(5) Guidelines: All WECS towers shall have appropriate stabilizing guidelines.

ARTICLE XX
PARKING & LOADING REGULATIONS

20-101 Loading: Space for off-street loading and unloading of vehicles shall be provided for every building used or designed for commercial, industrial, manufacturing or warehousing purposes. One such space shall be provided for every ten thousand (10,000) square feet of floor area or fraction thereof, and such spaces shall be a minimum of ten (10) feet in width, thirty-five (35) feet in length, and fourteen (14) feet in height.

20-102 Parking: Off-street automobile parking or storage space shall be provided on every lot on which any new structures are hereafter established. Such space shall be provided with vehicular access to a street or alley, and such space shall be provided with a suitable area for vehicle turn-around so as to be required open space associated with the permitted use and shall not thereafter be reduced or encroached upon in any manner. When a structure is enlarged, the required off-street parking space shall be provided for the enlarged portion. If a use is changed to a different use requiring more space, the additional amount of parking area shall be provided. In addition, the following minimum standards shall apply.

A. An off-street parking space shall comprise an area with minimum dimensions of ten (10) feet by eighteen (18) feet plus necessary maneuvering space; total area for parking and maneuvering shall not encroach upon any public right-of-way.

B. Residential dwelling: One (1) parking space for each unit.

C. Tourist accommodations: One (1) parking space for each room or unit.

D. Theater, stadium, auditorium, church, or other places of public assembly: One (1) parking space for each five (5) seats, based on maximum seating capacity.

E. Hotel and/or Motel: One parking space for each two guest sleeping rooms. Includes nursing homes.

F. Stores and other retail business establishments: One (1) parking space for each one hundred (100) square feet of total floor area.

G. Office buildings: One (1) parking space for each two hundred (200) square feet of office floor area.

H. Industrial, manufacturing or wholesale establishments: One (1) parking space for each 400 square feet of gross floor area or for each five workers, based on peak employment, and adequate space for loading and unloading all vehicles used incidental to the operation of the industrial or manufacturing establishment.

I. Restaurants, supperclubs, taverns and bars: One (1) parking space for each five (5) seats, based on maximum seating capacity.

J. Off-street parking areas, whether public or private, for more than five (5) vehicles shall be effectively screened by a fence, wall or evergreen plant

material, if visible from a residential district. All public or private parking areas shall be separated from the right-of-way of any public road or street by means of a sod strip not less than three (3) feet in width between the right-of-way and the parking area.

20-103: Such space shall be provided with vehicular access to street or alley and shall be considered required open space associated with the permitted use. It shall not be reduced or encroached upon in any manner after the use is established. Where such space cannot be reasonably provided on the same lot with the principal use, the Board of Aldermen, with the approval of the planning commission, may permit such space to be located on other off-street property if the space is within 500 feet of the permitted use, measured along lines of public access.

20-104: In any commercial or industrial district, space for parking and loading vehicles shall be provided on the same lot for every building used or designed to be used for commercial purposes and any required yard may be used for that purpose. One loading space at least 10 by 25 feet shall be provided for each 20,000 square feet of floor area in the building. Where such space is completely enclosed within a building by walls and doors which close, a height clearance of at least 12 feet, 9 inches shall be provided. Where such space is located wholly or in part outside of the building and is not completely enclosed, a height clearance of at least 14 feet shall be provided. Where approach ramps are sloped so as to necessitate clearance in addition to that herein specified, this clearance shall be adequate to allow the free passage of a semi-trailer 12 feet, 6 inches in height and with a wheel base of 21 feet. These requirements may be increased, modified, or waived on appeal where conditions or circumstances justify such action.

ARTICLE XXI
SIGNS

21-101 Purpose: It is the intent of this article to permit business signs wherever they are moderate in size and design and consistent with the public safety and the welfare of surrounding areas.

21-102 Definition: Sign= A name, identification, description, display or illustration which is affixed to, or painted, or represented directly or indirectly upon a building, structure, or piece of land and directs attention to an object, product, place, activity, institution, organization, idea, or business."

21-103 Permit Required: Except as otherwise specifically authorized, no sign shall be located, erected, moved, reconstructed, extended, enlarged, re-lettered, re-painted or structurally altered within the City until a permit has been issued by the City Zoning Officer. No permit shall be issued for a sign not in conformity with the size, type, number, location and use regulations affecting each zoning district.

21-104 Exceptions: A permit shall not be required for the following classes of signs:

A. Class A Signs: Official traffic control signs, and information notice erected by federal, state, or local units of government.

B. Class B Signs:

1. On-premise real estate signs, residential identification, permitted home occupations warning, or similar signs not greater than 6 square feet in area.

2. Signs advertising the sale of farm products produced on the premises. Such signs shall not exceed 24 square feet in area, and no more than 3 non-lighted signs advertising produce may be erected within 100 feet of the stand.

21-105 Prohibited Characteristics of Signs:

A. No sign shall resemble, imitate, or approximate the shape, size, form or color of railroad or traffic signs, signals or devices.

B. No sign shall be so located as to interfere with the visibility or effectiveness of any official traffic sign or signal, or with driver vision at any access point or intersection.

C. No sign shall be erected, relocated or maintained so as to prevent free ingress or egress from any door, window, or fire escape, and no sign shall be attached to a standpipe or fire escape.

D. No sign shall contain any rotating or moving parts, or be illuminated by flashing light.

E. No sign exceeding the maximum height limitation of the district in which it is located shall be erected without first obtaining a conditional use permit.

F. No free-standing sign (or any part of sign) shall be located on a lot without observing a minimum front, rear, and side setback of two feet.

G. Should a permit be given to place a free standing sign outside of the normal setback requirements, such signs larger than 6 square feet in area shall be located so that the lowest point of the sign face is at least 6 feet from the ground.

H. Signs projecting 3 inches or more from a building or lot line shall be located not less than 8 feet above the highest elevation of the sidewalk and shall not project within 2 feet of the curb line of any street or alley.

I. Free standing signs shall not exceed the maximum building height of the zone in which they are located unless a conditional use permit is obtained.

J. In the event that such a permit is obtained, free standing signs exceeding the maximum building height of any zone shall be located at least a distance of 1 1/2 times the height of the sign from any property line.

K. Any business may display during each calendar year one temporary, portable, or mobile type sign for a period of time not exceeding 30 consecutive days. Prior to any such display, a permit shall be secured.

21-106 Classification of Signs Requiring Permit:

A. Class C Signs: On premise signs which advertise a business activity or service performed on the property.

1. Type 1: Signs advertising a permitted home occupation or professional office. Such signs shall not exceed six (6) square feet in area, and if illuminated shall be indirectly lighted. No more than one such sign for each use located on the premises shall be permitted.

2. Type 2: Signs or bulletin boards for public, charitable, or religious institutions. Such signs shall not exceed twelve (12) square feet in area, and no more than one such sign for each highway or street upon which the property faces shall be permitted. Such signs may be placed at the right-of-way of the highway.

3. Type 3: Signs advertising a business activity or a service available in a commercial or industrial area. Such signs shall not exceed 80 square feet in area when non-lighted, and if illuminated shall not exceed 40 square feet in area. No sign may project more than four (4) feet beyond a building when attached thereto, or be higher than 4 feet above the top roof line. Any signs larger than permitted square footage or dimensional requirements may not be erected without first securing a conditional use permit. No more than one (1) such sign for each story may be attached to a building facade and no more than two (2) such signs for each use located on the premises shall be permitted.

4. Type 4: Signs advertising the sale of farm products produced on the premises. Such signs shall not exceed 24 square feet in area, and no more than 3 non-lighted signs advertising produce may be erected within 100 feet of the stand.

5. Type 5: Signs advertising a resort or recreational business activity or product available. Such signs shall not exceed 20 square feet in area and no more than one such sign for each highway upon which the property faces shall be permitted.

21-107 Class D Signs: Signs or billboards which advertise a general brand of product, an area of interest, a business activity or service available which is not in direct relation to the use of the premises on which it is located. Such signs shall not exceed 300 square feet in ares. Free standing signs shall be erected outside a line parallel to and 50 feet from the highway right-of-way, shall not exceed 20 feet in height above the ground or be located within 300 feet of an existing residence, regardless of the zone in which the residence is located.

21-108 Class E Signs: Off premise directory signs in the specific interest of the traveling public which advertise a business activity, an area of interest or a service available at a specific location within 12 air miles of the premises on which it is located.

A. Type 1: Recreational directory signs indicating the direction to a cottage, resort, residence or similar use. Such signs shall not exceed 4 square feet in area. When a common posting is provided all such signs shall be attached thereto. Recreational directory signs may be placed at the right-of-way line of the highway provided they are not within 300 feet of an existing residence. Information on such signs may be of reflective materials.

B. Type 2: Signs advertising a business or activity conducted area of interest, or service available. Such signs shall not exceed 12 square feet in area, and no more than 2 such signs relating to any one use shall be permitted in the approaching direction along any one highway. A larger number of signs and a greater distance form the premises may be permitted by the Planning Commission by a Condition al Use Permit finding it necessary for directing the traveling public.

21-109 Class and Type of Signs Permitted in Various Zoning Districts:

Class and Type of Sign	Zoning District
Class A Signs	All
Class B Signs	All
Class C Signs	
Type 1	All
Type 2	All
Type 3	C-1, C-2, C-3, I-1, I-2
Type 4	All
Type 5	C-1, C-2, C-3, I-1, I-2
Class D Signs	C-1, C-2, C-3, I-1, I-2
Class E Signs	

Type 1	C-1, C-2, C-3, I-1, I-2
Type 2	C-1, C-2, C-3, I-1, I-2

21-110: Non-Conforming Signs: Non-conforming signs shall be subject tot he provisions of Article XVI.

ARTICLE XXII
ADMINISTRATION
CITY ZONING ADMINISTRATOR

22-101. Designation: The Mayor shall appoint a Zoning Administrator, whose duty it shall be to administer and enforce the provisions of this ordinance. His/her administrative functions shall include, but not be limited, the duties as prescribed below:

A. Provide necessary forms and applications;

B. Issue conditional use permits and/or variances upon demonstration of the applicant's compliance with the provisions of this ordinance and with proper authorization from the Board of Adjustment so designated to review such permit application(s), or upon instruction from the Board of Aldermen or from a Court of Competent Jurisdiction;

C. Issue Certificates of Compliance, as may be appropriate;

D. Issue any permits authorized by the Board of Aldermen or Board of Adjustment;

E. Identify and record information relative to non-conforming uses and structures;

F. Provide assistance in zoning changes and amendments to the ordinance text or map;

G. Maintain files of applications, permits and other relevant documents;

H. Make an annual report of his activities to the Board of Aldermen, to the Planning Commission, and to the Board of Adjustment.

22-102 The Zoning Administrator shall have all powers and authority conferred by laws, statutes and ordinances to enforce the provisions of this ordinance, including but not limited to the following:

A. Access to any structure or premise for inspection or enforcement purposes by the permission of the owner or upon issuance of a special inspection permit.

22-103 Land Use Permit: Land Use permits consist of conditional use permits and/or variances. These applications for permit will depend upon the procedures outlined herein and shall be issued in accordance with the following provisions:

A. Applications shall be accompanied by scale maps or drawings showing accurately the location, size and shape of the lot(s) involved and of any proposed structures, including the relation to abutting streets, lakes or streams, and the existing and proposed use of each structure and lot, and the number of families to be accommodated. One copy shall be retained by the zoning administrator and one copy shall be returned to the owner when such plans have been approved.

B. Any permit shall be valid for twelve (12) months after date of issue. When construction has not been started on valid permits within a twelve-month

period from the date of issue, an extension of time may be granted upon application to the Zoning Administrator.

C. No permit pursuant to this Ordinance shall be required for maintenance, repair or remodeling where the building area coverage is not increased, so long as said maintenance, repair or remodeling is in compliance with other sections of this ordinance.

D. Permits issued hereunder may be revoked for cause, including but not limited to mistakes or misrepresentation of fact, issuance in violation of the provisions of this ordinance, or in violation of any other applicable law or ordinance and for violation of the terms and conditions of the permit.

ARTICLE XXIII
PLANNING COMMISSION BY-LAWS

23-101 Name of Commission

The name of this organization shall be the PLANNING COMMISSION OF THE CITY OF NORBORNE, MISSOURI.

23-102 Authorization

The authorization for the establishment of this Planning Commission is set forth under Revised Statutes of Missouri, Chapter 89 (1994) at RSMo 89.300 through 89.470, and any acts amendatory thereof or supplementary thereto. Powers and duties were delegated to the Planning Commission by the Board of Aldermen of the City of Norborne on the _____ day of _____, 1998 in accordance with the above mentioned enabling law.

23-103 Meetings

A. Annual Meeting: The annual meeting of the Planning Commission shall be the first regular meeting in the month of January of each year. Such meeting shall be devoted to the election of officers for the ensuing year and such other business as shall be scheduled by the Planning Commission.

B. Regular Meeting: Regular meetings of the Planning Commission shall be held in the City Hall at 7:00 p.m. on the third Wednesday of each month, except in the month of August. At such meetings, the Commission shall consider all matters properly brought before the Commission without the necessity of prior notice thereof given to any members. A regular meeting may be cancelled or rescheduled by the Commission at a prior meeting.

C. Special Meetings: Special meetings of the Planning Commission shall be held at a time and place designated by the officer calling the same and shall be called by the Chairman or Vice-Chairman. Written notice thereof shall be given to all the members not less than twenty-four hours in advance thereof.

D. Quorum: At any meeting of the Planning Commission, a quorum shall consist of a majority of the seated members of the Commission, or five (5) members if there are no vacancies on the Commission. No action shall be taken in the absence of a quorum, except to adjourn the meeting to a subsequent date.

E. Voting: At all meetings of the Planning Commission, each member attending shall be entitled to cast one vote. Voting shall be by voice. In the event that any member shall have a personal interest of any kind in a matter then before the Commission, he shall disclose his interest and be disqualified from voting upon the matter, and the Secretary shall so record in the minutes that no vote was cast by such member. The affirmative vote of at least four (4) members shall be necessary for the adoption of any resolution or other voting matter.

F. Proceedings:

1. At any regular meeting of the Planning Commission, the following shall be the regular order of business:
   a) Roll Call
   b) Minutes of the preceding meeting
   c) Public Hearings
   d) Old and new business
   e) Communications and bills
   f) Report of the Officers and Committees
   g) Adjournment

2. Each formal action of the Planning Commission required by law, statute, rule or regulation shall be embodied in a formal resolution duly entered in full upon the Minute Book after an affirmative vote as provided in Section 5 hereof.

23-104 Membership

Membership shall consist of nine (9) members, one of whom shall be the Mayor and the other shall be an Aldermen appointed by the Board of Aldermen. The remaining seven members shall be nominated by the Mayor and appointed by the Board of Aldermen. Their term shall be for four (4) years (citizen members) after the first appointments, and their terms staggered, two shall be appointed for one year, two members for two years, and three members for three years.

A. Officers: The officers of the Planning Commission shall consist of a Chairman, elected by the Commission; a Vice-Chairman, and a Secretary elected by the Commission at the annual meeting for a term of one year. In the event the Secretary shall be absent from any meeting, the officer presiding shall designate an acting Secretary.

B. Duties of Officers: The duties and powers of the officers of the Planning Commission shall be as follows:

1. Chairman:

   a) To preside at all meetings of the Commission.
   b) To call special meetings of the Commission in accordance with these By-Laws.
   c) To sign documents of the Commission.
   d) To see that all actions of the Commission are properly taken.

2. Vice-Chairman: During the absence, disability or disqualification of the Chairman, the Vice-Chairman shall exercise or perform all the duties and be subject to all the responsibilities of the Chairman.

3. Secretary:

   a) To keep the minutes of all meetings of the Commission in an appropriate Minute Book.

b) To give or serve all notices required by law or by these By-Laws.
c) To prepare the agenda for all meetings of the Commission.
d) To be custodian of Commission records.
e) To inform the Commission of correspondence relating to business of the Commission and to attend to such correspondence.
f) To handle funds allocated to the Commission in accordance with its directives, the law, and City regulations.
g) To sign official documents of the Commission.

23-105 Employees

Within the limits imposed by the funds available for its use, the Commission may employ such staff personnel and/or consultants as it sees fit to aid in its work. Appointments shall be made by a majority vote of the entire Commission membership, with approval of the Board of Aldermen.

23-106 Vacancies

Should any vacancy occur among the membership of this Planning Commission by reason of death, resignation, disability or otherwise, immediate notice thereof shall be given to the City Clerk by the Secretary. Should any vacancy occur among the officers of the Planning Commission, the vacant office shall be filled in accordance with 20-104, Section A of these By-Laws, such officer to serve the unexpired term of office in which such vacancy shall occur.

23-107 Amendments

These By-Laws may be amended at any meeting of the Planning Commission provided that notice of said proposed amendment is given to each member in writing at least five days prior to said meeting.

ARTICLE XXIV
BOARD OF ADJUSTMENT

24-101. There is herewith created a Board of Adjustment consisting of five (5) members who shall be residents appointed by the Board of Alderman. Two members shall be members of the Planning Commission. No elected officer nor any employee of the City of Norborne shall serve on the Board of Adjustment.

Of the members appointed to the first Board, one shall serve a term of one year, one for two years, one for three years, one for four years, and one for five years. Thereafter, all members shall be appointed for a term of five years, provided that each member shall serve until his successor is duly appointed.

24-102. Officers: A chairman and vice chairman shall be elected to a one year term from among the members. The secretary shall be appointed who need not be a member of the board.

24-103. Powers: The Board of Adjustment shall have the following powers:

(A) To adopt rules of procedure consistent with the provisions of this ordinance and consistent with Revised Statutes of Missouri Chapter 89, as amended.

(B) To hear and decide appeals, where there are practical differences or unnecessary hardship in the way of carrying out of the strict letter of this ordinance, to vary or modify the application of any of the regulations or provisions of this ordinance relating to the use, construction or alteration of building structures or the use of land so that the spirit of the ordinance shall be observed, public safety and welfare secured and substantial justice done.

24-104. Hearing and Appeals.

(A) Appeals to the Board of Adjustments (hereinafter referred to as the "Board") may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality affected by the decision of the administrative officer. Such appeal shall be taken within ten (10) calendar days after each decision by filing with the Zoning Administrator a notice of appeal specifying the ground thereof. The Zoning Administrator shall immediately transmit to the Planning Commission and Board of Alderman documents and exhibits constituting the record from which the appeal is taken. The appeal shall stay all proceedings pending the decision of the Board.

(B) The Board shall fix a reasonable time for hearing such appeal and shall render a decision within thirty (30) days of the date of the hearing. The Board shall give public notice of the hearing and shall further mail written notice to all those property owners of record located within three hundred (300) feet of the location of the applicant's property members of the Board. At the hearing, any party may appear in person, by authorized agency or by attorney.

(C) The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is

required to pass under any such ordinance or to affect any variation in such ordinance.

(D) The Board shall keep complete and detailed records of it's proceedings which shall include the minutes of the meetings, it's findings and actions taken upon each matter heard by it, including the final order. The Board shall record the vote of each member upon each question or if absent or failing to vote, indicating such fact. All records shall be open to the public and shall immediately be filed in the office of the City Clerk.

24-105. Removal: Members of the Board shall be removable for cause by majority vote of the Board of Aldermen (governing body of the City) upon the filing of written charges. No member shall be removed prior to a public hearing which shall be held within thirty (30) days of the date of filing written charges.

24-106 Vacancies: Vacancies occurring on the Board of Adjustment by reason of death, removal, resignation or other cause shall be promptly filled by the Mayor through appointment, and each appointment shall require the consent of the Board of Alderman. Any member so appointed shall serve the balance of the preceding member's term, and shall thereafter be subject to appointment in the manner herein above set forth.

24-106. The Board shall always act with due consideration toward promoting the public health, safety, convenience, and welfare, thereby encouraging the most appropriate use of land consistent with the comprehensive municipal plan and shall permit no structure, building, or use detrimental to a neighborhood.

24-107 Finality: The decisions of the Board shall be final. Any person having an interest affected by this ordinance or any decision made relating to it shall have the right to appeal to the Circuit Court on questions of law or fact.

ARTICLE XXV
APPEALS; CONDITIONAL USE PERMITS, VARIANCES, AND ZONING DISTRICT TEXT OR MAP AMENDMENTS

25-101 General: Three types of exceptions or modifications are provided in this Ordinance to insure flexibility. Application for the issuance of a Conditional Use Permit, Variance or Zoning Amendment shall be made to the Board of Adjustment. Any proceedings to classify certain uses as provided in this Section may be initiated either by application or by the Board of Adjustment. The Board of Adjustment may hold such hearings on the proposal to issue a Conditional Use Permit, Variance, or Zoning Amendment as it may consider necessary; but at least one public hearing shall be held on each application for such a permit. Notice shall be given not less than fifteen (15) days in advance of the hearings, by publishing pertinent data regarding the amendment or modification at least once in the official newspaper. The Board of Adjustment shall make a report to the Board of Aldermen upon any application for a conditional use permit or zoning map or text amendment and shall recommend to the Board of Aldermen whatever action it deems advisable; but it shall not recommend the granting of a permit unless special circumstances or conditions applying to the building or land in question are peculiar to such property. Also, the granting of any conditional use permit, variance, or zoning map amendment or zoning ordinance text amendment shall not impair the health, safety, morals, comfort, convenience or welfare of the persons residing or working in the neighborhood of such use, or the public welfare of the persons residing or working in the neighborhood of such use.

25-102 Conditional Use Permit: Conditional Use Permits may be issued by the Board of Adjustment. The conditional use permit, once issued, may designate conditions and require guarantees in the granting of use permits in the manner prescribed herein. Upon receipt of the report of the Board of Adjustment, the Board of Aldermen may hold whatever public hearing it deems advisable and shall make a decision upon the proposal to grant a conditional use permit. The Board of Adjustment shall not recommend the granting of any conditional use permit, and the Board of Aldermen shall not grant any application unless they find the following facts:

1. That there are special circumstances or unique conditions affecting the land, building or use referred to in the application.

2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights.

3. That the granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

4. At the hearing, the applicant shall present a statement and evidence in such form as the Board of Adjustment may require, to show these facts.

25-103 Adherence to Permit Requirements: The city clerk or zoning administrator shall make available conditional use permit application forms, applications for variance or amendments, to a prospective applicant under this Ordinance. Any use permitted under such a conditional use permit shall conform to the terms and conditions of the

permit or may be subject to termination by the Board of Aldermen, upon the gathering of facts regarding same at a public hearing.

25-104 Variance: The Board of Adjustment shall have the power to approve or disapprove variances to the strict requirements of this Ordinance. Applications for variance shall be limited as follows:

1. Such application for variance shall be limited to matters pertaining to height of structures, setback requirements, easements, bulk, density, and area requirements.

2. Also to location of easements or extension of roadways or sidewalks within another public right-of-way.

25-105 Zoning Ordinance or Map Amendments: The Planning Commission may recommend, or the Board of Aldermen may initiate, a petition or appeal having the effect of a zoning ordinance or map amendment. Such amendment may:

1. Transfer land, or a portion thereof, from the district in which it is situated into another district, by amendment to this Ordinance.

2. Change any of the regulations of this Ordinance as to the use or platting of land in any district, or as to the restrictions upon buildings or structures and their placement thereon, by amendment to this Ordinance.

3. Any action of amending this Ordinance by the Board of Aldermen shall first be reviewed by the Planning Commission.

4. Such a zoning map or ordinance amendment may only be approved if the following conditions are met:

   a. It is apparent that a mechanical mistake was made when the zoning map was approved.

   b. At the time the city land use development plan was approved by the city, a judgmental error was made.

   c. Unforeseeable changes have occurred which have altered the city land development plan, and that plan has been amended.

   d. The proposed re-zoning changes the land use to one which is more consistent with the land use plan.

25-106 Procedure for Exception or Modification: An application for amendment , variance, or conditional use permit shall be filed with the City Clerk or Zoning Administrator in duplicate, accompanied by a fee as determined by the Board of Aldermen. The Clerk or Zoning Administrator shall forward the application as appropriate:

1. An application for a zoning map or text amendment shall be submitted to the Planning Commisison for review.

2. An application for a street change on the Major Street Plan, or for a sub-division/plat review shall be submitted to the Planning Commission.

3. An aplication for a conditional use permit shall be submitted to the Board of Adjustment.

4. An application for a variance shall be submitted to the Board of Adjustment.

a. The Planning Commission or Board of Adjustment, as appropriate, shall schedule and give notice of the time and place of a public hearing on the proposed exception or modification. Notice shall be given not less than fifteen (15) days in advance of the hearing(s), by publishing pertinent data regarding the amendment at least once in the official newspaper, and by notifying the property owners adjacent to the subject property at least ten (10) days prior to the date of the hearing . The current City Assessor's tax records shall be deemed sufficient for the location or certification of ownership of said properties. Following the hearing, the Planning Commission shall transmit its recommendations on the application to the Board of Aldermen within thirty (30) days. Such recommendation shall be in writing. On applications involving a request for a variance, the decision of the Board of Adjustment is final, and any appeal on a variance must be made with the Court of Competent Jurisdiction.

b. The Board of Aldermen, upon receiving reports of the Planning Commission, and without further public hearing, may vote upon the adoption of the proposed exception or modification or it may refer it back to the Planning Commission for further consideration. In considering any amendment, due allowance shall be made for existing conditions, for the conservation of property values, for the direction of building development to the best advantage of the entire municipality and for the uses to which the property affected is being devoted at the time; no change on a zone map or text amendment shall be effective unless or until 3/4 of all members of the Board of Aldermen concur in its passage.

c. The Planning Commission and Board of Aldermen shall provide for a record of their proceedings, which shall include the minutes of their meetings, their findings, and the action taken on each matter heard by them, including final recommendation, decision and order.

25-107 Appeals: Any person or persons, or any board, taxpayer, department, or bureau of the municipality aggrieved by the decision of the Board of Aldermen may seek remedy by the following methods:

1. In the case of an application for conditional use permit or variance the applicant may appeal directly to the circuit court of competent jurisdiction.

2. In the case of a zoning text amendment or official zoning map amendment, the applicant may appeal to the Board of Aldermen for relief.

ARTICLE XXVI
ENFORCEMENT PERMITS AND PENALTIES

26-101. Enforcement Officer: The provisions of this ordinance shall be administered by an enforcement officer hired and approved by the Board of Aldermen.

26-102. Permits: A building permit will be issued only when the application has been approved by the enforcement officer as meeting requirements of this ordinance. All applications for building permits shall be accompanied by a plan in duplicate drawn to scale, showing the actual dimensions of the lot to be built upon, the size of the building to be erected and it's location on the lot, and other such information as may be necessary to provide for the enforcement of this ordinance. A record of such application and plans shall be kept by the enforcement officer and are subject to review by the Planning Commission.

26-103. Penalty: Any person or corporation who shall violate any of the provisions of this ordinance or fail to comply therewith or with any of the requirements thereof, or who shall build or alter any building in violation of any detailed statement or plan submitted and approved hereunder, shall be guilty of a misdemeanor and shall be liable to a fine of not more than one hundred dollars ($100.00) and/or a jail sentence from thirty (30) to sixty (60) days. Each day such violation is permitted to exist shall constitute a separate offence. The owner or owners of any building or premises or part thereof where anything in violation of this of this Ordinance shall be placed, or shall exist, and any architect, builder, contractor, agent, person or corporation employed in connection therewith and who may have assisted in the commission of any such violation, shall be guilty of a separate offense and upon conviction thereof shall be fined as provided.

ARTICLE XXVII
REPEALER, SEVERABILITY AND ENACTMENT

27-101. Repealer: Any zoning ordinance existing at the time of adoption of this zoning ordinance, together with all amendments and supplements thereto, and all other ordinances promulgated by the City which are inconsistent with the provisions of this ordinance are, to the extent of such inconsistency and no further, hereby repealed.

27-102. Severability: The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, sentence, or clause of this Ordinance shall be held invalid, the invalidity of such section, paragraph, sentence, or clause shall not affect the validity of the remainder of the said ordinance.

27-103. Effective Date: This ordinance shall be in effect from and after it's passage in accordance with law.

Adopted at Norborne, Missouri, this ____day of _____, 1998.

_____
Mayor

Attest: (seal)

_____
City Clerk