

**INTRODUCED BY: ALDERMAN THOMPSON**

**AN ORDINANCE AMENDING WARSON WOODS MUNICIPAL  
CODE SECTION 400.040 PERTAINING TO SUBMISSION  
REQUIREMENTS FOR BUILDING PERMITS.**

**Whereas**, on July 11, 2018, the Planning and Zoning Commission considered proposed amendments to the City’s Zoning Code pertaining to requirements for boundary surveys to be submitted with building permit requests (the Amendment), and after reviewing the matter, recommended that the Amendment be approved; and,

**Whereas**, on August 21, 2018, the Board of Aldermen held a duly noticed public hearing regarding the Amendment; and,

**Whereas**, after reviewing the Amendment, public comments, and all other information and data available to it, the Board finds that approval of the Amendment is in the best interest of the citizens of the City of Warson Woods;

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

**Section 1:** Municipal Code Section 400.040, “Building Permit — Plat to Accompany Application,” is hereby amended by repealing Section 400.040 in its entirety and replacing it with a new Section 400.040 to read as follows:

**Section 400.040 Building Permit — Survey to Accompany Application;  
Exception.**

- A. All applications for building permits shall be accompanied by a Boundary Survey showing the lot plan, the location of the building(s) and any structures on the lot (proposed and existing), accurate dimensions of building and lot (proposed and existing), any buildings or structures proposed to be removed, and such other information as may be necessary to the City in the enforcement of these regulations.
- B. *Exception to Boundary Survey Requirement.* Notwithstanding the requirement for a Boundary Survey with each application for building permit, where an applicant proposes to make modifications to a single-family detached dwelling that involve only Interior Work, a Boundary Survey shall not be required provided the Applicant provides the City with a sworn affidavit in the City’s form that includes the applicant’s: (1) acknowledgment of assumption of risks or proceeding without a survey, (2) release of the City from any claims based on City’s waiver of the survey requirement (3) verification that no boundary survey is in the possession to the applicant, (4) representation that all work will be on the interior and acknowledgment that if project were to change to include exterior work, work will cease until a Boundary Survey is provided to the City, and (5) provision of any other representations or information deemed necessary by the City Clerk, Building Commissioner or City Attorney.
- C. *Definitions.* The following definitions shall be applicable to this Section:

- a. *Boundary Survey.* A document prepared and sealed by a licensed, professional land surveyor that meets the Missouri Minimum Standards for Property Boundary Surveys and is based on a survey that establishes or re-establishes the boundaries or limits of real property identified by a deed of record.
- b. *Interior Work.* Construction work inside the existing building “envelope” and that has no effect on the outside of the building. For example, adding a bay window as part of an interior project would make the project not qualify as “interior” because it would change the existing building envelope.

**Section 2:** This Ordinance shall be in full force and effect from and after its passage and approval.

THIS BILL PASSED AFTER HAVING BEEN READ IN FULL TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, MISSOURI, THIS 21<sup>ST</sup> DAY OF AUGUST, 2018.

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Laurance M. Howe, Mayor

ATTEST:

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Kathy Mahany, City Clerk