

**BILL NO. 1736**  
**INTRODUCED BY: Alderman Dorris**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF WARSON WOODS,  
MISSOURI, AMENDING VARIOUS SECTIONS OF THE  
MUNICIPAL CODE AS THEY RELATE TO VIOLATION  
PENALITES**

**WHEREAS**, the Planning and Zoning Commission held a public hearing to consider amending the Municipal Code of the City of Warson Woods; and

**WHEREAS**, at such public hearing, residents and interested persons had the opportunity to be heard regarding such amendments; and

**WHEREAS**, the Board of Aldermen has determined that it is to the benefit of the City of Warson Woods to review and amend the Municipal Code Violation penalty provisions as provided herein;

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

**SECTION 1.** That Subsection (B) of Section 205.190 of the Municipal Code of the City of Warson Woods, Missouri, shall be and is hereby amended by deleting Subsection (B) of Section 205.190 in its entirety.

**SECTION 2.** That Subsection (C) of Section 340.030 of the Municipal Code of the City of Warson Woods, Missouri, shall be and is hereby amended by deleting Subsection (C) of Section 340.030 in its entirety.

**SECTION 3.** That Subsection (B) of Section 370.190 of the Municipal Code of the City of Warson Woods, Missouri, shall be and is hereby amended by deleting Subsection (B) of Section 370.190 in its entirety.

**SECTION 4.** That Subsection (B) of Section 415.040 of the Municipal Code of the City of Warson Woods, Missouri, shall be and is hereby amended by deleting Subsection (B) of Section 415.040 in its entirety and enacting, in lieu thereof, a new Subsection (B) of Section 415.040, to read as follows:

**Section 415.040. Regulations Applicable to “A” and “B” Residence Districts**

*B. Failure To Complete Construction Work Within Time Limits.* All exterior construction and alteration work that is in progress subject to a building permit that is not complete within the time limits set forth in Section 415.040(A) shall result in a violation of this Section, unless such time limit is extended in writing by the Building Commissioner for unavoidable delays due to acts of God, weather conditions or strikes or other labor difficulties.

**SECTION 5.** That Section 417.100 of the Municipal Code of the City of Warson Woods, Missouri, shall be and is hereby amended by deleting Section 417.100 in its entirety.

**SECTION 6.** That Section 418.040 of the Municipal Code of the City of Warson Woods, Missouri, shall be and is hereby amended by deleting Section 418.040 in its entirety.

**SECTION 7.** That Section 430.040 of the Municipal Code of the City of Warson Woods, Missouri, shall be and is hereby amended by deleting Section 430.040 in its entirety, and enacting, in lieu thereof, a new Section 430.040, to read as follows:

**Section 430.040 Violation.**

A. In case any building or structure is erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is used in violation of this Title IV, Sections 89.010 to 89.140, RSMo., or of any other ordinance or regulation made under authority conferred hereby or by Sections 89.010 to 89.140, RSMo., the City, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, to restraint, correct or abate such violation, to prevent the occupancy of such building, structure or land, or to prevent any illegal act, conduct, business or use in or about such premises. Such regulations shall be enforced by any officer of the City empowered to cause any building, structure, place or premises to be inspected and examined and to order in writing the remedying of any condition found to exist therein or thereat in violation of this Title IV or any other provision of the regulations made by the City under authority of Sections 89.010 to 89.140, RSMo.

**SECTION 8.** That Section 515.050 of the Municipal Code of the City of Warson Woods, Missouri, shall be and is hereby amended by deleting Section 515.050 in its entirety.

**SECTION 9.** That Section 520.030 of the Municipal Code of the City of Warson Woods, Missouri, shall be and is hereby amended by deleting Section 520.030 in its entirety.

**SECTION 10.** That Section 535.060 of the Municipal Code of the City of Warson Woods, Missouri, shall be and is hereby amended by deleting Section 535.060 in its entirety.

**SECTION 11.** That Chapter 540 of the Municipal Code of the City of Warson Woods, Missouri shall be and is hereby amended by deleting Chapter 540 in its entirety.

**SECTION 12.** That Chapter 640 of the Municipal Code of the City of Warson Woods, Missouri, shall be and is hereby amended by deleting Chapter 640 in its entirety.

**SECTION 13. Savings Clause:** Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant

or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof.

**SECTION 14. Severability Clause:** If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

**SECTION 15. Effective Date:** This Ordinance shall be in full force and take effect from and after its final 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

\_\_\_\_\_  
Sean Fitzgerald, Mayor

ATTEST:

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Kathy Mahany, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Drew Weber, City Attorney