information consistent with the final plat. All Boundary Adjustment Plats shall be prepared by a Missouri registered professional land surveyor and/or Missouri registered professional engineer and bear their signature and seal. The filing/review fee for a Boundary Adjustment Plat is found in Section 412.010.

1. Boundary Adjustment Plats must be made on official forms and shall be submitted with all required fees. Official forms are available at City Hall and on the City's website (www.weldonspring.org). Fees are established by the Board of Aldermen and listed on the official "Weldon Spring Fee Schedule" which is also available at City Hall and on the City's website (www.weldonspring.org).
2. Boundary Adjustment Plats must be approved administratively by the Zoning Commissioner and City Engineer.

B. Boundary Adjustment Plats must also meet the following criteria:

1. No additional lot shall be created by any boundary adjustment.
2. The resulting lot or lots shall not be reduced below the minimum sizes and dimensions required by the current zoning district.
3. Existing zoning shall not be affected by this procedure.

C. Boundary Adjustment Plats shall include, at a minimum, the following:

DRAFT – 10/6/2021

1. Name of plat and names of those who prepared the plat.
2. North point, date of survey, and scale used.
3. Location of original and adjusted lot lines and their relation to established section lines, fractional section lines or U.S. survey lines.
4. Acreage of original and adjusted lots.
5. Setback lines, location of easements.
6. Street numbers of each lot.
7. Certification as to acreage boundaries, monuments made by a registered land surveyor, testifying that the above were made by the surveyor.
8. Owner of record signature(s) and lienholder's statement. These signatures must be acknowledged by a public notary prior to recording the plat.
9. The statement "This Boundary Adjustment Plat is approved for recording this _____ day of _____." The statement shall also include a three (3) inch line with the title "Zoning Commissioner" directly below the line for his/her signature.

D. Boundary Adjustment Plat Approval. No Boundary Adjustment Plat shall be filed for record or recorded in the office of the Recorder of Deeds for St. Charles County, Missouri, unless and until the approval of the Zoning Commissioner is endorsed thereon.

SECTION 11: That Section 410.630 of the Municipal Code is hereby amended as follows (added text is shown in boldface type, deleted text shown in ~~bracket and stricken~~ type):

Section 410.630 Public Uses

A. Parks, Playgrounds And Recreation Areas.

1. Recreation Standards. The City shall require that land be reserved for parks, playgrounds and other recreation purposes in locations designated by the City's Comprehensive Plan, **Parks & Greenways Master Plan** or where such reservations are deemed appropriate. Each reservation shall be of suitable size, dimension, topography and general character, and shall have adequate street access for the particular purpose envisioned by the Planning and Zoning Commission. The area shall be shown and marked on the plat "Reserved for Park and/or Recreation Purposes." When recreation areas are required, the Planning and Zoning Commission shall determine the number of acres to be reserved based on Table 3. The applicant shall dedicate all such recreation areas

DRAFT – 10/6/2021

to the City or to a homeowners' association at the discretion of the City. For ~~[multi-family]~~ **residential** uses, the City shall determine the overall site, and density, and apply the appropriate percent of public use donation based upon the Table 3. ~~acreage for reservation based on the number of dwelling units per acre.~~

Table 3 Recreational Requirements	
Size of Single-Family Lot	Percentage of Total Land in Subdivision to be Reserved for Recreation Purposes
80,000 sq. ft. (§ 1.8 acres) and greater	4.0%
40,000 sq. ft. (§ 0.92 acres)	5.0%
20,000 sq. ft. (§ 10.46 acres) or less	6.0%

Table 3 Public Use Requirements			
Lot Size (Sq. Ft.) based upon Density	Public Use Donation %	Lot Size (Sq. Ft.) based upon Density	Public Use Donation %
200,000 or greater	2.5%	20,000	6.0%
160,000	3.0%	15,000	6.5%
120,000	3.5%	10,000	7.0%
80,000	4.0%	7,500	7.5%
60,000	4.5%	5,000	8.0%
40,000	5.0%	3,750	8.5%
30,000	5.5%	2,500 or less	9.0%

2. Minimum Size of Park And Playground Reservations. In general, land reserved for recreation purposes shall **apply to proposed development sites consisting of 15 acres or larger, if less than 15 acres then the Subsection (A)(4) Alternative Procedure may apply** ~~[have an area of at least four (4) acres]~~. When the percentages from Table 3 would create less than four (4) acres, the Planning and Zoning Commission may require that the recreation area be located at a suitable place on the edge of the subdivision so that additional land may be added when the adjacent land is subdivided. In no case shall an area of less than two (2) acres be reserved for recreation purposes if it will be impractical or impossible to secure additional lands in order to increase its area. When recreation land is not reserved in a subdivision or the land reserved is less than the percentage in Subsection (A)(1) above, the provisions of Section (A)(4) hereof shall be applicable.
3. Recreation Sites. Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, playfield or for other recreation purposes; shall be relatively level and dry; and shall be improved by the applicant to the standards required by the Board of Aldermen. Said improvements shall be included in the subdivision improvement agreement and security. A recreation site shall have a total frontage on one (1) or more streets of at least two hundred (200) feet and no other dimension of the site shall be less than two hundred (200) feet in depth. The Planning and Zoning Commission may refer any subdivision

proposed to contain a dedicated park to the Board of Aldermen for a recommendation. All land to be reserved for dedication to the City for park purposes shall have prior approval of the Board of Aldermen and shall be shown marked on the plat "Reserved for Park and/or Recreation Purposes."

4. Alternative Procedure — Money In Lieu Of Land. Where, with respect to a particular subdivision, the reservation of land required pursuant to this Section does not equal the percentage of total land required to be reserved in Subsection (A)(1) above, the Board of Aldermen shall require, prior to final approval of the subdivision plat, that the applicant deposit with the City Treasurer a cash payment in lieu of land reservation. Such deposit shall be placed in a Neighborhood Park and Recreation Improvement Fund to be established by the Board of Aldermen. The deposit shall be used by the City for improvement of a neighborhood park, playground or recreation area including the acquisition of property. The deposit must be used for facilities that actually will be available to and benefit the persons in the subdivision for which payment was made and be located in the general neighborhood of the subdivision.

SECTION 12: That Section 412.010 of the Municipal Code is hereby amended as follows (the deleted text shown in ~~[bracket and stricken]~~ type):

Section 412.010 Application Fees

~~[Notes:~~

~~All fees apply to the initial submittal and one (1) resubmittal in response to initial review comments. Subsequent submittals, beyond the first two (2), will be charged additional fees for the actual time and expenses of the City at the chargeout rates and fee schedule effective upon the date of subsequent reviews plus the additional percentage allowed by State Statute. After project review is complete (as determined by the City), if the amount spent by the City on project review and procedure is less than the fees collected by the City, the applicant will be reimbursed the difference of those two (2) amounts minus the additional percentage allowed by State Statute.~~

SECTION 13: That this ordinance shall be in full force and effect from and after its enactment and approval.

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON
SPRING, MISSOURI, AS FOLLOWS:**

DRAFT – 10/6/2021

***READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY
OF WELDON SPRING, MISSOURI, THIS _____ DAY OF _____, 2021.***

Donald D. Licklider, Mayor

Attest:

William C. Hanks, City Cle

To approve Bill #

DRAFT – 10/6/2021

Motioned: _____
Seconded: _____

	<u>Aye</u>	<u>Nay</u>	<u>Abstention</u>
Baker	_____	_____	_____
Clutter	_____	_____	_____
Kolb	_____	_____	_____
Martiszus	_____	_____	_____
Schwaab	_____	_____	_____
Yeager	_____	_____	_____
Licklider	_____	_____	_____

Absent: _____

EXHIBIT A
Chapter 400: Land Use Table

Land Use Table

The Land Use Table provides a tabular summary of the principal land uses allowed within each zoning district. Please refer to the specific district regulations and all other applicable requirements and procedures contained in Chapter 400.

- A. **Permitted (By-Right):** Uses identified in a zoning district column of the Use Table with a "●" are "permitted by-right" and shall be permitted in such zoning district subject to all other requirements of this Zoning Ordinance.
- B. **Conditional Uses:** Uses identified in a zoning district column of the Use Table with a "C" are "Conditional Uses" and shall be permitted in such zoning district in accordance with the standards and procedures contained in Article IX.
- C. **Unlisted Uses:** Any use not shown as a use permitted by right or a conditional use in a zoning district is specifically prohibited in that district. Uses not listed have been determined either not to be appropriate in any district, incompatible with certain existing uses, or sufficiently rare or unexpected as to be incapable of being listed at the time of adoption of this Code. Any use not shown as a use permitted by right or a conditional use in any zoning district, but constituting a use that is required to be permitted by law, shall be subject to the conditions of the most appropriate zoning district and the following requirements.
1. The use shall be permitted only to the extent required by law;
 2. The use shall be approved only as a Conditional Use in the City's "LI" Industrial District, except if by law it is required to be permitted by right;
 3. The use shall be located no closer than 1,000 feet from any residence, residential property, park, school, or church, except as may be modified by the Board of Aldermen via a Conditional Use Permit;
 4. The use shall maintain a distance of at least 1,000 feet from any other such use having the same description, except as may be modified by the Board of Aldermen via a Conditional Use Permit;
- D. **Old Town" & Village Center Overlay (Shell Districts):** As of the adoption of this Chapter, no property may be rezoned to the "OT" Old Town District or "VC" Village Center. All preexisting "OT" and "VC" property shall be permitted all lawful uses as of the effective date of this Code. After the effective date of this Code revision, no additional land shall be rezoned to the "OT" or "VC" Overlay District. Any proposed subdivisions, including lot splits, change of use, new construction or other alterations not permitted under the respective district regulations shall require rezoning to an

Chapter 400: Land Use Table

applicable zoning district. Use of property maintaining the "OT" and "VC" preexisting zoning shall be subject to all other regulations of this Code.

City of Weldon Spring Land Use Table													
Use is permitted by right:													
Use permitted as a conditional use:													
Use not permitted:													
USES	Ag	RS3	RS2	RS1	RS 1/2	PR	SP	HTO	MED	PC	GC	LI	Reserved
RESIDENTIAL PRINCIPAL USES													
Dormitories													
Group Home	C	C	C	C	C	C							
Lofts										C			
Modular Home	C												
Multi-Family ("Apartment")										C			
[Nursing Home, Assistant Living, Residential Care] Nursing & Residential Care Facilities	C					C							
Single-Family (individual home sites)													
Single-Family (Conservation Subdivisions)													
Single-Family (Conventional Subdivisions)	C	C				C							
Townhomes, Condos, Multiplex													
Two-Family Attached ("Villa")						C				C			
NON-RESIDENTIAL PRINCIPAL USES													
Agriculturally related limited commercial uses, i.e. commercial nursery activities.	C												

Chapter 400: Land Use Table

City of Weldon Spring Land Use Table													
Use is permitted by right:	•												
Use permitted as a conditional use:	C												
Use not permitted:													
USES	Ag	RS3	RS2	RS1	RS½	PR	SP	HTO	MED	PC	GC	LI	Reserved
Antique Sales										•	•		
Arts, Entertainment, Museums, Parks & Recreation	•	•	•	•	•	•	•	•	•	•	•		
Automotive Customizing Shop											C	•	
Automotive Parts and Supply Store											•		
Automotive Filling Station (Convenience Store)											C	C	
Animal Production (beef & dairy cattle, poultry and egg production, and sheep & goat farming),	•												
Animal Production, limited (chicken egg production and animal aquaculture)	•	C											
Automotive Rental Agency											C	•	
Automotive Repair (Body/Paint) Shop											C	•	
Automotive (Vehicle, Boat, or RV) Sales											C		
Automotive Service Station (i.e. Jiffy Lube)											C		
Automotive Wash Services											C	•	
Bakeries (Retail)											•		
Bar, Tavern or Lounge										C	C		
Barber Shop, Beauty Salon or Spa							C				•		

Chapter 400: Land Use Table

City of Weldon Spring Land Use Table													
Use is permitted by right:	•												
Use permitted as a conditional use:	C												
Use not permitted:													
USES	Ag	RS3	RS2	RS1	RS 1/2	PR	SP	HTO	MED	PC	GC	LI	Reserved
Bed and Breakfast Inns										•	•		
Broadcasting, Telecommunications, Radio, TV, and Cable Networks								•			•	•	
Building Material Sales & Services											•	•	
Bus, Truck & Rail Terminals												•	
Catering Service								•		•	•		
Cemetery, Crematory, and Mausoleum	C	C	C	C	C		•						
Church, Temple, Synagogue (places of worship)	•	•	•	•	•	•	•						
Clinic-Out Patient (Medical, Dental, etc.)							•	•		•	•		
Club, Civic, Religious, or Fraternal Organization							•	•	•	•	•	•	
Co-Branded Structure (Gas, Food Sales, etc.)											•	•	
Construction Contractor												•	
Couriers and Messengers								•			•		
Crop Production	•	•											
Data Center								C		C	C		
Day Care – Adult					C	C	•		•				
Day Care – Child Nursery	C	C			C	C	•		•		•		
Drug Store (Pharmacy)									•		•		

Chapter 400: Land Use Table

City of Weldon Spring Land Use Table													
Use is permitted by right:	•												
Use permitted as a conditional use:	C												
Use not permitted:													
USES	Ag	RS3	RS2	RS1	RS½	PR	SP	HTO	MED	PC	GC	LI	Reserved
Dry Cleaning & Laundry Pick-up								•		•	•	•	
Dry Cleaning Plant												•	
Equipment Sales, Rental & Leasing												•	
Financial Services-banking								•		•	•		
Fishing Lakes	•	C											
Food/Bakery Product Manufacturing													
Forestry and Logging	•	•										C	
Funeral Home, Mortuaries										C	C		
Furniture, Appliance or Electronics Sales										•	•		
Golf Courses and Country Clubs	•	C	•	•	•	•	•	•		•	•		
Golf, Miniature											•		
Greenhouse, Plant Nursery & Garden Supplies	C											•	
Grocery Store- Retail										•	•		
Hospital									•		•		
Health Care, Social Services, Vocational Rehab, and Family Services							•	•	•	•	•		
Health Club, Fitness Center & Gymnasiums								•	•	•	•		

Chapter 400: Land Use Table

City of Weldon Spring Land Use Table													
Use is permitted by right:	•												
Use permitted as a conditional use:	C												
Use not permitted:													
USES	Ag	RS3	RS2	RS1	RS½	PR	SP	HTO	MED	PC	GC	LI	Reserved
Hotel								•		•	•		
Hotel, Extended Stay										C	C		
Industrial, Heavy												C	
Industrial, Light								C		C		•	
Information Services and Data Processing								•		•	•		
Kennels, Pet Care, and Dog Daycares	•	C								•	•		
Liquor Store										•	•		
Laundromat- self service											•		
Massage Therapy Establishment (licensed)											•		
Mini-Warehouse (Self-Storage Facility)										C	•		
Night Club, Dance Hall or Private Club										C		•	
Office										C			
Park, Playgrounds & Open Space (Public)	•	•	•	•	•	•	•	•	•	•	•	•	
Postal, Mail, and Coping Services							•	•		•	•	•	
Printing & Publishing Facility							•	•		•	•	•	
Psychiatric and Substance Abuse Hospitals								•		•	•	•	
Public Administration, Police, Fire, Government	•	•	•	•	•	•	C	•	C	C	•	•	

Chapter 400: Land Use Table

City of Weldon Spring Land Use Table													
Use is permitted by right:	•												
Use permitted as a conditional use:	C												
Use not permitted:													
USES	Aq	RS3	RS2	RS1	RS%	PR	SP	HTO	MED	PC	GC	LI	Reserved
Public Administration, (Other than Weldon Spring)	C	C	C	C	C	C	C	C	C	C	C	C	
Recreation Facility or Area (Commercial)								•	•	•	C	•	
Repair Services								C		C	•	•	
Research, Development & Testing Services								•	•	•	C	•	
Restaurant, Fast Food								C	C	•	•	•	
Restaurant, General								•	•	•	•	•	
Retail Sales & Services							•		•	•	•	•	
Resale (Consignment) Sales, Thrift Shops										•	•	•	
Schools (Studios), Art, Dance, Music or Beauty								•		•	•	•	
Schools, Business, Vocational or Trade School								•	•	•	•	•	
Schools (College, Junior College)								•	•	•	•	•	
Schools, Public (Elementary and Secondary)	•	•	•	•	•	•	•			•	•	•	
Schools, Private (Elementary and Secondary)	C	C	C	C			C			•			
Schools (Middle & High)										C	C	C	
Tanning Salon (State licensed)									•	•			
Tattoo Establishment (State licensed)										C			
Telecommunication Antennas (concealed, roof-mounted, stealth, and utility pole-mounted) by administrative permit via Section 405.215 & 405.175 as an accessory use.	•						•	•	C	•	•	•	

Chapter 400: Land Use Table

City of Weldon Spring Land Use Table													
Use is permitted by right:	•												
Use permitted as a conditional use:	C												
Use not permitted:													
USES	Ag	RS3	RS2	RS1	RS 1/2	PR	SP	HTO	MED	PC	GC	LI	Reserved
Tobacco Store											C		
Wireless communication Towers as per Section 405.225(B) as an accessory use.	C						C	C		C	C	C	
Theater, Cinemas,										•	C		
Theater, Performing Arts									•	C	C		
Utilities, Major (water & wastewater treatment plants, power generation facilities, transmission towers, substations, lift stations, and similar uses)	C									C	C	C	
Utilities, Minor (lift stations, water towers, and similar uses)	C	C	C	C	C	C			•	•	C	C	
Vaporizer (Vap)/Electric Cigarette (E-Cig) Store											C		
Veterinary Clinic									•	•	•	•	
Warehouse, Mini (Self-Storage)										C	•	•	
Warehouse, storage, and wholesale trade										C		•	
Reserved													

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS (402.020
405.180, & 405.215) AND ENACTING NEW SECTION (405.527) OF THE
WELDON SPRING, MISSOURI, MUNICIPAL CODE

WHEREAS, That Missouri cities of the fourth class, Weldon Spring being such, have the authority from time to time to amend, supplement, change, modify or repeal its regulations and restrictions pursuant to the provisions of Section 89.060 of the Missouri Revised Statutes; and

WHEREAS, said notices of public hearings were published at least fifteen (15) days in advance of the Public Hearing held by the Planning & Zoning Commission on August 2, 2021, and the Public Hearing held by the Board of Aldermen on August 10, 2021; and

WHEREAS, the Planning & Zoning Commission has recommended the following amendments, which are outlined to the Board of Aldermen for consideration; and

WHEREAS, the Board of Aldermen has taken up this matter based upon the recommendations made by the Planning & Zoning Commission of the City of Weldon Spring, Missouri.

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

SECTION 1: That Section 402.020 of the Municipal Code is hereby amended as follows (added text is shown in boldface type, deleted text shown in ~~[bracket and stricken]~~ type):

Section 402.020: **Definition of Terms**

SEMI-TRAILER: A detachable trailer for hauling freight, with wheels at the rear end, the forward end being supported by the rear of a truck tractor when attached, either with or without axels and wheels.

SHIPPING CONTAINER: A portable storage container designed and manufactured according to specifications from the International Standards Organization (ISO) as a standard, reusable vessel intended to be loaded on a truck, railcar or ship, used primarily for shipping goods.

SHIPPING CONTAINER STRUCTURE: A structure constructed on one (1) or more shipping containers.

SECTION 2: That subsection (J) is added to Section 405.180 of the Municipal Code to be hereby amended as followed (the added text is shown in boldface typeface):

Section 405.180

Temporary Use Permits

J. Temporary Shipping Containers

1. A Land Use Permit may be issued for a temporary shipping container for up to 180 days with a provision allowing for future extension only for demonstrated cause.
2. Temporary shipping containers do not require a permanent foundation or anchoring.
3. An exemption may be allowed for shipping containers when used temporarily on a site for and during construction of a building having a valid building permit and if used for the storage of equipment/props during a permitted special event.
4. An exemption may be allowed for shipping containers that are stored on construction contractor's business sites that are waiting to be taken to offsite job sites.
5. Must be located on a level base of gravel, asphalt, concrete, paver stones, or other suitable paving surface.
6. A No-Cost Land Use Permit will be issued for those temporary shipping containers that were placed on the lot/parcel prior to the effective date of this Ordinance. These units will be administratively reviewed by the Zoning Commissioner
7. Must be painted in those areas that contain rust, corrosion, or graffiti to prevent future rust and corrosion.
8. Shipping containers shall be in compliance with Chapter 500 of the Municipal Code that are in the same location for more than 180 consecutive days unless approval has been granted for the shipping container to be a temporary structure.
9. Shall not be stacked.
10. May be located in either a side or rear yard but no closer to the front lot line than the principal building.
11. Shall not occupy required off street parking spaces, loading zones, building exits, public right-of-ways or impede the flow of traffic within the site development.

12. Shall meet the setback requirements of the underlying zoning district.
13. Shall be a single-unit, stand-alone unit, and shall not be in contact with or supporting any other shipping container or other structure.
14. Materials stored within temporary shipping containers are subject to review by the Cottleville Fire Protection District. Failure to eliminate any fire hazards as recommended by the Cottleville Fire Protection District shall constitute a violation of municipal code.
15. The denial of any Land Use Permit for a temporary shipping container by the Zoning Commissioner may be appealed to the Board of Aldermen for review and a decision.

SECTION 3: That subsection (D) is added to Section 405.215 of the Municipal Code to be hereby amended as followed (the added text is shown in boldface type):

Section 405.215

Performance Standards for Accessory Uses

D. Shipping Containers/Semi-Trailers

In the same location for more than 180 consecutive days

1. Must be located in the (LI) Light Industrial zoning district.
2. Must be depicted on an approved site plan.
3. A Land Use Permit must be obtained for shipping containers/semi-trailers larger than 120 sq. ft. in size.
 - a. Must be located on a level base of gravel, asphalt, concrete, paver stones, or other suitable paving surface.
 - b. A No-Cost Land Use Permit will be issued for those shipping containers/semi-trailers that were placed on the lot/parcel prior to the effective date of this Ordinance. These units will be administratively reviewed by the Zoning Commissioner.
4. Must be painted in those areas that contain rust, corrosion, or graffiti to prevent future rust and corrosion.
5. Shipping containers shall be in compliance with Chapter 500 of the Municipal Code that are in the same location for more than 180

consecutive days unless approval has been granted for the shipping container to be a temporary structure.

6. Shall not be stacked.
7. May be located in either a side or rear yard but no closer to the front lot line than the principal building.
8. Shall not occupy required off street parking spaces, loading zones, building exits, public right-of-ways or impede the flow of traffic within the site development.
9. Shall meet the setback requirements of the underlying zoning district.
10. Shall be a single-unit, stand-alone unit, and shall not be in contact with or supporting any other shipping container or other structure.
11. Materials stored within shipping containers/semi-trailers are subject to review by the Cottleville Fire Protection District. Failure to eliminate any fire hazards as recommended by the Cottleville Fire Protection District shall constitute a violation of municipal code.
12. The denial of any Land Use Permit for a shipping container/semi-trailer by the Zoning Commissioner may be appealed to the Board of Aldermen for review and a decision.

SECTION 4: That Section 405.527 of the Municipal Code is enacted as follows:

Section 405.527 Shipping Container Compliance

- A. All owners/users of property within the City of Weldon Spring shall be in compliance with the provisions of this Ordinance in any future installation use of shipping containers after the effective date of the Ordinance.
- B. If a shipping container is found to be in a zoning district where it is prohibited, the Zoning Commissioner shall cause written notice to be served upon the owner of the property on which the shipping container is located. Such notice shall state that the shipping container shall be removed within thirty (30) business days of receipt of notice. In addition, the provisions of Section 405.530. Violations and Penalties of the Municipal Code of the City of Weldon Spring shall be applicable.

SECTION 5: That this ordinance shall be in full force and effect from and after its enactment and approval.

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

READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI, THIS _____ DAY OF _____, 2021.

Donald D. Licklider, Mayor

Attest:

William C. Hanks, City Cle

To approve Bill #

Motioned: _____

Seconded: _____

	<u>Aye</u>	<u>Nay</u>	<u>Abstention</u>
Baker	_____	_____	_____
Clutter	_____	_____	_____
Kolb	_____	_____	_____
Martiszus	_____	_____	_____
Schwaab	_____	_____	_____
Yeager	_____	_____	_____
Licklider	_____	_____	_____

Absent: _____

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 105.030 OF THE
MUNICIPAL CODE OF THE CITY OF WELDON SPRING, MISSOURI, RELATING
TO DECLARATION OF CANDIDACY – DATES FOR FILING FOR
ELECTIONS WITHIN THE CITY OF WELDON SPRING, MISSOURI

WHEREAS, Section 71.010, RSMo, provides that cities may pass ordinances to and in conformity with state law upon the same subject; and

WHEREAS, on June 15, 2021, Missouri Governor Mike Parson signed House Bill 271 into law; and

WHEREAS, House Bill 271, in part, amends § 115.127 RSMo altering the dates for candidate filing in local elections; and

WHEREAS, the Board of Aldermen of the City of Weldon Spring (the “City”) wishes to amend the Municipal Code of the City of Weldon Spring, Missouri (the “Code”) relating to the candidate filing period for elections in the City; and

WHEREAS, the Board of Aldermen of the City of Weldon Spring has determined that amending 105.30 of the Code to revise the candidate filing period for elections within the City would be in the best interest of the City.

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

SECTION 1: That Section 105.030 of the Municipal Code of the City of Weldon Spring, Missouri (“Code”) shall be amended to read as follows:

Section 105.030 Declaration Of Candidacy — Dates For Filing.

Any person who desires to become a candidate for an elective City office at the general City election shall file with the City Clerk, not prior to the hour of 8:00 A.M., on the ~~16th~~ **seventeenth (17th)** Tuesday prior to, nor later than 5:00 P.M., on the ~~14th~~ **fourteenth (14th)** Tuesday prior to the next City municipal election, a written declaration of his/her intent to become a candidate at said election. The City Clerk shall keep a permanent record of the names of the candidates, the offices for which they seek election, and the date of their filing, and their names shall appear on the ballots in that order.

SECTION 2: The vote of the aforesaid being deemed an emergency by the Board of Alderman, the Board does hereby waive and dispense with the tabling procedure set forth

in City Code, Section 110.070 (A)(3) and does hereby authorize the reading of the above bill twice at the meeting, and a vote there to immediately following said reading.

SECTION 3: That this ordinance shall be in full force and effect upon its enactment and approval

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

READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI, THIS _____ DAY OF _____, 2021.

Donald D. Licklider, Mayor

Attest:

William C. Hanks, City Cle

To approve Bill #

Motioned: _____

Seconded: _____

	<u>Aye</u>	<u>Nay</u>	<u>Abstention</u>
Baker	_____	_____	_____
Clutter	_____	_____	_____
Kolb	_____	_____	_____
Martiszus	_____	_____	_____
Schwaab	_____	_____	_____
Yeager	_____	_____	_____
Licklider	_____	_____	_____

Absent: _____

BILL NO. _____

ORDINANCE NO. _____

*AN ORDINANCE ESTABLISHING THE PROCEDURE, REQUIREMENTS AND
TIME PERIOD FOR FILING AS A CANDIDATE FOR THE OFFICE OF
ALDERMAN FOR THE CITY OF WELDON SPRING,
MISSOURI IN THE APRIL 5th, 2022, MUNICIPAL ELECTION*

WHEREAS, a general municipal election is to be held in the City of Weldon Spring, Missouri, on Tuesday, April 5, 2022; and

WHEREAS, at this election, the offices to be filled are one (1) Alderman for each of the City's three (3) wards.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI IN ACCORDANCE WITH THE REVISED STATUTES OF MISSOURI AS FOLLOWS:

SECTION 1: There will be three Aldermen, one (1) from each ward elected at the municipal election to be held on Tuesday, April 5th, 2022. The Aldermanic candidate receiving the highest number of votes in each ward shall hold his or her office for a period of two (2) years.

SECTION 2: Procedure for filing as a candidate for Alderman is as follows:

- A. *Filing as a candidate for the office of Alderman must be made in person, or in writing as provided in Section 115.355.2, RSMo. to the City Clerk, William C. Hanks, at 5401 Independence Road, Weldon Spring, Missouri 63304, Monday through Friday between the hours of 9:00 A.M. and 4:00 P.M.*
- B. *Such filing shall open at 8:00 A.M. on Tuesday, December 7, 2021, and close at 5:00 P.M. on Tuesday, December 28, 2021.*

SECTION 3: Any person who is not qualified for office as provided by state law or City Ordinances shall not be entitled to have his/her name printed on the ballot. No person shall be elected or appointed and sworn into office who is not qualified for such office as provided by state law or City Ordinances.

SECTION 4: The general municipal election of April 5, 2022, shall be conducted as described and set forth in the Comprehensive Election Act of 1977, Section 115.001, RSMo.

SECTION 5: The City Clerk is hereby directed to cause public notice to be given of the general municipal election in accordance with the requirements of Section 115.127, RSMo. The notice of the opening and closing of filing to be published shall be as set forth in Exhibit A, attached hereto and made a part hereof.

SECTION 6: The City Clerk shall notify the St. Charles County Director of Elections, as the designated election authority, in writing, that the City is calling the general municipal election, specifying the purpose of the election, and the date of the election, the legal notice to be published and the sample ballot. The Director of Elections shall conduct in the City the general municipal election in accordance with State laws.

SECTION 7: The City Clerk shall keep a permanent record of the names of the candidates, the offices for which they seek election, and the date of their filing, and the names shall appear on the ballots in that order.

SECTION 8: The vote of the aforesaid being deemed an emergency by the Board of Alderman, the Board does hereby waive and dispense with the tabling procedure set forth in City Code, Section 110.070 (A)(3) and does hereby authorize the reading of the above bill twice at the meeting, and a vote there to immediately following said reading.

SECTION 9: This Ordinance shall be in full force and take effect from and after its final passage and approval.

READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI, THIS _____ DAY OF _____ 2021.

Donald D. Licklider, Mayor

Attest:

William C. Hanks, City Clerk

To approve Bill #

Motioned: _____
Seconded: _____

	<u>Aye</u>	<u>Nay</u>	<u>Abstention</u>
Baker	_____	_____	_____
Clutter	_____	_____	_____
Kolb	_____	_____	_____
Martiszus	_____	_____	_____
Schwaab	_____	_____	_____
Yeager	_____	_____	_____
Licklider	_____	_____	_____

Absent: _____

EXHIBIT A

NOTICE OF FILING DATE FOR GENERAL ELECTION

Pursuant to § 115.127, RSMo, the City of Weldon Spring, Missouri gives notice that the opening filing date for the general municipal election, which will be held on the 5th day of April 2022 shall be on December 7, 2021. The offices to be filled are one (1) Alderman for each of the three (3) wards. All filings shall be received by the City Clerk, during regular office hours, at City Hall 5401 Independence Road in the City of Weldon Spring commencing at 8:00 a.m. on Tuesday, December 7, 2021. The closing date and time for filing shall be 5:00 p.m. on Tuesday, December 28, 2021.

William C. Hanks, City Clerk
City of Weldon Spring, Missouri

