



THE CITY OF
HARRISONVILLE
WHERE TRADITION MEETS INNOVATION

AGENDA
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
MARCH 4, 2024
6:00 PM

- 1. Call to Order**
 - A. Pledge of Allegiance**
 - B. Roll Call**
- 2. Ceremonial Matters**
- 3. Public Participation**
- 4. Approval of Minutes**
 - A. Board of Aldermen - Regular Meeting - Feb 20, 2024, 6:00 PM**
 - B. Board of Aldermen - Work Session - Feb 20, 2024, 6:30 PM**
- 5. Agenda Items**
 - A. Council Bill 07: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING ARTICLES I, II, III, VI, VII, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, AND XX UNDER CHAPTER 405-ZONING REGULATIONS, CHAPTER 435-SIGN REGULATIONS, ARTICLE IV UNDER CHAPTER 410-SUBDIVISION REGULATIONS, CHAPTER 515-STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, CHAPTER 530-RIGHTS-OF-WAY MANAGEMENT, AND CHAPTER 700--UTILITIES OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.**
 - B. Council Bill 08: AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI APPROVING A MODOT COMMISSION DETOUR ROUTE USING LOCAL STREETS SUPPLEMENTAL AGREEMENT**
- 6. Aldermen and Committee Reports**
- 7. Report from the City Administrator**
- 8. Questions from the Media**
- 9. Adjourn from Regular Session**

Posted on City Hall Bulletin Board this 1st day of March 2024.

Daniel Barnett, City Clerk

Public participation during regular meetings of the Board of Aldermen shall be limited to those who have submitted a completed agenda request form. 2 Each person wishing to address the Board during regular meetings of the Board of Aldermen on a topic not on the agenda shall submit a completed agenda request form five (5) business days prior to the meeting the person wishes to address the Board. If the agenda request concerns a complex issue requiring staff research time, the opportunity to address the Board may be moved to a future meeting instead of the meeting immediately following the submission of the agenda request form. 3. Those that have submitted a completed agenda request form shall be limited to three (3) minutes to address the Board, this time cannot be yielded to another person and this time may be extended in three (3) minutes increments only upon a majority vote of the members of the Board of Aldermen, with each additional three (3) minute increment requiring an additional majority vote of the members of the Board of Aldermen.



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
FEBRUARY 20, 2024
6:00 PM

1. Call to Order

The meeting was called to order at 6:00 PM by Mayor Mike Zaring.

A. Pledge of Allegiance

Attendee Name	Organization	Title	Status	Arrived
Bill Mills	Harrisonville	Board Member	Present	
Sandy Franklin	Harrisonville	Board Member	Excused	
Larry Pfautsch	Harrisonville	Board Member	Present	
Matt Turner	Harrisonville	Board Member	Excused	
Dave Doerhoff	Harrisonville	Board Member	Present	
Marcia Milner	Harrisonville	Board Member	Excused	
Gary Davidson	Harrisonville	Board Member	Present	
Kile Chaney	Harrisonville	Board Member	Present	
Mike Zaring	Harrisonville	Mayor	Present	

Others present: City Administrator Brad Ratliff, City Attorney Alex Felzien, Director of Administrative Services Jeremy Smith, Public Works Director Patty Hilderbrand, Parks and Recreation Director Grant Purkey, Economic Development Director Jim Clarke, Community Development Director Christina Stanton, Director of Engineering Carl Brooks, Interim Police Chief Darla Harris, Police Lieutenant Darin Chance, Police Sargent Tim Mikelson, Police Sargent Brian Kincaide, Police Sargent Brendan Rinehart, Airport Manager Mike Newman, Executive Secretary to the City Administrator Theresa West, FFA Instructor Jason Dieckhoff, FFA Student Members Kristin Baumgardner, Chema Gousch, Emmitt Enderle, Carter Cole, Warren Highley, Memo Ramirez, Gabe Doe and Lane Jones, and City Clerk Daniel Barnett - recording.

2. Ceremonial Matters

A. 2024 National FFA Week Proclamation

Mayor Zaring welcomed members of the Cass Career Center's Future Farmers of America chapter.

Zaring read a proclamation declaring February 17-24, as National FFA Week in Harrisonville.

Zaring said he and the entire City appreciate the efforts of the entire organization to promote positive citizenship throughout the community.

B. Police Department Badge Pinning

Mayor Zaring was joined at the front of the room by Interim Police Chief Harris and Corporal Dylan Bell.

Harris spoke about Corporal Bell and his time with the department.

Harris also noted that Bell went through the Cass Career Center's Criminal Justice and Crime Scene Investigation program and through the HPD Explorers program.

Bell was pinned as a Corporal by his wife Dara Bell.

Mayor Zaring congratulated Bell and thanked him for his service to the Harrisonville community.

3. Public Participation

None

4. Approval of Minutes

A. Board of Aldermen - Regular Meeting - Feb 5, 2024 6:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Gary Davidson, Board Member
SECONDER:	Larry Pfautsch, Board Member
AYES:	Mills, Pfautsch, Doerhoff, Davidson, Chaney
EXCUSED:	Sandy Franklin, Matt Turner, Marcia Milner

B. Closed Session Minutes - February 5, 2024

A motion to accept the minutes from the February 5, 2024, Closed Session was made by Alderman Doerhoff, with a second from Alderman Chaney. Aldermen Franklin, Milner and Turner were excused. The motion carried with a unanimous 5-0 vote.

5. Agenda Items

A. A RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE TO SHOW THE SUPPORT OF THE BOARD OF ALDERMEN FOR AN APPLICATION OF GRANT FUNDS FROM THE MISSOURI DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAY SAFETY STEP (SPECIAL TRAFFIC ENFORCEMENT PROGRAM) PROGRAM; AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE SAID APPLICATIONS FOR GRANT FUNDS

Staff report presented by City Administrator Ratliff.

Interim Police Chief Harris spoke to the specifics of the grant request.

Harris stated that the total amount requested is \$15,000.

Upon passage, Mayor Zaring designated the resolution to be Resolution number 2024-03.

Minutes Acceptance: Minutes of Feb 20, 2024 6:00 PM (Approval of Minutes)

RESULT: APPROVED [UNANIMOUS]
MOVER: Gary Davidson, Board Member
SECONDER: Dave Doerhoff, Board Member
AYES: Mills, Pfautsch, Doerhoff, Davidson, Chaney
EXCUSED: Sandy Franklin, Matt Turner, Marcia Milner

B. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR iFIL EXPANSION ON PROPERTY LOCATED AT 1801 W. VINE STREET IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI.

City Attorney Felzien read the ordinance for the second time.

Community Development Director Stanton said no public comment has been made since the original public hearing on February 5.

Upon passage, Mayor Zaring designated the Ordinance to be Ordinance number 3684.

RESULT: APPROVED [UNANIMOUS]
MOVER: Kile Chaney, Board Member
SECONDER: Bill Mills, Board Member
AYES: Mills, Pfautsch, Doerhoff, Davidson, Chaney
EXCUSED: Sandy Franklin, Matt Turner, Marcia Milner

C. PUBLIC HEARING: Various Code Changes

Mayor Zaring opened the public hearing at 6:12 p.m.

Staff report presented by Community Development Director Stanton.

Stanton said the purpose of the ordinance is to clean up a series of items that lack clarity within the City's Municipal Code, to include title changes, definitions, required signature blocks, etc.

Stanton said the Planning and Zoning Commission voted 6-0 to recommend the ordinance for approval to the Board of Aldermen.

Stanton said City staff recommend approval.

Mayor Zaring closed the public hearing at 6:14 p.m.

D. AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING ARTICLES I, II, III, VI, VII, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, AND XX UNDER CHAPTER 405-ZONING REGULATIONS, CHAPTER 435-SIGN REGULATIONS, ARTICLE IV UNDER CHAPTER 410-SUBDIVISION REGULATIONS, CHAPTER 515-STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, CHAPTER 530-RIGHTS-OF-WAY MANAGEMENT, AND CHAPTER 700--UTILITIES OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

City Attorney Felzien read the ordinance for the first time only.

Mayor Zaring informed the Board that the second reading of the ordinance will take place at the March 4, meeting.

RESULT: SCHEDULED

Next: 3/4/2024 6:00 PM

6. Aldermen and Committee Reports

Alderman Chaney said he enjoyed attending the Princess Ball at the Harrisonville Community Center.

Alderman Davidson said he would like to hold a discussion about banning video lottery machines in Harrisonville.

Alderman Mills said he appreciated the work done by the Streets Department to patch a series of potholes throughout the community. Mills said he enjoyed seeing progress on a series of development projects throughout town.

Alderman Pfautsch congratulated Interim Police Chief Harris on her new role and said he is confident she will do a wonderful job. Pfautsch spoke about the Harrisonville Rotary Clubs Flag Program.

Alderman Doerhoff congratulated Police Corporal Bell on his promotion.

7. Report from the City Administrator

City Administrator Ratliff informed the Board that the Oakvale Sanitary Sewer Improvements project has been scheduled.

Ratliff said the contractor for the Orchard Road Culvert Storm Water project has poured the headwall footing foundation and that the road has been opened to one-lane local traffic for residents.

Ratliff said the Fire Station Remodel project is currently 39-percent complete.

Ratliff provided an update regarding the design of the South Commercial Street Extension Project, stating that the engineer is re-evaluating their preliminary construction estimates, as the initial cost was over budget. Ratliff said Evergy has reviewed the 30-percent layout drawings and are planning to propose a new power pole alignment.

Ratliff informed the Board that staff will soon begin the process of right-of-way and easement acquisition for the Missouri-2 Highway (South Street) Bridge Over Muddy Creek project.

Ratliff provided an update on the progress of the improvements to the indoor pool at the community center.

Ratliff spoke about recent discussions about the Bizarre Bazaar property, saying the perspective developers are fine tuning plans and reviewing various incentive opportunities.

A. Municipal Court Report January 2024

8. Questions from the Media

None

9. Adjourn From Regular Session

Mayor Zaring congratulated Interim Police Chief Harris on her new and congratulated Police Corporal Bell on his promotion.

Minutes Acceptance: Minutes of Feb 20, 2024 6:00 PM (Approval of Minutes)

A motion was made by Alderman Davidson to adjourn from the Regular Meeting. The motion was seconded by Alderman Pfautsch. The motion carried with a unanimous vote. The meeting adjourned at 6:28 p.m.

Mike Zaring, Mayor & Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Daniel Barnett, City Clerk

Minutes Acceptance: Minutes of Feb 20, 2024 6:00 PM (Approval of Minutes)



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DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
WORK SESSION
CITY HALL
FEBRUARY 20, 2024
6:30 PM

1. Call to Order

The meeting was called to order at 6:40 PM by Mayor Mike Zaring.

2. Present

Attendee Name	Organization	Title	Status	Arrived
Bill Mills	Harrisonville	Board Member	Present	
Sandy Franklin	Harrisonville	Board Member	Excused	
Larry Pfautsch	Harrisonville	Board Member	Present	
Matt Turner	Harrisonville	Board Member	Excused	
Dave Doerhoff	Harrisonville	Board Member	Present	
Marcia Milner	Harrisonville	Board Member	Excused	
Gary Davidson	Harrisonville	Board Member	Present	
Kile Chaney	Harrisonville	Board Member	Present	
Mike Zaring	Harrisonville	Mayor	Present	

Others present: City Administrator Brad Ratliff, Director of Administrative Services Jeremy Smith, Public Works Director Patty Hilderbrand, Director of Engineering Carl Brooks, Interim Police Chief Darla Harris, Community Development Director Christina Stanton, Airport Manager Mike Newman, Billing Specialist Courtney Caulkins, Executive Secretary to the City Administrator Theresa West, of Matt Jacobs and Larry Wagner H.W. Lochner Inc. and City Clerk Daniel Barnett - recording.

3. Discussion Items

A. Lawrence Smith Memorial Airport Hangar Fees Discussion

Public Works Director Hilderbrand led a discussion regarding the structure of hangar rental fees at Lawrence Smith Memorial Airport.

Hilderbrand informed the Board that currently, all 38 hangars are full, with only nine of those tenants being from Harrisonville.

Hilderbrand spoke to the current revenue sources and expenses for the airport.

Hilderbrand provided the Board with a full list of hangar rental fees, ranging from \$120 to \$491.

Hilderbrand said, as part of the Reconstruct Runway 17-35 Project, the runway will not close until April 8, with hopes to reopen in October.

Hilderbrand provided the Board with a history of communication with hangar tenants regarding the fees that will be assessed during the closure for the project.

Hilderbrand showed the hangar rental fees charged at airports comparable to Lawrence Smith Memorial Airport.

Hilderbrand shared a series of percentage rate increases for hangar rental fees, which could be charged when the new runway is completed.

Larry Wagner of Lochner spoke to the timeline for the Reconstruct Runway 17-35 Project.

Matt Jacobs of Lochner spoke about additional lighting upgrades that will be part of the project.

Alderman Chaney asked if there will be an independent contractor who will test the concrete.

Wagner said yes.

Alderman Davidson asked if City staff stated during a meeting in 2023 that there would not be hangar rental fees charged during the closure for the project.

Hilderbrand says she cannot say that staff did say anything to that effect, but also cannot say that staff did not say it.

Discussion was held about charging a percentage of the hangar rental fees while the airport is closed for the project.

Mayor Zaring asked if the comparable airports have the same quality of facilities and amenities.

Alderman Pfautsch asked if other airports charge hangar rental fees while the airport is closed for construction.

Jacobs said many other airports offer a discounted rate for their hangar rental fees.

Alderman Mills said he would support 50-percent abatement on the hangar rental fees while the airport is closed for the project.

A consensus of the Board was reached to reduce hangar rental fees by 50-percent while the airport is closed for the duration of the Reconstruct Runway 17-35 Project.

Alderman Davidson said he would support a 25-percent increase to hangar rental fees once the airport reopens at the conclusion of the Reconstruct Runway 17-35 Project, with the ability for the City to also collect common area maintenance fees.

Mayor Zaring proposed that staff inform the current tenants at the airport that hangar rental fees will increase by between 35-percent to 50-percent upon the airport reopening.

Alderman Davidson proposed that the new rate take effect on October 1.

A motion was made by Alderman Pfautsch to adjourn from the Work Session. The motion was seconded by Alderman Doerhoff. The motion carried with a unanimous vote. The meeting adjourned at 8:01 p.m.

Mike Zaring, Mayor & Ex-Officio
Chairman of the Board of Aldermen

Minutes Acceptance: Minutes of Feb 20, 2024 6:30 PM (Approval of Minutes)

ATTEST:

Daniel Barnett, City Clerk

Minutes Acceptance: Minutes of Feb 20, 2024 6:30 PM (Approval of Minutes)

STAFF REPORT

TO: Board of Aldermen
FROM: Christina Stanton,
DATE: February 16, 2024
SUBJECT: Code Amendments

Type of Item: *Public Hearing*

A. Action Item (ID # 4766)

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING ARTICLES I, II, III, VI, VII, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, AND XX UNDER CHAPTER 405-ZONING REGULATIONS, CHAPTER 435-SIGN REGULATIONS, ARTICLE IV UNDER CHAPTER 410-SUBDIVISION REGULATIONS, CHAPTER 515-STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, CHAPTER 530-RIGHTS-OF-WAY MANAGEMENT, AND CHAPTER 700--UTILITIES OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

History:

02/20/24 Board of Aldermen SCHEDULED

City Attorney Felzien read the ordinance for the first time only.

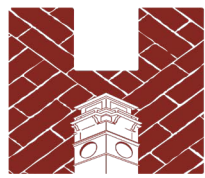
Mayor Zaring informed the Board that the second reading of the ordinance will take place at the March 4, meeting.

Attachments:

Various Code Changes 2-20-24 BOA(PDF)

Misc Code Amendments (February 2024) (PDF)

Ordinance-February Code Amendments (DOCX)



To: Board of Aldermen
From: Christina Stanton, AICP, Community Development Director
Date: February 20, 2024
Re: Code Amendments

GENERAL INFORMATION

Applicant: N/A

Requested Actions: Consideration of Proposed Code Amendments

Date of Application: N/A

PROPOSAL

The Code Amendments proposed are broken into five (5) categories:

- (1) Correcting “building” to “lot” coverage to eliminate inconsistencies and confusion between the district specific sections of the Code and Appendix B: Dimensional Standards Table;
- (2) Adding definitions for impervious surface and lot coverage, and amending the building coverage definition to provide greater clarity;
- (3) Updating “Director of Code Enforcement” and “Codes Enforcement Director” and references to “Code Enforcement” to “Building Official” or “Director of Community Development” as appropriate;
- (4) Clarifications regarding required signature blocks for final plats; and
- (5) Correcting references from “Building Official” to “Public Works Superintendent” regarding right-of-way permits and removing “the Superintendent” from sewer installation policies and procedures that would be under the purview of the Building Official as part of a building permit.

PREVIOUS ACTIONS

- February 15, 2024—The Planning and Zoning Commission recommended, by voice-vote 6-0, to recommend approval to the Board of Aldermen of the proposed Code Amendments.
- December 4, 2023—The Board of Aldermen approved Ordinance #3677, which corrected the percentage of lot coverage for Districts R-3 and R-4 and corrected references within the Code for those specific districts from “building” to “lot” coverage.
- May 1, 2023—The Board of Aldermen approved Ordinance #3650, which removed specific fee, fine, and penalty amounts within various sections of Code.
- March 20, 2023—The Board of Aldermen approved Ordinance #3638, which amended various sections of Code pertaining to subdivisions.
- February 21, 2023—The Board of Aldermen approved Ordinance #3628, which made corrections to Section 405.205 (the R-4 District) and 405.305 (the CBD-2 District).
- February 21, 2023—The Board of Aldermen approved Ordinance #3627, which adopted the Dimensional Standards Table and established lot coverage percentages that aligned with the runoff coefficient identified by the APWA. The percentages were corrected under the individual

zoning districts to align with the “Lot Coverage” percentages in the Dimensional Standards Table. However, the individual zoning districts still stated “building coverage”.

- September 20, 2021—The Board of Aldermen approved Ordinance #3568, which amended Section 515.100 and 530.030 pertaining to work and permits for work done within the right-of-way.
- August 16, 2021—The Board of Aldermen approved Ordinance #3561, which amended sections of Code pertaining to maintaining residential septic systems.
- January 7, 2019—The Board of Aldermen approved Ordinance #3456, which repealed Chapter 435—Sign Regulations of the Code of Ordinances and enacted a new Chapter 435—Sign Regulations.
- November 16, 2015—The Board of Aldermen approved Ordinance #3341, which established the Near Downtown Single-Family Neighborhood (R-1B) and Near Downtown Two-Family Neighborhood (R-2B) Districts and regulations pertaining to said Districts.
- October 19, 2009—The Board of Aldermen approved Ordinance #3107, which amended various sections of Chapter 405 by adding the definition for “building coverage” and adding the original requirements for building coverage under each specific residential zoning district.
- February 21, 2006—The Board of Aldermen approved Ordinance #2958, which repealed Chapter 30, Article II, Excavations, Sections 30-21 through 30-32, and enacted Chapter 36—Rights-of-Way Management. This established procedures and requirements relating to construction of facilities in, along, across, under and over public rights-of-way.
- April 15, 2002—The Board of Aldermen approved Ordinance #2766, which repealed Ordinance #1831 and Ordinance #2587 in their entirety and adopted new Subdivision Regulations.
- January 15, 2001—The Board of Aldermen approved Ordinance #2692, which amended Chapters 11—Electricity, 35—Utilities, 16—Health & Sanitation and amended the Uniform Plumbing Code.
- May 13, 1991—The Board of Aldermen approved Zoning Ordinance #1825, which established most of our current zoning districts.
- January 5, 1983—The Board of Aldermen approved Ordinance #1344, which amended Chapter 30—Streets, Sidewalks, and Public Places to add several sections requiring all property owners to maintain their sidewalks in a safe and convenient condition.

KEY ISSUES

- Correcting inconsistencies
- Adding definitions to provide greater clarity
- Correcting references within the Code to the appropriate person or department
- Providing additional clarification regarding signature blocks for final plats

ATTACHMENTS

Staff Commentary and Mark-ups



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

300 E. Pearl Street, P.O. Box 367 • Harrisonville, MO 64701 • Tel: 816-380-8900 • Fax: 816-380-8906

Existing Municipal Code in black.

Removals in red.

Additions in green.

Highlights = Discussion.

CS commentary in blue.

Staff Commentary

The following code amendments cover various items:

- 1) Correcting “building” to “lot” coverage to eliminate inconsistencies and confusion between the district specific sections and Appendix B: Dimensional Standards Table, which was created and adjusted to match the average percent impervious areas as established in the APWA Runoff Coefficients—This was supposed to be part of a previous amendment (Ordinance #3627), but apparently was missed. This corrects that oversight.
- 2) Definitions. Adding definitions for impervious surface and lot coverage, and amending the building coverage definition to provide greater clarity.
- 3) Updating “Director of Code Enforcement” and “Codes Enforcement Director” and references to “Code Enforcement” to “Building Official” or “Director of Community Development” as appropriate.
- 4) Clarifications regarding required signature blocks for final plats.
- 5) Correcting references from “Building Official” to “Public Works Superintendent” regarding right-of-way permits and removing “the Superintendent” from sewer installation policies and procedures that would be under the purview of the Building Official as part of a building permit.

- 1) Section 405.140.A.7: The **building** **lot** coverage shall not exceed thirty-five percent (35%).

Section 405.147.C.8: **Building Lot Coverage**. The **building** **lot** coverage shall not exceed thirty-five percent (35%).

Section 405.170.A.7: The **building** **lot** coverage shall not exceed thirty-five percent (35%).

Section 405.177.C.7: **Building Lot Coverage**. The **building** **lot** coverage shall not exceed thirty-five percent (35%).

Section 405.225.A.5: The **building** **lot** coverage shall not exceed eighty-five percent (85%).

Section 405.255.A.5: The **building** **lot** coverage shall not exceed eighty-five percent (85%).

Section 405.285.A.5: The **building** **lot** coverage shall not exceed ninety-five percent (95%).

Section 405.305.A.5: The **building** **lot** coverage shall not exceed ninety-five percent (95%).

Section 405.325.A.5: The **building** **lot** coverage shall not exceed eighty-five percent (85%).

Section 405.495.A.5: The **building** **lot** coverage shall not exceed sixty percent (60%).

Section 405.515.A.5: The **building** **lot** coverage shall not exceed eighty percent (80%).



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2) Section 405.030:

BUILDING COVERAGE

The amount of land covered or permitted to be covered by buildings or structures. Building coverage is generally measured as a ratio or a percent of a lot. Porches and decks shall be considered as part of a building or structure.

Exception: Swimming pools shall be computed as one-half (½) their area toward the maximum building coverage.

IMPERVIOUS SURFACE

A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

LOT COVERAGE

The total ground area covered by all buildings, roofed or covered spaces, paved surfaces, walkways and driveways and any other site improvements or structures contributing to run-off greater than would occur on the site in its natural state.

- 3) Section 405.050.C.1: Repairs. Ordinary repairs may be made to a non-conforming building or structure. Ordinary repairs shall be determined by the **Director of Code Enforcement Building Official** and shall include, among other things, the replacement of storage tanks where the safety of operation of the installation requires such replacement.

Section 405.095: The location and boundaries of the districts established by this Chapter are set forth on the "Zoning District Map" which is hereby made a part of this Chapter. The said map, together with everything shown thereon and all amendments thereto, shall be as much a part of this Chapter as though fully set forth and described herein. The said map shall be filed with the office of the City Clerk and copies thereof in the office of the Director of **Code Enforcement Community Development** and shall be open to public reference at all times during which those offices are open.

Section 405.420: The Board of Aldermen shall within forty-five (45) days after receiving the recommendation of the Planning and Zoning Commission concerning the nominated landmark or historic district either accept or reject the recommendation of the Planning and Zoning Commission. If the Board wishes to designate a landmark or district, it shall do so by ordinance. The Board of Aldermen shall hold a public hearing before enacting the resolution or ordinance and provide notice and take testimony in the same manner as provided in the Harrisonville Zoning Ordinance. Any resolution or ordinance shall be accompanied by a written statement explaining the reasons for the action by the Board of Aldermen. The City Clerk shall provide written notification of the action of the Board of Aldermen by regular mail to the nominator and the owners of record of the nominated landmark or of all property within a nominated historic district. The notice shall include a copy of the designation ordinance or resolution passed by the Board of Aldermen and shall be sent within seven (7) days of the Board of Aldermen action. A copy of each designation ordinance shall be sent to the Historic Preservation Commission, the Planning and Zoning Commission and the **Community Development Codes Enforcement Department** of the City of Harrisonville. A determination by the Board of Aldermen shall be a final and administrative decision as that term is defined in Chapter 536, RSMo.



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Section 405.435: No application for a building or demolition permit affecting the exterior or architectural appearance of a designated landmark or property within a designated historical district shall be granted by the City until approved by the Preservation Commission. An applicant may request a meeting with the Preservation Commission before or during the review of the application. Application for review of construction, demolition or removal not requiring a building permit for which a certificate of appropriateness is required shall be made on a form prepared by the **Community Development Codes Enforcement** Department of the City of Harrisonville and available at the office of the **Community Development Codes Enforcement** Department of the City of Harrisonville. Applicants may be required to submit plans, drawings, elevations, specifications and other information as may be requested by the Preservation Commission. The Preservation Commission shall consider the completed application at its next regular meeting. The Preservation Commission may call a specific meeting to review routine application for certificate of appropriateness when delay to the next regular meeting would create an unnecessary inconvenience to the applicant.

Section 405.440: Whenever the Historic Preservation Commission has a reason to believe an action for which a certificate of appropriateness is required has been initiated or is about to be initiated, it shall make every reasonable effort to contact the owners, occupants, contractors or subcontractors and inform them of the application for certificate of appropriateness process. If the Historic Preservation Commission determines that a stop work order is necessary to halt an action that requires a certificate of appropriateness, it shall deliver or send a copy of the stop work order by certified mail return receipt requested to the owners, occupants, contractors and subcontractors and notify them of the certificate of appropriateness process. A copy of the proper application form shall be included in the notice. A copy of the stop work order shall be sent to the **Building Official Codes Enforcement Director** of the City of Harrisonville, who shall be responsible for monitoring said situation and citing those in violation of this Article.

Section 405.445.A: The Historic Preservation Commission shall review the application for a building or demolition permit or for a certificate of appropriateness and issue or deny the certificate of appropriateness within no more than forty-five (45) days of receipt of the application. Determination will be based on the standards and guidelines set forth in this Article. Written notice of the approval or denial of the application for a certificate of appropriateness shall be provided the applicant and the **Community Development Codes Enforcement** Department of the City of Harrisonville within seven (7) days following the determination and shall be accompanied by a certificate of appropriateness in case of approval.

Section 405.465.D: Public Safety Exclusion. None of the provisions of this Chapter shall be construed to prevent any measures of construction, alteration or demolition necessary to correct or abate the unsafe or dangerous condition of any structure, other feature or part thereof, where such condition has been declared unsafe or dangerous by the Codes Enforcement **Department Division or Building Official** of the City of Harrisonville and where the proposed measures have been declared necessary by such **department or departments Division** to correct the said condition; provided however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed pursuant to this Section. In the event any structure or other feature shall be



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damaged by fire or other calamity or by an act of God or by public enemy to such an extent that, in the opinion of the aforesaid **department Division**, it cannot reasonably be repaired or restored, it may be removed in conformity with normal permit procedures and applicable laws.

Section 405.565.E.3.(a): All parking areas and drives, except as specifically provided for in this Subsection 3(a), shall be ready for use upon occupying a building and shall be surfaced with a minimum of two (2) inches of hot-mix asphaltic concrete on a minimum four (4) inch compacted stone base or Portland cement concrete paving of equal strength (the "Hard Surface Requirement"). All such drives and off-street areas used by vehicles, except those serving single- and two-family dwellings, shall have curbs. The **Director of Codes Administration Building Official** may grant an extension by issuing a temporary certificate of occupancy when weather conditions are not satisfactory for placing paving materials. Exceptions to the Hard Surface Requirement are specified in Subsections 3(a)(1), (2), (3), and (4), below. None of these exceptions herein shall relieve the owner, occupant or developer from the requirements of the Americans with Disabilities Act regulations, including hard surfaced parking areas for those with disabilities.

Section 435.130.A.1: Conformance To Building And Electrical Codes. In order to provide for the safety of the public all Signs shall be constructed and maintained in conformance with all Building Code and National Electrical Code requirements. Signs with electricity and per the City Code as to require a building or electrical permit shall obtain one from the **Director of Codes Building Official** prior to installation or placement.

Section 435.140.A.1: Permit Required. In addition to the Sign permit required by this Chapter, a building permit shall be obtained from the **Director of Codes Building Official** prior to installation or placement of any Billboard. Billboards shall be constructed and maintained in conformance with all Building Code and National Electrical Code requirements. Plans required for issuance of a building permit for a Billboard shall be certified as to conformance with all structural and wind-load resistive standards of the Building Code by a registered design professional in the State of Missouri.

Section 435.140.A.9.d: Billboards shall not be permitted before the applicant has submitted to the City financial security in the form of a bond, letter of credit or other financial security as approved by the Director of **Codes Community Development**; a right of access; and any other measures necessary and sufficient to ensure removal of Billboards that are not validly permitted or that constitute a nuisance.

Section 435.155.A.3: If the owner of the Sign disputes the determination that the Sign is abandoned, they may first appeal to the Director of **Codes Community Development** for reconsideration. If the Director of Codes denies the appeal, then the Sign owner may appeal to the City Administrator.

Section 435.155.B.3: Should any Sign become structurally unstable or in danger of falling or otherwise unsafe in the opinion of the **Director of Codes Building Official**, the owner or person or firm maintaining the Sign shall, upon written notice from the City, forthwith in the case of immediate danger and in any case within ten (10) days, remove such Sign or secure it in a manner approved by the City. Any Sign not removed or secured within ten (10) days from the written notice may be removed by the City and all costs ("Removal



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Costs") charged to the owner, agent, or person having beneficial interest of the building or Premises upon which the Sign was located, or in the Sign itself.

4) Section 410.290.E.15.c: The acknowledgment of a notary in the following form:

State of _____

County of _____

Be it remembered that on this _____ day of _____, 20____, before me, a notary public in and for said County and State, came _____, **to me, personally** known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

(SEAL) Notary Public

My Commission Expires: _____

Section 410.290.E.15.e: The approval of the plat and acceptance of easements and rights-of-way by the Board of Aldermen in the following form:

This plat of _____ including easements and rights-of-way accepted by the Board of Aldermen has been submitted to and approved by the Harrisonville Board of Aldermen by Ordinance No. _____, duly passed and approved by the Mayor of Harrisonville, Missouri, on the _____ day of _____, 20____.

(SEAL)

Mayor

ATTEST:

City Clerk

City Engineer

Community Development Director

Section 410.290.E.15.f: A blank space for noting entry on the transfer record in the following form:

Entered on transfer record this _____ day of _____, 20____.

Deputy County Recorder of Deeds

Signature blocks for the following certificates, with the corresponding name typed, printed or stamped beneath the signature:

- 1) Signatures of the owner(s) and notary public;**
- 2) Certification by a registered land surveyor that the survey was executed in accordance with the current Missouri Minimum Standards for Property Boundary Surveys;**
- 3) Certificate of approval to be signed and dated by Mayor, City Clerk, Planning Commission Chair, Director of Public Works, and Director of Community Development.**

5) Section 515.100 Construction or Repair By Property Owner.

A. The Director of Public Works or the **Building Official **Public Works Superintendent** is hereby authorized to issue right-of-way work permits, upon request, to owners of private**

Attachment: Misc Code Amendments (February 2024) (Code Amendments)



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property, their representatives or contractors to grade, construct, repair or reconstruct pavements, curbs, gutters, driveways from curb to property line, sidewalks, sewers, street lighting systems and appurtenances, at their own expense, in the public streets or alleys adjacent to or running through their property when the same are, in his/her judgment, reasonably necessary. No person shall begin any such improvement until such permit shall have been issued.

1. **Plan, Specifications.** Prior to issuance of the permit, plans shall be prepared by such owners and submitted to the Director of Public Works or the **Building Official Public Works Superintendent** for his/her approval. Such plans shall indicate thereon the location, extent and character of the work proposed to be done with an estimate of the amount of the various materials, installation and services to be incorporated in the work. The plans shall have such cross sections, profiles and such other information as necessary for the Director of Public Works or the **Building Official Public Works Superintendent** to determine that the plan conforms with the specifications of the City. The plans shall conform and the work shall be done according to the standard specifications of the City for public work of like character.

All such work shall be done under the direction and supervision and to the satisfaction of the Director of Public Works or the **Building Official Public Works Superintendent**. Acceptance of the completed facility by the Director of Public Works or the **Building Official Public Works Superintendent** shall be made only after proper evidence that all bills for labor, materials and equipment have been paid.

2. **Performance And Maintenance Bonds.** The Director of Public Works or the **Building Official Public Works Superintendent** shall require the permittee to furnish an **original** surety bond, otherwise known as a performance and maintenance bond, equal to the estimated cost of the work; except where authorization for the construction of residential sidewalks and driveways within street rights-of-way, required by ordinance, has been granted by their inclusion in a building permit. The bond shall guarantee satisfactory performance and completion of the work to the satisfaction of the Director of Public Works or the **Building Official Public Works Superintendent** within a time limit specified on said right-of-way work permit. The bond shall also guarantee maintenance of the work performed for two (2) years.

a. For projects with valuation of work to be constructed or repaired below five thousand dollars (\$5,000.00) the permittee may at their option deposit funds in the amount of the construction or repair to the City to be held in escrow guaranteeing the performance of said work, and maintenance of said work for a period of two (2) years.

b. The minimum amount for any bond, or deposit placed in escrow, shall be two thousand dollars (\$2,000.00), no matter what the work valuation.

3. **Indemnification Of City During Construction.**

The applicant shall be required to furnish the City evidence of general liability insurance in the amount of one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) per project to insure and protect the City from all damage that may arise from such disturbance prior to acceptance by the City after backfilling.

The City of Harrisonville shall have no duty to pay damages unless the defenses of sovereign and governmental immunity are inapplicable. Nothing in this Section shall reflect an intent by the City of Harrisonville to waive any defenses of sovereign and governmental immunity.

4. **Penalties.** Any person, whether owner, representative, contractor, subcontractor or foreman, who shall grade, construct, repair, reconstruct or alter any public street, pavement, curb, gutter, driveway, sidewalk or sewer within any public way or any



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public sewer adjacent to or running through any private property within a public right-of-way without first securing a permit therefor issued by the Director of Public Works or the **Building Official Public Works Superintendent**, shall be deemed guilty of a violation of this Section and upon conviction thereof shall be fined as established in the City's Comprehensive Schedule of Fees.

5. Right-of-way work permits applicable to this Chapter shall have a fee collected, based on the dollar valuation of the work to be constructed or repaired as established in the City's Comprehensive Schedule of Fees, except where authorization for the construction or repair of residential sidewalks and driveways within street rights-of-way, required by ordinance, has been granted by their inclusion in a building permit.

6. Required ROW permit inspections shall be as determined by the Director of Public Works or the **Building Official Public Works Superintendent** and shall be listed on ROW permits issued.

Required special inspections, by a City-approved 3rd party inspection service, shall be as determined by the Director of Public Works or the **Building Official Public Works Superintendent**, and shall be listed on ROW permits issued. Special inspections, may include, but not be limited to, fill compaction and concrete testing.

Section 530.030.A.4: It is the intention of the City that disruption of the public rights-of-way should be minimized. Upon receipt of an application for a permit, the City shall do the following:

- a. Evaluate the degree of disturbance necessary to perform the facilities work. If the applicant can show to the Director of Public Works or the **Building Official Public Works Superintendent**, reasonable satisfaction that the facilities work involves any of the following:
 - (1) No significant disruption or disturbance to the public rights-of-way, or
 - (2) Is time sensitive maintenance;
 then the City shall grant the permit in accordance with departmental policies and procedures provided that if the permit is not issued within ten (10) business days, the applicant may appeal as provided in Subsection (A)(8); and
- b. For circumstances where the City determines that there will be significant excavation of the public rights-of-way and no exemption under Subsection (A)(4)(a) or any other provision of this Section applies, the City may, consistent with Subsection (A)(3), direct the permit holders performing the facilities work in the same area to consult on how they may schedule and coordinate their work to accomplish the goal of this Section.

Section 530.030.A.9.a: Performance And Maintenance Bonds. The Director of Public Works or the **Building Official Public Works Superintendent** shall require the permittee to furnish a surety bond, otherwise known as a performance and maintenance bond, equal to the estimated cost of the work, except where authorization for the construction of residential sidewalks and driveways within street rights-of-way, required by ordinance has been granted by their inclusion in a building permit. The bond shall guarantee satisfactory performance and completion of the work to the satisfaction of the Director of Public Works or the **Building Official Public Works Superintendent** within a time limit specified on said special permit. The bond shall also guarantee maintenance of the work performed for two (2) years. The City may consider a lump sum biennial bond for multiple projects performed by utility companies or their contractors, the cost of which shall be determined by the number of projects and estimated total valuation of work. For projects with valuation of work to be constructed or repaired below five thousand dollars (\$5,000.00) the permittee may at their option deposit funds in the amount of the construction or repair to the City to be held in escrow guaranteeing the performance and maintenance of said work for a period of two (2) years. The minimum amount for any bond, or deposit placed in



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escrow, shall be two thousand dollars (\$2,000.00), no matter what the work valuation is.

Section 530.030.A.10: Required ROW permit inspections shall be as determined by the Director of Public Works or the **Building Official Public Works Superintendent** and shall be listed on ROW permits issued. Required special inspections, by a City-approved 3rd party inspection service, shall be as determined by the Director of Public Works or the **Building Official Public Works Superintendent**, and shall be listed on ROW permits issued. Special inspections, may include, but not be limited to, fill compaction and concrete testing.

Section 700.600.B: Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by **the Superintendent or the Building Official**. The application for such permit shall be made on a form furnished by the City which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by **the Superintendent or the Building Official**. A permit and inspection fee, as specified in Chapter 525 of the Code of Ordinances, shall be paid to the City at the time the application is filed.

Section 700.600.C: A permit for private sewage disposal system shall not become effective until the installation is completed to the satisfaction of **the Superintendent or the Building Official** or their authorized agent. He/she shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify **the Superintendent**, the Building Official, or the City Building **Department Division** when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of notice.

Section 700.600.E: No permit shall be issued for the installation, alteration or repair of any private sewage disposal system or part thereof on any lot for which a connection with a public sewer is available. A public sewer shall be considered available when within four hundred (400) feet of a property line.

Exception 1.

Existing residential single-family and duplex dwelling units private sewerage disposal system properties, both conventional lateral soil absorption and professionally engineered systems, in which the lot has a property line greater than one hundred (100) feet from a City public sewer, may apply for a permit to repair, modify, or replace components of these systems provided all other requirements of this Article, including State and local regulations are complied with. Minor repairs not normally requiring a permit may be approved at the discretion of the **Superintendent or Building Official**, regardless of distance to City public sewer.

Section 700.600.G: No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by **the Superintendent or the Building Official**.

Attachment: Misc Code Amendments (February 2024) (Code Amendments)

Council Bill No. _____

Ordinance No. _____

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING ARTICLES I, II, III, VI, VII, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, AND XX UNDER CHAPTER 405—ZONING REGULATIONS, CHAPTER 435—SIGN REGULATIONS, ARTICLE IV UNDER CHAPTER 410—SUBDIVISION REGULATIONS, CHAPTER 515—STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, CHAPTER 530—RIGHTS-OF-WAY MANAGEMENT, AND CHAPTER 700--UTILITIES OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Harrisonville desires to amend various municipal code regulations under Titles IV – Land Use, V—Building and Construction, and VII—Utilities; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning & Zoning Commission held a public hearing on February 15, 2024, to review and make a recommendation. After said public hearing, the Planning & Zoning Commission voted 6-0 to recommend approval to the Board of Aldermen; and

WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on February 20, 2024, and rendered a decision to approve as the Board believes that it is in the best interest for the citizens of Harrisonville.

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

Section 1: Section 405.030 is hereby amended by removing “Exception: Swimming pools shall be computed as one-half (1/2) their area toward the maximum building coverage.”

Section 2: Section 405.030 is hereby amended to add the following definitions:

“IMPERVIOUS SURFACE

A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water.

LOT COVERAGE

The total ground area covered by all buildings, roofed or covered spaces, paved surfaces, walkways and driveways and any other site improvements or structures contributing to run-off greater than would occur on the site in its natural state.”

Section 3: Section 405.140.A.7 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed thirty-five percent (35%).”

Section 4: Section 405.147.C.8 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed thirty-five percent (35%).”

Section 5: Section 405.170.A.7 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed thirty-five percent (35%).”

Section 6: Section 405.177.C.7 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed thirty-five percent (35%).”

Section 7: Section 405.225.A.5 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed eighty-five percent (85%).”

Section 8: Section 405.255.A.5 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed eighty-five percent (85%).”

Section 9: Section 405.285.A.5 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed ninety-five percent (95%).”

Section 10: Section 405.305.A.5 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed ninety-five percent (95%).”

Section 11: Section 405.325.A.5 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed eighty-five percent (85%).”

Section 12: Section 405.495.A.5 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed sixty percent (60%).”

Section 13: Section 405.515.A.5 is hereby amended to read as follows: “Lot Coverage. The lot coverage shall not exceed eighty percent (80%).”

Section 14: Section 405.050.C.1 is hereby amended to read as follows: “Repairs. Ordinary repairs may be made to a non-conforming building or structure. Ordinary repairs shall be determined by the Building Official and shall include, among other things, the replacement of storage tanks where the safety of operation of the installation requires such replacement.”

Section 15: Section 405.095 is hereby amend to read as follows: “The location and boundaries of the districts established by this Chapter are set forth on the "Zoning District Map" which is hereby made a part of this Chapter. The said map, together with everything shown thereon and all amendments thereto, shall be as much a part of this Chapter as though fully set forth and described herein. The said map shall be filed with the office of the City Clerk and copies thereof in the office of the Director of Community Development and shall be open to public reference at all times during which those offices are open.”

Section 16: Section 405.420 is hereby amended to read as follows: “The Board of Aldermen shall within forty-five (45) days after receiving the recommendation of the Planning and Zoning Commission concerning the nominated landmark or historic district either accept or reject the recommendation of the Planning and Zoning Commission. If the Board wishes to designate a landmark or district, it shall do so by ordinance. The Board of Aldermen shall hold a public hearing before enacting the resolution or ordinance and provide notice and take testimony in the same manner as provided in the Harrisonville Zoning Ordinance. Any resolution or ordinance shall be accompanied by a written statement explaining the reasons for the action by the Board of Aldermen. The City Clerk shall provide written notification of the action of the Board of Aldermen by regular mail to the nominator and the owners of record of the nominated landmark or of all property within a nominated historic district. The notice shall include a copy of the designation ordinance or resolution passed by the Board of Aldermen and shall be sent within seven (7) days of the Board of Aldermen action. A copy of each designation ordinance shall be sent to the Historic Preservation Commission, the Planning and Zoning Commission and the Community Development Department of the City of Harrisonville. A determination by the Board of Aldermen shall be a final and administrative decision as that term is defined in Chapter 536, RSMo.”

Section 17: Section 405.435 is hereby amended to read as follows: “No application for a building or demolition permit affecting the exterior or architectural appearance of a designated landmark or property within a designated historical district shall be granted by the City until approved by the Preservation Commission. An applicant may request a meeting with the Preservation Commission before or during the review of the application. Application for review of construction, demolition or removal not requiring a building permit for which a certificate of appropriateness is required shall be made on a form prepared by the Community Development Department of the City of Harrisonville and available at the office of the Community Development Department of the City of Harrisonville. Applicants may be required to submit plans, drawings, elevations, specifications and other information as may be requested by the Preservation Commission. The Preservation Commission shall consider the completed application at its next regular meeting. The Preservation Commission may call a specific meeting to review routine application for certificate of appropriateness when delay to the next regular meeting would create an unnecessary inconvenience to the applicant.”

Section 18: Section 405.440 is hereby amended to read as follows: “Whenever the Historic Preservation Commission has a reason to believe an action for which a certificate of appropriateness is required has been initiated or is about to be initiated, it shall make every reasonable effort to contact the owners, occupants, contractors or subcontractors and inform them of the application for certificate of appropriateness process. If the Historic Preservation Commission determines that a stop work order is necessary to halt an action that requires a certificate of appropriateness, it shall deliver or send a copy of the stop work order by certified mail return receipt requested to the owners, occupants, contractors and subcontractors and notify them of the certificate of appropriateness process. A copy of the proper application form shall be included in the notice. A copy of the stop work order shall be sent to the Building Official of the

City of Harrisonville, who shall be responsible for monitoring said situation and citing those in violation of this Article.”

Section 19: Section 405.445.A is hereby amended to read as follows: “The Historic Preservation Commission shall review the application for a building or demolition permit or for a certificate of appropriateness and issue or deny the certificate of appropriateness within no more than forty-five (45) days of receipt of the application. Determination will be based on the standards and guidelines set forth in this Article. Written notice of the approval or denial of the application for a certificate of appropriateness shall be provided the applicant and the Community Development Department of the City of Harrisonville within seven (7) days following the determination and shall be accompanied by a certificate of appropriateness in case of approval.”

Section 20: Section 405.465.D is hereby amended to read as follows: “Public Safety Exclusion. None of the provisions of this Chapter shall be construed to prevent any measures of construction, alteration or demolition necessary to correct or abate the unsafe or dangerous condition of any structure, other feature or part thereof, where such condition has been declared unsafe or dangerous by the Codes Enforcement Division or Building Official of the City of Harrisonville and where the proposed measures have been declared necessary by such Division to correct the said condition; provided however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed pursuant to this Section. In the event any structure or other feature shall be damaged by fire or other calamity or by an act of God or by public enemy to such an extent that, in the opinion of the aforesaid Division, it cannot reasonably be repaired or restored, it may be removed in conformity with normal permit procedures and applicable laws.”

Section 21: Section 405.565.E.3(a) is hereby amended to read as follows: “All parking areas and drives, except as specifically provided for in this Subsection 3(a), shall be ready for use upon occupying a building and shall be surfaced with a minimum of two (2) inches of hot-mix asphaltic concrete on a minimum four (4) inch compacted stone base or Portland cement concrete paving of equal strength (the "Hard Surface Requirement"). All such drives and off-street areas used by vehicles, except those serving single- and two-family dwellings, shall have curbs. The Building Official may grant an extension by issuing a temporary certificate of occupancy when weather conditions are not satisfactory for placing paving materials. Exceptions to the Hard Surface Requirement are specified in Subsections 3(a)(1), (2), (3), and (4), below. None of these exceptions herein shall relieve the owner, occupant or developer from the requirements of the Americans with Disabilities Act regulations, including hard surfaced parking areas for those with disabilities.”

Section 22: Section 435.130.A.1 is hereby amended to read as follows: “Conformance To Building And Electrical Codes. In order to provide for the safety of the public all Signs shall be constructed and maintained in conformance with all Building Code and National Electrical Code requirements. Signs with electricity and per the City Code as to require a building or electrical permit shall obtain one from the Building Official prior to installation or placement.”

Section 23: Section 435.140.A.1 is hereby amended to read as follows: “Permit Required. In addition to the Sign permit required by this Chapter, a building permit shall be obtained from the Building Official prior to installation or placement of any Billboard. Billboards shall be constructed and maintained in conformance with all Building Code and National Electrical Code requirements. Plans required for issuance of a building permit for a Billboard shall be certified as to conformance with all structural and wind-load resistive standards of the Building Code by a registered design professional in the State of Missouri.”

Section 24: Section 435.140.A.9.d is hereby amended to read as follows: “Billboards shall not be permitted before the applicant has submitted to the City financial security in the form of a bond, letter of credit or other financial security as approved by the Director of Community Development; a right of access; and any other measures necessary and sufficient to ensure removal of Billboards that are not validly permitted or that constitute a nuisance.”

Section 25: Section 435.155.A.3 is hereby amended to read as follows: “If the owner of the Sign disputes the determination that the Sign is abandoned, they may first appeal to the Director of Community Development for reconsideration. If the Director of Codes denies the appeal, then the Sign owner may appeal to the City Administrator.”

Section 26: Section 435.155.B.3 is hereby amended to read as follows: “Should any Sign become structurally unstable or in danger of falling or otherwise unsafe in the opinion of the Building Official, the owner or person or firm maintaining the Sign shall, upon written notice from the City, forthwith in the case of immediate danger and in any case within ten (10) days, remove such Sign or secure it in a manner approved by the City. Any Sign not removed or secured within ten (10) days from the written notice may be removed by the City and all costs ("Removal Costs") charged to the owner, agent, or person having beneficial interest of the building or Premises upon which the Sign was located, or in the Sign itself.”

Section 27: Section 410.290.E.15.c is hereby amended to read as follows: “The acknowledgment of a notary in the following form:

State of

County of

Be it remembered that on this ____ day of _____, 20____, before me, a notary public in and for said County and State, came _____, known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written

(SEAL) Notary Public

My Commission Expires:”

Section 28: Section 410.290.E.15.e is hereby amended to read as follows: “The approval of the plat and acceptance of easements and rights-of-way by the Board of Aldermen in the following form:

This plat of _____ including easements and rights-of-way accepted by the Board of Aldermen has been submitted to and approved by the Harrisonville Board of Aldermen by Ordinance No. _____, duly passed and approved by

the Mayor of Harrisonville, Missouri, on the ____ day of _____, 20____.

(SEAL)

Mayor

ATTEST:

City Clerk”

Section 29: Section 410.290.E.15.f is hereby amended to read as follows: “Signature blocks for the following certificates, with the corresponding name typed, printed or stamped beneath the signature:

- 1) Signatures of the owner(s) and notary public;
- 2) Certification by a registered land surveyor that the survey was executed in accordance with the current Missouri Minimum Standards for Property Boundary Surveys;
- 3) Certificate of approval to be signed and dated by Mayor, City Clerk, Planning Commission Chair, Director of Public Works, and Director of Community Development.”

Section 30: Section 515.100 is hereby amended to read as follows: “Construction or Repair By Property Owner.

A. The Director of Public Works or the Building Official Public Works Superintendent is hereby authorized to issue right-of-way work permits, upon request, to owners of private property, their representatives or contractors to grade, construct, repair or reconstruct pavements, curbs, gutters, driveways from curb to property line, sidewalks, sewers, street lighting systems and appurtenances, at their own expense, in the public streets or alleys adjacent to or running through their property when the same are, in his/her judgment, reasonably necessary. No person shall begin any such improvement until such permit shall have been issued.

1. Plan, Specifications. Prior to issuance of the permit, plans shall be prepared by such owners and submitted to the Director of Public Works or the Public Works Superintendent for his/her approval. Such plans shall indicate thereon the location, extent and character of the work proposed to be done with an estimate of the amount of the various materials, installation and services to be incorporated in the work. The plans shall have such cross sections, profiles and such other information as necessary for the Director of Public Works or the Public Works Superintendent to determine that the plan conforms with the specifications of the City. The plans shall conform and the work shall be done according to the standard specifications of the City for public work of like character.

All such work shall be done under the direction and supervision and to the satisfaction of the Director of Public Works or the Public Works Superintendent. Acceptance of the completed facility by the Director of Public Works or the Public Works Superintendent shall be made only after proper evidence that all bills for labor, materials and equipment have been paid.

2. Performance And Maintenance Bonds. The Director of Public Works or the Public Works Superintendent shall require the permittee to furnish an original surety bond, otherwise known as a performance and maintenance bond, equal to the estimated cost of the work; except where authorization for the construction of residential sidewalks and driveways within street rights-of-way, required by ordinance, has been granted by their

inclusion in a building permit. The bond shall guarantee satisfactory performance and completion of the work to the satisfaction of the Director of Public Works or the Public Works Superintendent within a time limit specified on said right-of-way work permit. The bond shall also guarantee maintenance of the work performed for two (2) years.

a. For projects with valuation of work to be constructed or repaired below five thousand dollars (\$5,000.00) the permittee may at their option deposit funds in the amount of the construction or repair to the City to be held in escrow guaranteeing the performance of said work, and maintenance of said work for a period of two (2) years.

b. The minimum amount for any bond, or deposit placed in escrow, shall be two thousand dollars (\$2,000.00), no matter what the work valuation.

3. Indemnification Of City During Construction.

The applicant shall be required to furnish the City evidence of general liability insurance in the amount of one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) per project to insure and protect the City from all damage that may arise from such disturbance prior to acceptance by the City after backfilling.

The City of Harrisonville shall have no duty to pay damages unless the defenses of sovereign and governmental immunity are inapplicable. Nothing in this Section shall reflect an intent by the City of Harrisonville to waive any defenses of sovereign and governmental immunity.

4. Penalties. Any person, whether owner, representative, contractor, subcontractor or foreman, who shall grade, construct, repair, reconstruct or alter any public street, pavement, curb, gutter, driveway, sidewalk or sewer within any public way or any public sewer adjacent to or running through any private property within a public right-of-way without first securing a permit therefor issued by the Director of Public Works or the Public Works Superintendent, shall be deemed guilty of a violation of this Section and upon conviction thereof shall be fined as established in the City's Comprehensive Schedule of Fees.

5. Right-of-way work permits applicable to this Chapter shall have a fee collected, based on the dollar valuation of the work to be constructed or repaired as established in the City's Comprehensive Schedule of Fees, except where authorization for the construction or repair of residential sidewalks and driveways within street rights-of-way, required by ordinance, has been granted by their inclusion in a building permit.

6. Required ROW permit inspections shall be as determined by the Director of Public Works or the Public Works Superintendent and shall be listed on ROW permits issued.

Required special inspections, by a City-approved 3rd party inspection service, shall be as determined by the Director of Public Works or the Public Works Superintendent, and shall be listed on ROW permits issued. Special inspections, may include, but not be limited to, fill compaction and concrete testing.”

Section 31: Section 530.030.A.4 is hereby amended to read as follows: “It is the intention of the City that disruption of the public rights-of-way should be minimized. Upon receipt of an application for a permit, the City shall do the following:

- a. Evaluate the degree of disturbance necessary to perform the facilities work. If the applicant can show to the Director of Public Works or the Public

Works Superintendent, reasonable satisfaction that the facilities work involves any of the following:

- (1) No significant disruption or disturbance to the public rights-of-way, or
- (2) Is time sensitive maintenance;

then the City shall grant the permit in accordance with departmental policies and procedures provided that if the permit is not issued within ten (10) business days, the applicant may appeal as provided in Subsection (A)(8); and

- b. For circumstances where the City determines that there will be significant excavation of the public rights-of-way and no exemption under Subsection (A)(4)(a) or any other provision of this Section applies, the City may, consistent with Subsection (A)(3), direct the permit holders performing the facilities work in the same area to consult on how they may schedule and coordinate their work to accomplish the goal of this Section.”

Section 32: Section 530.030.A.9.a is hereby amended to read as follows: “Performance And Maintenance Bonds. The Director of Public Works or the Public Works Superintendent shall require the permittee to furnish a surety bond, otherwise known as a performance and maintenance bond, equal to the estimated cost of the work, except where authorization for the construction of residential sidewalks and driveways within street rights-of-way, required by ordinance, has been granted by their inclusion in a building permit. The bond shall guarantee satisfactory performance and completion of the work to the satisfaction of the Director of Public Works or the Public Works Superintendent within a time limit specified on said special permit. The bond shall also guarantee maintenance of the work performed for two (2) years. The City may consider a lump sum biennial bond for multiple projects performed by utility companies or their contractors, the cost of which shall be determined by the number of projects and estimated total valuation of work.

For projects with valuation of work to be constructed or repaired below five thousand dollars (\$5,000.00) the permittee may at their option deposit funds in the amount of the construction or repair to the City to be held in escrow guaranteeing the performance and maintenance of said work for a period of two (2) years. The minimum amount for any bond, or deposit placed in escrow, shall be two thousand dollars (\$2,000.00), no matter what the work valuation is.”

Section 33: Section 530.030.A.10 is hereby amended to read as follows: “Required ROW permit inspections shall be as determined by the Director of Public Works or the Public Works Superintendent and shall be listed on ROW permits issued. Required special inspections, by a City-approved 3rd party inspection service, shall be as determined by the Director of Public Works or the Public Works Superintendent, and shall be listed on ROW permits issued. Special inspections, may include, but not be limited to, fill compaction and concrete testing.”

Section 34: Section 700.600.B is hereby amended to read as follows: “Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Building Official. The application for such permit shall be made on a form furnished by the City which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Building Official. A permit and inspection fee, as specified in Chapter 525 of the Code of Ordinances, shall be paid to the City at the time the application is filed.”

Section 35: Section 700.600.C is hereby amended to read as follows: “A permit for private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Building Official or their authorized agent. He/she shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Building Official, or the City Building Division when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of notice.’

Section 36: Section 700.600.E is hereby amended to read as follows: “No permit shall be issued for the installation, alteration or repair of any private sewage disposal system or part thereof on any lot for which a connection with a public sewer is available. A public sewer shall be considered available when within four hundred (400) feet of a property line.

Exception 1.

Existing residential single-family and duplex dwelling units private sewerage disposal system properties, both conventional lateral soil absorption and professionally engineered systems, in which the lot has a property line greater than one hundred (100) feet from a City public sewer, may apply for a permit to repair, modify, or replace components of these systems provided all other requirements of this Article, including State and local regulations are complied with. Minor repairs not normally requiring a permit may be approved at the discretion of the Building Official, regardless of distance to City public sewer.”

Section 37: Section 700.600.G is hereby amended to read as follows: “No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Building Official.”

Section 38: That this Ordinance shall be in effect immediately upon its passage and approval.

Read for the first time by title only on the 20th day of February 2024. Read for the second time by title only on the 4th day of March 2024.

Mike Zaring, Mayor

ATTEST:

Daniel Barnett, City Clerk

APPROVED by the Mayor this 4th day of March 2024.

Attachment: Ordinance-February Code Amendments (Code Amendments)

STAFF REPORT

TO: Board of Aldermen
FROM: Theresa West, Assistant
DATE: February 28, 2024
SUBJECT: MoDOT Ordinance

Type of Item: *Approval*

B. Action Item (ID # 4768)

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI APPROVING A MODOT COMMISSION DETOUR ROUTE USING LOCAL STREETS SUPPLEMENTAL AGREEMENT

Attachments:

Staff Report 03 04 24 Detour Local Use of Streets (DOC)

Copy of Project Schedule - 1.0 (PDF)

MoDOT Detour Ordinance 2024-02-23 (PDF)

MoDOT Ordinance Detour Route Supplemental Agreement(DOCX)



PUBLIC WORKS DEPARTMENT, 201 W. Chestnut St., Harrisonville, MO, 64701, Phone (816) 380 – 8964

To: Mayor & Board of Aldermen

From: Carl Brooks, Director of Public Engineering (cbrooks@harrisonville.com)

Date: **March 4, 2023**

Re: Ordinance No. 2024-xx, Mayor & Board of Alderman (BOA) Acceptance of the MoDOT Detour Route Using Local Streets Cost Share and STBG Program Supplemental Agreement

GENERAL INFORMATION

Applicant: City Staff

Requested Actions: Approval of Ordinance

Purpose: Acceptance of the MoDOT Detour Route Using Local Streets Supplemental Agreement for the MO HWY 2 (South Street) Bridge over Muddy Creek Tributary.

Property Location: MO HWY 2 (South Street) Bridge over Muddy Creek Tributary using Independence Avenue and Bird Street

PROPOSAL

The attached MoDOT Detour Route Using Local Streets Cost Share and STBG Program Supplemental Agreement is for the MO HWY 2 (South Street) Bridge over Muddy Creek Tributary Project. This agreement defines the detour route to be used during construction of the MO HWY 2 (South Street) Bridge over Muddy Creek Tributary project.

City staff have been requested to obtain approval of the attached supplemental agreement. The supplemental agreement has been drafted by MoDOT staff and must be fully executed by the city with the attached ordinance.

The planned construction route is to occur between July 1, 2024, to March 31, 2025.

PREVIOUS ACTIONS

Attachment: Staff Report 03 04 24 Detour Local Use of Streets (MoDOT Ordinance)

The City submitted and received a Surface Transportation Block Grant (STBG) in the amount of \$993,600.00 allocated by the Mid-America Regional Council (MARC) available in FFY 2024 for construction costs.

Previously, the City submitted and received a MoDOT Cost Share Agreement for the MO HWY 2 (South Street) Bridge over Muddy Creek Tributary Project Number KU0299/STBG-2900(411). This agreement granted the City of Harrisonville \$234,090 for the construction of the MO HWY 2 (South Street) Bridge over Muddy Creek Tributary; and preliminary engineering review, right-of-way review, and construction engineering services by MoDOT personnel estimated to be \$135,000 for a total MoDOT cost share amount of \$369,090.

KEY ISSUES

The local streets to be used for the detour will be Independence Avenue from South Street (Hwy 2) to Mechanic Street (Hwy 7); and Bird Street from Mechanic Street to South Street.

This project amount of \$1,611,090 is fully funded by the following accounts:

- 1) The Cost Share grant - \$369,090
- 2) MARC STBG grant - \$993,600
- 3) City's (ARPA) Funds - \$248,400
- 4) The existing sidewalk bridge over the Muddy Creek Tributary is planned to be used and repurposed by our Parks Department.
- 5) The City will provide the maintenance of the project sidewalk

STAFF COMMENTS AND SUGGESTIONS

City staff agree with the proposed MoDOT Detour Route Using Local Streets Supplemental Agreement for the MO HWY 2 (South Street) Bridge over Muddy Creek Tributary; and that the City attorney has reviewed the attached agreement and ordinance.

STAFF RECOMMENDATION

City staff recommends passage of this ordinance.

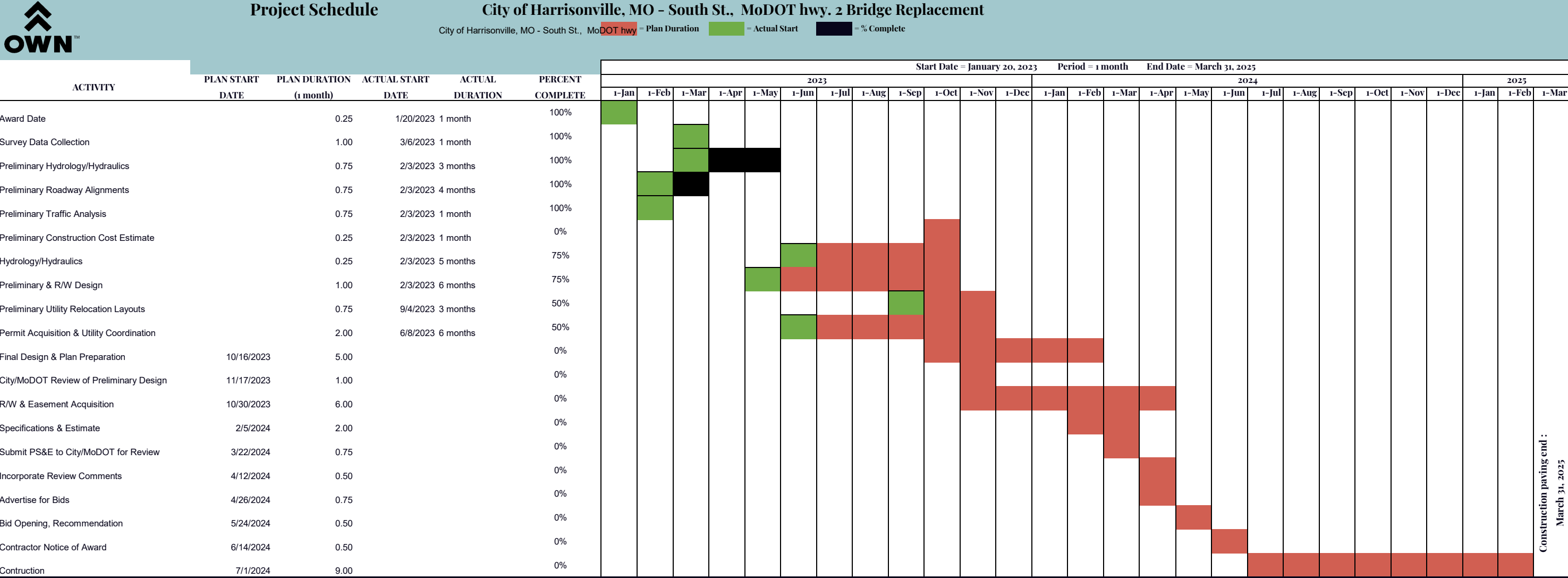
ATTACHMENTS

MoDOT Detour Route Using Local Streets Supplemental Agreement for the MO HWY 2 (South Street) Bridge over Muddy Creek Tributary.

Ordinance 2024-xx

Proposed Schedule

Detour Route



Attachment: Copy of Project Schedule - 1.0 (MoDOT Ordinance)

CCO Form: FS27
 Approved: 05/02 (BDG)
 Revised: 10/22 (MWH)
 Modified: 02/24 (MWH)

Cass County
 City of Harrisonville
 Project KU0299/STBG 2900(411)

CFDA Number: CFDA #20.205
 CFDA Title: Highway Planning and Construction
 Award name/number: KU0299/STBG – 2900(411)
 Award Year: 2024
 Federal Agency: Federal Highway Administration, Department of Transportation

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
 COST SHARE AND STBG PROGRAM
 SUPPLEMENTAL AGREEMENT**

THIS SUPPLEMENTAL AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Harrisonville (hereinafter, "Entity").

WITNESSETH:

WHEREAS, on August 28, 2023, the Commission and the Entity previously entered into a Cost Share and STBG Program Agreement as to public improvements designated as KU0299/STBG 2900(411), for the construction of Route 2 Bridge Replacement, (hereinafter, "Original Agreement"); and

WHEREAS, the Commission and the Entity now desire to revise the Original Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

(1) ADDITION: Paragraph (46) DETOUR ROUTE is hereby added to the Original Agreement and shall state as follows:

(46) DETOUR ROUTE:

- (A) The Entity grants the right to use a detour route with east /west roadway sections utilizing MoDOT routes and north/south roadway sections utilizing the Entity, City of Harrisonville, routes as follows:

Beginning at culvert #1240 over tributary 2 of Muddy Creek, proceed west on South Street, (MoDOT route 2) for 1,407 feet to South Independence, proceed north on South

Independence for 2,338 feet to East Mechanic Street (MoDOT route 7), proceed east for 3,962 feet to Bird Avenue, proceed south for 2,880 feet to South Street (MoDOT route 2), proceed west 2,862 feet to point of beginning.

(2) ORIGINAL AGREEMENT: Except as otherwise modified, amended, or supplemented by this Supplemental Agreement, the Original Agreement between the parties shall remain in full force and effect and shall extend and apply to this Supplemental Agreement as if fully written in this Supplemental Agreement.

Remainder of Page Intentionally Left Blank

Attachment: MoDOT Detour Ordinance 2024-02-23 (MoDOT Ordinance)

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the Entity this _____ (date).

Executed by the Commission this _____ (date).

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF HARRISONVILLE

Title: _____

By _____
Title: _____

ATTEST:

ATTEST:

Secretary to the Commission

By _____
Title: _____

Approved as to Form:

Approved as to Form:

Commission Counsel

Title: _____

Ordinance No.: _____

Attachment: MoDOT Detour Ordinance 2024-02-23 (MoDOT Ordinance)

Council Bill No. 2024-xx

Ordinance No. xxxx

**AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE, MISSOURI APPROVING A MODOT COMMISSION DETOUR
ROUTE USING LOCAL STREETS SUPPLEMENTAL AGREEMENT**

WHEREAS, the City of Harrisonville (“City”) and the Missouri Highways and Transportation Commission desire to enter into a municipal supplemental agreement for the construction of MO HWY 2 (South Street) Bridge over Muddy Creek Tributary with a complimentary detour route using local streets supplemental agreement.

WHEREAS, the Board of Alderman have reviewed the request and believe the municipal supplemental agreement to be in the best interest of the city to enter the MoDOT detour route using local streets (Independence Ave. and Bird Street) Supplemental Agreement with the MoDOT Commission for the construction of MO HWY 2 (South Street) Bridge over Muddy Creek Tributary project.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, THAT:

Section 1: The City Administrator is hereby authorized and directed by the Board of Aldermen to enter the Detour Route Using Local Streets Supplemental Agreement with the Missouri Highways and Transportation Commission for the MO HWY 2 (South Street) Bridge over Muddy Creek Tributary.

Section 2: That this ordinance shall become effective immediately upon its passage and approval.

Read for the first time and second time by title only on the 4th day of March 2024.

Mike Zaring, Mayor

ATTEST:

Daniel Barnett, City Clerk

PASSED by the BOARD OF ALDERMEN and APPROVED by the Mayor this 4th day of March 2024.

Attachment: MoDOT Ordinance Detour Route Supplemental Agreement (MoDOT Ordinance)