

**CITY OF ASHLAND  
109 EAST BROADWAY  
BOARD OF ALDERMEN AGENDA  
TUESDAY, MARCH 19, 2013  
7:00 P.M.**

Invocation

Pledge of Allegiance

Roll Call

**CONSENT**

1. Consideration of the 3-19-13 agenda: **Action:** \_\_\_\_\_
2. Consideration of the 3-05-13 minutes: **Action:** \_\_\_\_\_
3. Bills to be paid: **Action:** \_\_\_\_\_

**APPEARANCES**

4. Charles Senzee, Community Development Director monthly report
5. Mike McCubbin-stormwater
6. Anyone wishing to appear before the Board

**APPOINTMENTS**

7. None

**COUNCIL BILLS**

8. Council Bill No. 2013-006, an ordinance amending Chapter 14; Sewer, Water and Solid Waste by adding the definition of the Board of Public Works to Section 14.005 and Section 14.120 of the City of Ashland, Missouri Code of Ordinances. First Reading by title only. **Action:** \_\_\_\_\_
9. Council Bill No. 2013-007, an ordinance approving the re-plat of Lots 6-9 Ashland Keystone Subdivision Block 2 dated February 12, 2013. First Reading by title only. **Action:** \_\_\_\_\_
10. Council Bill No. 2013-008, an ordinance approving the final plat of Eagle Lakes Plat 3A, a replat of lots 305, 306, and 307 and part of Eagle Point Drive, Eagle Lakes Plat 3, dated February 11, 2013. First Reading by title only. **Action:** \_\_\_\_\_
11. Council Bill No. 2013-009, an ordinance of the City of Ashland, Missouri, amending the City's Code of Ordinances, Chapter 9, Planning and Zoning to add Section 9.340 "Fences and Walls" establishing specific regulations for the construction of fences and walls, providing for conflicts, severability, and an effective date. First Reading by title only. **Action:** \_\_\_\_\_

12. Council Bill No. 2013-010, an ordinance of the City of Ashland, Missouri, amending the City's Code of Ordinances, Chapter 9, Planning and Zoning to add Section 9.373 "Travel Trailer Parks" establishing specific regulations for the implementation of such parks within the City, providing for conflicts, severability, and an effective date. First Reading by title only. **Action:** \_\_\_\_\_

#### **ORDINANCES**

13. Ordinance No. 943, an ordinance amending Chapter 14: Sewer, Water and Solid Waste by enacting Article V. Sub-Chapter B-water to be known as emergency use restrictions to the City of Ashland, Missouri Code of Ordinances. **Action:** \_\_\_\_\_

#### **RESOLUTIONS**

14. None

#### **OTHER**

15. None

#### **REPORTS**

16. Mayor's Report  
17. City Administrator's Report  
18. City Attorney's Report  
19. Board of Alderperson's Report  
20. Vote to adjourn meeting

If you would like to add an item on the agenda, please do so in writing 7 days prior to the meeting date.

The City of Ashland wants to make certain our meeting is accessible to all citizens. If you require any accommodations (signing, interpreter, translator, etc.) that we do not normally have at our meetings, please let Darla Sapp, City Clerk know of your needs. (if possible 48 hours in advance of the meeting.)

The City of Ashland Board of Aldermen may have a study session, or special meeting or hold a closed meeting pursuant to Chapter 610.021 (1) thru 610.021 (21).

Posted: 3-15-2013

City Hall and Web site [www.ashlandmo.us](http://www.ashlandmo.us)

MARCH 05, 2013  
BOARD OF ALDERMEN MINUTES  
7:00 P.M.  
DRAFT MINUTES NOT APPROVED BY BOARD

Mayor Jackson called the regular meeting to order on March 05, 2013 at 7:00 p.m. at Ashland City Hall, 109 East Broadway.

Alderman Wyatt gave the invocation.

Mayor Jackson led in the pledge of allegiance.

Mayor Jackson called the roll.

Ward One: David Thomas-here, Gene Rhorer-here

Ward Two: Randy Wyatt-here, Mike Calvert-here

Ward Three: Matt Uhrig-here, Charles Calvin Crandall-absent

Staff Present: Kelly Henderson, City Administrator, Anthony Consiglio, Police Chief, David Bandre, City Attorney, and Darla Sapp, City Clerk.

Mayor Jackson presented the agenda of March 05, 2013 for consideration. Alderman Wyatt made motion and seconded by Alderman Rhorer to approve the agenda as presented. Mayor Jackson called for the vote. Motion carried.

Mayor Jackson presented the minutes of February 19, 2013 for consideration. Alderman Wyatt made motion and seconded by Alderman Calvert to approve the minutes as presented. Mayor Jackson called for corrections or changes. Mayor Jackson called for the vote. Alderman Thomas-abstained. Motion carried.

Mayor Jackson presented the bills to be paid for consideration. Alderman Wyatt made motion and seconded by Alderman Thomas to approve the bills as presented. Mayor Jackson called for questions or comments. The Board asked various questions. Mayor Jackson called for the vote. Motion carried.

Anthony Consiglio, Police Chief gave his monthly report to the Board. He reported the final position within the Police Department has been filled. He presented his calls for service. He informed the Board that he is working on the procedure manual and would submit this to the City Administrator as well as to our insurer for review. He stated he hopes to have this completed the first meeting in April. Chief Consiglio stated he is in the fifth month of training and he has been elected class president. He reported that Friday or Saturday the new door to the police department will be installed. He stated Mr. Henderson authorized the purchase of a small refrigerator to be used for evidence.

Mayor Jackson asked if anyone wished to appear before the Board.

Mike McCubbin came to follow up on the Broadway stormwater issue at his property. He stated he thought the preliminary engineering report suggested the same a way to solve the issue was the same that has been done in the past. He felt that the last time he came before the Board they were going to have Archer review this again. The Board discussed this and Kelly Henderson recommended scheduling a meeting between Archer Group and Mr. McCubbin to discuss the preliminary engineering report.

Mayor Jackson presented Council Bill No. 2013-005 for consideration. Alderman Wyatt made motion and seconded by Alderman Rhorer to take up Council Bill No. 2013-005, an ordinance amending Chapter 14; Sewer, Water and Solid Waste by enacting Article V. Sub-Chapter B-water to be known as emergency use restrictions to the City of Ashland, Missouri Code of Ordinances. First Reading by title only. Mayor Jackson called for questions or comments. Alderman Uhrig suggested some editing in a couple places where it refers to board of public works and superintendent of public works. He stated that we do not have these Boards. He suggested we use City Administrator or his designee in its place. Kelly Henderson informed the Board this is a boiler plate ordinance. After some discussion the Board discussed creating a definition of these two being the Board of Aldermen. Mayor Jackson called for the vote. Mayor Jackson called for the vote. Alderman Rhorer-aye, Alderman Calvert-aye, Alderman Uhrig-aye, Alderman Wyatt-aye, Alderman Thomas-aye, Alderman Crandall-absent. Motion carried.

Mayor Jackson presented Ordinance No. 942 for consideration. Alderman Thomas made motion and seconded by Alderman Wyatt to take up Ordinance No. 942, an ordinance approving the minor plat for Bluegrass South Estates Plat 1-B. Mayor Jackson called for the vote. Alderman Wyatt-aye, Alderman Calvert-aye, Alderman Uhrig-aye, Alderman Thomas-aye, Alderman Rhorer-aye, Alderman Crandall-absent. Motion carried.

#### Mayor's Report:

Mayor Jackson complimented the crew on the excellent snow removal efforts. He reported we received several letters complimenting the crew as well as coverage from KOMU.

#### City Administrator's Report:

Kelly Henderson asked the Board for direction in the budgeting process for this year. The Board felt they all should be involved. He stated the draft should be done the middle to end of next week. Mr. Henderson reported he has been notified that the first two pay reimbursements for the Main Street Project should be sent soon from MoDot.

#### City Attorney's Report:

David Bandre had nothing to report.

#### Board of Aldermen Report:

Alderman Calvert reported he received several positive phone calls on the snow removal efforts.

Alderman Rhorer reported the figures on curb side recycling has been submitted by Allied Waste and asked when this will be discussed again. Mayor Jackson reported we need to get with the committee chair and see what information she has found.

Alderman Thomas reported a couple of flags need to be replaced in the Avenue of Flags.

Alderman Wyatt reported he received an e-mail on standing water on Red Tail Drive. He stated he looked at this and showed the Board a photo. The Board discussed this.

Alderman Wyatt informed the Board that the County has the emergency management plan done. He stated that Chief Olson is going to send a copy to the City for review. He stated we would then proceed to develop our plan.

Alderman Thomas made motion and seconded by Alderman Rhorer to adjourn the meeting. Mayor Jackson called for the vote. Motion carried.

Darla Sapp, City Clerk

Michael P. Jackson, Mayor

CLAIMS REPORT

GL ACCT #	VENDOR NAME	REFERENCE	INVOICE AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
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ACCOUNTS PAYABLE CLAIMS						
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10-02-2001	United States Treasure	FED/FICA TAX	1,483.86		9126471	3/08/13
10-02-2002	United States Treasure	FED/FICA TAX	2,034.36	3,518.22	9126471	3/08/13
10-02-2012	COVENTRY HEALTH CARE OF MO.	HEALTH INSURANCE HSA	450.58		2256	3/14/13
10-02-2012	COVENTRY HEALTH CARE OF MO.	HEALTH INSURANCE	3,781.17	4,231.75	2256	3/14/13
10-02-2014	ANTHONY CONSIGLIO	HSA	76.09	76.09	9126473	3/08/13
10-02-2014	KELLY HENDERSON	HSA	38.05	38.05	9126474	3/08/13
10-02-2014	MATT NICHOLS	HSA	76.09	76.09	9126475	3/08/13
10-10-5210	BANDRE', HUNT & SNIDER, L.L.C.	CITY ATTORNEY FEBRUARY 2013	750.00	750.00	2229	3/06/13
10-10-5300	SENTINEL LUMBER & HARDWARE	SPRAY PAINT	3.39	3.39	2245	3/06/13
10-10-5305	CHARTER COMMUNICATIONS	1/3 CITY HALL INTERNET SERVICE	18.33	18.33	2237	3/06/13
10-10-5360	AT & T	1/3 LONG DISTANCE 2091	23.87	23.87	2227	3/06/13
10-10-5360	CENTURYLINK	1/2 2091,1/3 7018	58.32	58.32	2236	3/06/13
10-10-5380	Atkins Pest Control	1/4 CITY HALL PEST CONTROL	6.25	6.25	2228	3/06/13
10-10-5380	CULLIGAN WATER	1/4 BOTTLED WATER	1.92	1.92	2257	3/14/13
10-10-5380	PITHWIDGET	1/4 CLEANING OFFICE/CHAMBER	75.00	75.00	2243	3/06/13
10-10-5638	BOONE COUNTY JOURNAL	6-MONTH AD	222.60	222.60	2232	3/06/13
10-10-5643	Special Election 2	PREPAYMENT APRIL 2,13 ELECTION	2,045.65	2,045.65	2247	3/06/13
10-10-5670	QUILL CORPORATION	TREASURER COMPUTER SPEAKERS	29.99		2244	3/06/13
10-10-5670	QUILL CORPORATION	INK,PENS, NOTE PADS,CLOCK,ETC	113.96	143.95	2262	3/14/13
10-10-5835	ASHLAND PC TECH, LLC	COMP.MAINT. OVERAGE	108.50	108.50	2250	3/14/13
10-11-5130	BO. CO. PLANNING & BUILDING	BUILDING PERMITS FEB. 2013	1,493.12	1,493.12	2231	3/06/13
10-11-5130	SOBOCO FIRE PROTECTION DISTRIC	SITE INSPECTION (1)	60.00	60.00	2246	3/06/13
10-11-5135	BOONE COUNTY JOURNAL	CODE CHANGE AD	159.00	159.00	2232	3/06/13
10-11-5360	AT & T	1/3 LONG DISTANCE 2091	23.88	23.88	2227	3/06/13
10-11-5380	Atkins Pest Control	1/4 CITY HALL PEST CONTROL	6.25	6.25	2228	3/06/13
10-11-5380	CULLIGAN WATER	1/4 BOTTLED WATER	1.92	1.92	2257	3/14/13
10-11-5380	PITHWIDGET	1/4 CLEANING OFFICE/CHAMBER	75.00	75.00	2243	3/06/13
10-11-5420	Main Street Car Wash	CAR WASH TOKENS	13.00	13.00	2260	3/14/13
10-11-5425	MFA Oil Company	FUEL FEB 2013	69.93	69.93	2261	3/14/13
10-11-5670	QUILL CORPORATION	INK, PENS, NOTE PADS CLOCK	64.49	64.49	2262	3/14/13
10-11-5835	ASHLAND PC TECH, LLC	COMP.MAINT. OVERAGE	108.50	108.50	2250	3/14/13
10-15-5115	ANTHONY CONSIGLIO	REIMBURSEMENT MILEAGE TRAINING	104.53	104.53	2249	3/14/13
10-15-5305	CHARTER COMMUNICATIONS	1/3 CITY HALL INTERNET SERVICE	18.33	18.33	2237	3/06/13
10-15-5360	AT & T	LONG DISTANCE 9062	41.75	41.75	2227	3/06/13
10-15-5360	AT&T MOBILITY	MDT AIRCARD SERVICE	181.37		2251	3/14/13
10-15-5360	AT&T MOBILITY	9576,9695,2554,3160,3234,6377	223.15	404.52	2251	3/14/13
10-15-5360	CENTURYLINK	1/3 7018	90.08	90.08	2236	3/06/13
10-15-5380	Atkins Pest Control	1/4 CITY HALL PEST CONTROL	6.25	6.25	2228	3/06/13
10-15-5380	CHRIS SMITH	FIREARMS INSTRUCTOR FEES	50.00	50.00	2254	3/14/13
10-15-5380	CULLIGAN WATER	1/4 BOTTLED WATER	1.93	1.93	2257	3/14/13
10-15-5380	PITHWIDGET	1/4 CLEANING OFFICE/CHAMBER	75.00	75.00	2243	3/06/13
10-15-5415	RANDY'S AUTO REPAIR	SERVICES PARTS	393.88		2263	3/14/13
10-15-5420	RANDY'S AUTO REPAIR	MAINT COST	10.00	403.88	2263	3/14/13
10-15-5425	Warrenton Oil Company	FUEL FEBRUARY POLICE DEPARTMEN	1,065.79	1,065.79	2264	3/14/13
10-15-5670	QUILL CORPORATION	INK, PENS, NOTE PADS CLOCK	64.50	64.50	2262	3/14/13
10-15-5835	ASHLAND PC TECH, LLC	COMP.MAINT. OVERAGE	558.00	558.00	2250	3/14/13
10-18-5300	CENTRAL GARAGE DOOR	DOOR MAINTENANCE	17.40	17.40	2253	3/14/13
10-18-5410	WREN'S AUTOMOTIVE	FLAT REPAIR LAWN MOWERS	76.00	76.00	2266	3/14/13
10-18-5420	Main Street Car Wash	CAR WASH TOKENS	13.00	13.00	2260	3/14/13
10-18-5420	O'REILLY AUTOMOTIVE STORES,INC	FUNNEL, OIL	54.20	54.20	2242	3/06/13
10-18-5951	Witt Print Shop	EASTER EGG HUNT POSTERS	17.50	17.50	2265	3/14/13

GL ACCT #	VENDOR NAME	REFERENCE	INVOICE AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
15-16-5448	JEFFREY R. KAYS	FEES FOR FEBRUARY AND MARCH	1,666.66	1,666.66	2258	3/14/13
15-16-5450	MO. DEPARTMENT OF REVENUE	AUTOMATED FEE FEBRUARY 2013	35.00	35.00	2239	3/06/13
15-16-5452	MO. DEPT. OF REVENUE	STATE CLERKS FEE FEBRUARY 2013	60.00	60.00	2241	3/06/13
15-16-5454	NICOLE GALLOWAY	COUNTY CLERK FEE FEBRUARY 2013	15.00	15.00	2238	3/06/13
15-16-5456	MO. DEPARTMENT OF REVENUE	C.V.C. FEBRUARY 2013	35.65	35.65	2240	3/06/13
15-16-5458	BUDGET DIRECTOR	L.E.T. FEBRUARY 2013	5.00	5.00	2233	3/06/13
20-02-2001	United States Treasure	FED/FICA TAX	394.60		9126471	3/08/13
20-02-2002	United States Treasure	FED/FICA TAX	568.52	963.12	9126471	3/08/13
20-02-2012	COVENTRY HEALTH CARE OF MO.	HEALTH INSURANCE	1,021.94	1,021.94	2256	3/14/13
20-20-5300	CENTRAL GARAGE DOOR	DOOR MAINTENANCE	17.40	17.40	2253	3/14/13
20-20-5305	AMERENUE	UTILITIES	3,525.96	3,525.96	2248	3/14/13
20-20-5360	AT&T MOBILITY	573-289-7028	38.57	38.57	2251	3/14/13
20-20-5360	CENTURYLINK	1/5 2568, 1/5 INTERNET	18.36	18.36	2236	3/06/13
20-20-5380	COLUMBIA WELDING & MACHINE CO.	OXYGEN RENTAL	7.00	7.00	2255	3/14/13
20-20-5420	Main Street Car Wash	CAR WASH TOKENS	13.00	13.00	2260	3/14/13
20-20-5420	O'REILLY AUTOMOTIVE STORES, INC	FUNNEL, OIL	54.20	54.20	2242	3/06/13
20-20-5425	MFA Oil Company	FUEL FEB 2013	354.86	354.86	2261	3/14/13
20-20-5610	BOONE QUARRIES	LOY MARTIN RD. ROCK	81.61	81.61	2252	3/14/13
20-20-5628	SENTINEL LUMBER & HARDWARE	CEMENT	2.49		2245	3/06/13
20-20-5629	SENTINEL LUMBER & HARDWARE	HARDWARE	2.46	4.95	2245	3/06/13
20-20-5700	Knapheide Truck Equipment	06 SNOW TRUCK DETENT KIT	203.21	203.21	2259	3/14/13
20-20-5720	CARGILL, INC.	DEICER	4,701.87	4,701.87	2234	3/06/13
20-20-5730	BEE LINE SNACK SHOP	SNOW FUEL FEBRUARY	357.41	357.41	2230	3/06/13
20-20-5730	CASEY'S GENERAL STORE, INC.	SNOW FEBRUARY 2013	89.69	89.69	2235	3/06/13
20-20-5730	MFA Oil Company	FUEL FEB 2013	2,474.26	2,474.26	2261	3/14/13
20-20-5835	ASHLAND PC TECH, LLC	COMP.MAINT. OVERAGE	93.00	93.00	2250	3/14/13
45-02-2001	United States Treasure	FED/FICA TAX	804.22		9126471	3/08/13
45-02-2002	United States Treasure	FED/FICA TAX	1,357.94	2,162.16	9126471	3/08/13
45-02-2012	COVENTRY HEALTH CARE OF MO.	HEALTH INSURANCE HSA	450.59		23831	3/14/13
45-02-2012	COVENTRY HEALTH CARE OF MO.	HEALTH INSURANCE	1,788.40	2,238.99	23831	3/14/13
45-02-2014	KELLY HENDERSON	HSA	38.04	38.04	9126474	3/08/13
45-02-2014	WADE MIDDAUGH	HSA	76.09	76.09	9126472	3/08/13
45-30-5110	ANGEL LANE DESIGNS	CURTIS SHIRTS	40.00	40.00	23826	3/14/13
45-30-5300	CENTRAL GARAGE DOOR	DOOR MAINTENANCE	17.40	17.40	23830	3/14/13
45-30-5360	AT&T MOBILITY	573-864-1310	102.63	102.63	23828	3/14/13
45-30-5360	CENTURYLINK	0932,1/5 2568, 1/5 INTERNET	87.80	87.80	23815	3/06/13
45-30-5420	Main Street Car Wash	CAR WASH TOKENS	13.00	13.00	23834	3/14/13
45-30-5425	BEE LINE SNACK SHOP	FUEL FEBRUARY	360.08	360.08	23812	3/06/13
45-30-5623	Consolidated Public Water	HUNTERES BEND WATER	59.67	59.67	23818	3/06/13
45-30-5816	HAWKINS, INC	WELL #5 CHLORINE METER	1,154.00	1,154.00	23819	3/06/13
45-30-5835	ASHLAND PC TECH, LLC	COMP.MAINT. OVERAGE	93.00	93.00	23827	3/14/13
45-35-5910	CLEAN CUT SERVICES	MONTHLY YARD WASTE FEE	1,345.83	1,345.83	23817	3/06/13
45-35-5920	ALLIED WASTE SERVICES #035	FEBRUARY 2013	20,713.23	20,713.23	23808	3/06/13
45-40-5125	SENTINEL LUMBER & HARDWARE	GLOVES	9.00	9.00	23823	3/06/13
45-40-5300	CENTRAL GARAGE DOOR	DOOR MAINTENANCE	17.40	17.40	23830	3/14/13
45-40-5311	BOONE ELECTRIC COOPERATIVE	ANGEL LANE	26.19	26.19	23829	3/14/13
45-40-5360	CENTURYLINK	1/5 2568, 1/5 INTERNET	116.08	116.08	23815	3/06/13
45-40-5410	O'REILLY AUTOMOTIVE STORES, INC	WHEEL NUT	3.88	3.88	23821	3/06/13
45-40-5410	WREN'S AUTOMOTIVE	BATTERY	113.45	113.45	23825	3/06/13
45-40-5420	O'REILLY AUTOMOTIVE STORES, INC	FUNNEL, OIL	54.20	54.20	23821	3/06/13
45-40-5425	CASEY'S GENERAL STORE, INC.	FUEL FEBRUARY 2013	134.83	134.83	23814	3/06/13
45-40-5425	Main Street Car Wash	CAR WASH TOKENS	19.00	19.00	23834	3/14/13
45-40-5425	MFA Oil Company	FUEL FEB 2013	183.16	183.16	23835	3/14/13
45-40-5605	SENTINEL LUMBER & HARDWARE	SPONGE, BATTERIES, TAPE, CLAMPS	44.26	44.26	23823	3/06/13

GL ACCT #	VENDOR NAME	REFERENCE	INVOICE AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
45-40-5608	BIO-GARD	SERVICE FOR SW SYSTEM	236.25	236.25	23813	3/06/13
45-40-5835	ASHLAND PC TECH, LLC	COMP.MAINT. OVERAGE	93.00	93.00	23827	3/14/13
45-45-5110	ANGEL LANE DESIGNS	LARRY SHIRTS	50.00	50.00	23826	3/14/13
45-45-5300	CENTRAL GARAGE DOOR	DOOR MAINTENANCE	17.40	17.40	23830	3/14/13
45-45-5360	AT&T MOBILITY	573-289-9415	21.45	21.45	23828	3/14/13
45-45-5360	CENTURYLINK	1/5 2568, 1/5 INTERNET	18.37	18.37	23815	3/06/13
45-45-5420	Main Street Car Wash	CAR WASH TOKENS	29.00	29.00	23834	3/14/13
45-45-5425	BEE LINE SNACK SHOP	FUEL FEBRUARY	216.51	216.51	23812	3/06/13
45-45-5603	HD SUPPLY WATERWORKS,LTD	MAIN VALVE KIT	367.20		23833	3/14/13
45-45-5625	HD SUPPLY WATERWORKS,LTD	FIRE HYDRANT	3,467.12	3,834.32	23833	3/14/13
45-45-5628	SENTINEL LUMBER & HARDWARE	PLUG, AIR CHUCK FOOT,BOLTS/NUT	27.02	27.02	23823	3/06/13
45-45-5628	TRI-STATE CONSTRUCTION EQUIP.	PIN/PARTS	90.05	90.05	23824	3/06/13
45-50-5305	CHARTER COMMUNICATIONS	1/3 CITY HALL INTERNET SERVICE	18.33	18.33	23816	3/06/13
45-50-5360	AT & T	1/3 LONG DISTANCE 2091	23.88	23.88	23809	3/06/13
45-50-5360	CENTURYLINK	1/2 2091, 1/3 7018	58.33	58.33	23815	3/06/13
45-50-5380	Atkins Pest Control	1/4 CITY HALL PEST CONTROL	6.25	6.25	23810	3/06/13
45-50-5380	CULLIGAN WATER	1/4 BOTTLED WATER	1.93	1.93	23832	3/14/13
45-50-5380	PITHWIDGET	1/4 CLEANING OFFICE/CHAMBER	75.00	75.00	23822	3/06/13
45-50-5670	QUILL CORPORATION	INK, PENS, NOTE PADS CLOCK	64.50	64.50	23836	3/14/13
45-50-5835	ASHLAND PC TECH, LLC	COMP.MAINT. OVERAGE	108.50	108.50	23827	3/14/13
45-55-5210	BANDRE', HUNT & SNIDER, L.L.C.	CITY ATTORNEY FEBRUARY 2013	750.00	750.00	23811	3/06/13
45-55-5225	Mo. Dept. of Natural Resources	MONTHLY PRIMACY FEE	357.72	357.72	23820	3/06/13
45-55-5360	CENTURYLINK	1/5 2568, 1/5 INTERNET	18.37	18.37	23815	3/06/13
45-55-5510	UMB BANK, N.A.	SERIES 2008A	13,750.00		9126470	3/01/13
45-55-5515	UMB BANK, N.A.	SERIES 2008A	3,952.52	17,702.52	9126470	3/01/13
45-55-5541	UMB BANK N.A.	2006 SERIES ADMINISTRATIVE FEE	287.38	287.38	23837	3/14/13

TOTAL ACCOUNTS PAYABLE CHECKS 85,702.90

PAYROLL CHECKS

10	GENERAL	9,899.93
20	STREET	2,756.73
45	UTILITIES	6,714.64

PAYROLL CHECKS ON 3/08/2013 19,371.30

TOTAL PAYROLL CHECKS 19,371.30

\*\*\*\* PAID TOTAL \*\*\*\*\* 105,074.20

\*\*\*\* SCHED TOTAL \*\*\*\*\*

\*\*\*\*\* REPORT TOTAL \*\*\*\*\* 105,074.20

AN ORDINANCE AMENDING CHAPTER 14; SEWER, WATER AND SOLID WASTE BY ADDING THE DEFINITION OF THE BOARD OF PUBLIC WORKS TO SECTION 14.005 AND SECTION 14.120 OF THE CITY OF ASHLAND, MISSOURI CODE OF ORDINANCES

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WHEREAS, the Board of Aldermen has found that it is necessary to add a definition to Sub-Chapter A. Sewer, Article I. Administration Section, 14.005 Definitions and abbreviations and Sub-Chapter B. Water, Article I. Administration, Section 14.120 Definitions and abbreviations.

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

Section 1. The definition of The Board of Public Works shall be added to Chapter 14; Sewer, Water and Solid Waste, Sub-Chapter A. Sewer, Section 14.005 and Sub-Chapter B. Water, 14.120 and shall read as follows:

THE BOARD OF PUBLIC WORKS

All of those powers, rights, duties, obligations, money, accounts receivables, accounts owing interests in litigation, interests in real estate and personalty, and all other concerns and objects held by said Board of Public Works shall be exercised by the City of Ashland, Missouri, on the effective date of the passage of this ordinance. All references to the Board of Public Works in this Code of Ordinances of the City of Ashland shall be read to mean the City of Ashland.

Section 2. Severability. If any Section, or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

Section 3. Codification. It is the intention of the Board of Aldermen of the City of Ashland, Missouri, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinance of the City of Ashland, Missouri; That the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word "Ordinance" may be changed to "Section," "Article," or other appropriate word.

Section 4. Conflicts. All ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance is hereby repealed.

Section 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Michael P. Jackson, Mayor

Attest:

\_\_\_\_\_  
Darla Sapp, City Clerk

AN ORDINANCE APPROVING THE RE-PLAT OF LOTS 6-9 OF ASHLAND KEYSTONE  
SUBDIVISION BLOCK 2, DATED FEBRUARY 12, 2013

---

WHEREAS, the City has enacted a Subdivision Ordinance; and

WHEREAS, in accordance with the Subdivision Regulations, The Planning and Zoning Commission has recommended the approval of the final re-plat of Lots 6-9 of Ashland Keystone Subdivision Block 2 at their meeting on March 12, 2013; and

WHEREAS, the Board of Aldermen accepts the recommendation of the Planning and Zoning Commission.

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

Section 1. The minor subdivision record re-plat of Lots 6-9 of Ashland Keystone Subdivision Block 2, dated February 12, 2013 meets the requirements of Chapter 11, Subdivision Regulations, of the City of Ashland Municipal Code and is approved for filing.

Section 2. The legal description of said subdivision is as follows:

Lots 6, 7, 8, & 9 of Ashland Keystone Subdivision Block 2, located in the Southwest Quarter (SW ¼) of Section Ten (10), Township 46 North, Range 12 West (T46N, R12W), City of Ashland, Boone County, Missouri.

The above tract of land contains 65.945 square feet or 1.51 acres more or less, and is a portion of the same land described by deed recorded in Book 3939, Page 124 of the Boone County Records. Subject to easements and restrictions of record or not of record, if any.

Section 3. The City Clerk is hereby instructed to have said plat recorded.

Section 4. This ordinance shall be in full force and effect after its passage and approval.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Michael P. Jackson, Mayor

Attest:

\_\_\_\_\_  
Darla Sapp, City Clerk



**THE CITY OF ASHLAND, MISSOURI**

**DATE:** March 5, 2013  
**TO:** Larkin Powers, Powers Construction  
Derek Forbis, THHinc  
**FROM:** Charles Senzee, Community Development Director  
**SUBJECT:** SP 13-02: Ashland Keystone Re-Plat (Lots 6-9) - Review Comments

The following comments are based upon a review of the proposed dated February 12, 2013. The applicant shall respond to all comments in a comment response letter and all required information shall be submitted to the City. Additional comments may be generated upon submittal of additional information.

**Community Development Comments**

**Reviewer:** Charles Senzee, Community Development Director

1. The recently adopted modifications to Chapter 9, Section 9.298 *Lot Size Transition Calculation* require that the lot size of residential lots which abut other residential subdivisions shall be a minimum of 80% or more of the average lot size within that neighboring subdivision. However, lots which abut residential uses of a greater intensity (duplexes, apartments, etc.) are exempt from this 80% requirement. Based upon this section and staff calculations, lots 6A & 6B shall be a minimum of 13,314 sq. ft. in size as they abut a single family home subdivision which has an average lot size of 16,643 sq. ft. Lots 7A, 8A, 9A and 9B abut duplex homes and must therefore meet the City's minimum lot size requirement of 8,000 sq. ft. It appears that all of the proposed lots meet the minimum size requirements of Ashland code. (*Informational, no response necessary*)
2. The submitted plat is not signed by the property owners. This is acceptable for Planning and Zoning review but a signed version must be submitted prior to review by the City's Board of Aldermen. Please add a signature line for the property owner.
3. The plat has not been notarized. Again, this is acceptable for Planning and Zoning review but a notarized version must be submitted prior to review by the City's Board of Aldermen. Please ensure that the date is updated for the notary as the plat currently reads February 12<sup>th</sup>.
4. The current chairperson of the Planning and Zoning Commission is James Branson. Please update the proposed plat.
5. "Ashland City Council" should be changed to "Ashland's Board of Aldermen" on the approval line.
6. The Ashland Mayor prefers to sign his name "Michael P. Jackson". Please modify his signature line to reflect this.
7. It appears that only the front building setback line has been identified on the proposed plat. Please depict all building setback lines for the property or include a property setback section in the notes section.

**109 E. BROADWAY ~ P.O. BOX 135 ASHLAND, MO 65010 (573) 657-2091**

**POLICE DEPT: (573) 657-9062 FAX: (573) 657-7018 WWW.ASHLANDMO.US**

### **City Engineer Comments**

**Reviewer:** C.M. Archer Group

8. Provide the name and address of the owner(s) of record and developer (if applicable) on the re-plat.
9. Recommend adding line types to the legend included on the drawing for clarity.

### **Southern Boone County Fire Protection District Comments**

**Reviewer:** Captain Michael Bauer

-No comments at this time-

### **Ameren Missouri Comments**

**Reviewer:** Chris L. Bruemmer

-No comments at this time, Ameren will work directly with the developer on modifying the utility layout-



## **Board of Aldermen Report**

**DATE:** March 14, 2013  
**TO:** Members of the Board of Aldermen  
**FROM:** Charles Senzee, Community Development Director  
**CC:** Larkin Powers, Owner/Applicant  
**SUBJECT:** SP 13-02: Ashland Keystone Re-Plat (Lots 6-9)

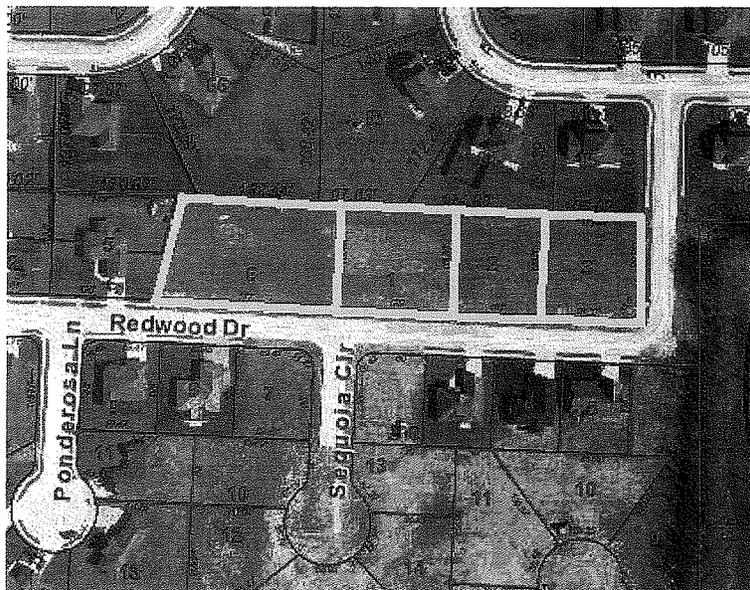
The purpose of this report is to provide you with information regarding a request by Larkin Powers, property owner, for final plat approval to re-plat 4 existing residential lots into 6 smaller residential lots. The subject properties are located along Redwood Drive. Section 11.150 of the City's adopted Code of Ordinances authorizes the Planning and Zoning Commission to review and recommend approval to the City's Board of Aldermen of plats.

### **GENERAL INFORMATION**

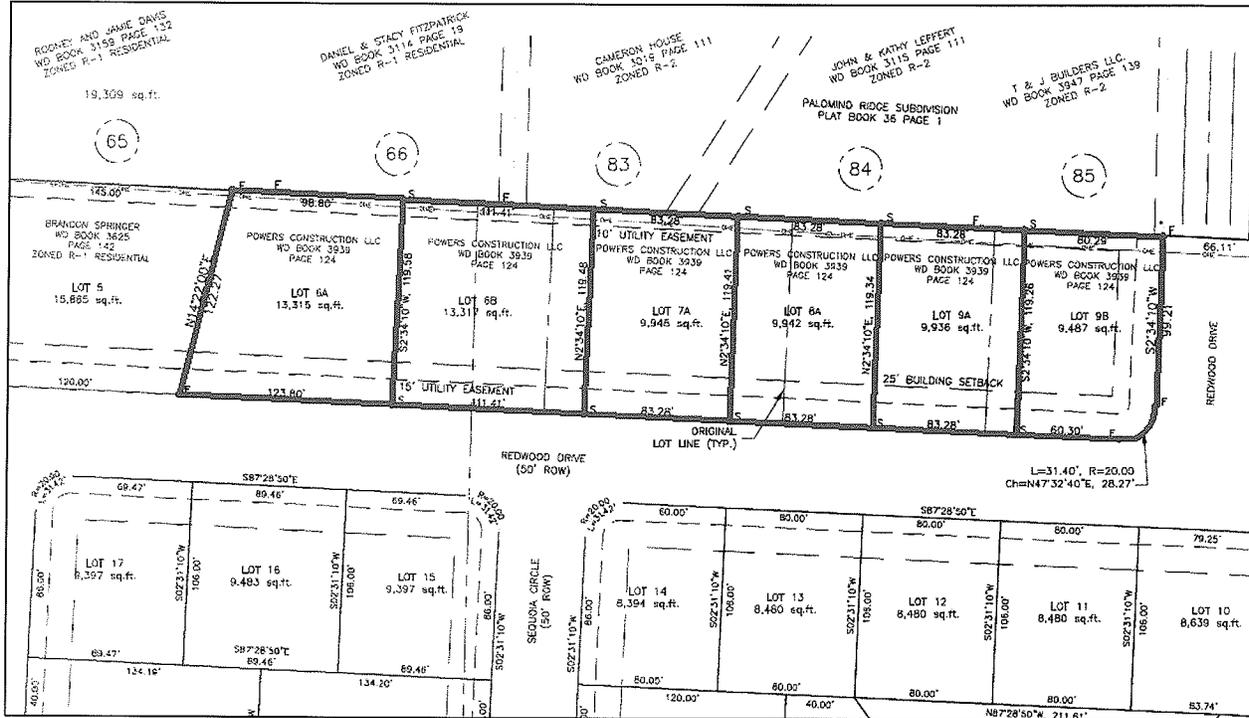
**Parent Parcel Identification.** Lot 6 – PIN: 24-200-00-03-006.00 01 (0.55 acres, 23,865 sq ft)  
Lot 7 – PIN: 24-219-00-08-001.00 01 (0.38 acres, 16,482 sq ft)  
Lot 8 – PIN: 24-219-00-08-002.00 01 (0.32 acres, 14,082 sq ft)  
Lot 9 – PIN: 24-219-00-08-003.00 01 (0.27 acres, 11,523 sq ft)

**Parcel Size / Physical Characteristics.** The subject properties are currently undeveloped.

**Zoning Classification.** R-1 (Single Family Residential)



**Existing lot configuration shown in yellow.**



Proposed lot configuration shown in red.

## BACKGROUND

The applicant originally contacted staff regarding the possibility of re-platting the subject properties in June of 2012. At that time Section 9.298 *Lot Size Transition Calculation* of Ashland's adopted Code of Ordinances did not allow for the reduction of the existing lot sizes. However, the applicant's request led to staff evaluating Section 9.298 and determining that it was not functioning as intended. Staff began the process of revising the code and an ordinance overhauling the section was approved by the City's Board of Aldermen on December 4, 2012. This revised Section 9.298 allowed the applicant to pursue the currently proposed re-plat, which was submitted on February 13<sup>th</sup> of this year.

The recently adopted modifications to Chapter 9, Section 9.298 *Lot Size Transition Calculation* require that the lot size of residential lots which abut other residential subdivisions shall be a minimum of 80% or more of the average lot size within that neighboring subdivision. However, lots which abut residential uses of a greater intensity (duplexes, apartments, etc.) are exempt from this 80% requirement. Based upon this section and staff calculations, lots 6A & 6B shall be a minimum of 13,314 sq. ft. in size as they abut a single family home subdivision which has an average lot size of 16,643 sq. ft. Lots 7A, 8A, 9A and 9B abut duplex homes and must therefore meet the City's minimum lot size requirement of 8,000 sq. ft. It appears that all of the proposed lots meet the minimum size requirements of Ashland code.

The proposed final plat has been reviewed by all appropriate departments and agencies. A list of comments was provided to the applicant on March 5<sup>th</sup>. This comment list has been attached to this staff report. The applicant is aware that a revised plat which fully satisfies all comments must be submitted prior to review by the City's Board of Aldermen.

## **STAFF RECOMMENDATIONS**

Staff has reviewed the proposed re-plat and recommends approval with the conditions listed below.

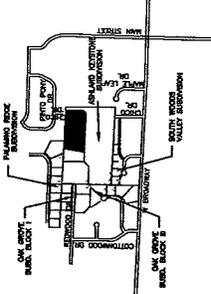
Should the Board of Aldermen choose to approve SP 13-02 in order to create the 6-lot Ashland Keystone Re-Plat, staff recommends that this approval be based upon the following conditions of approval:

1. The approval shall be limited to the proposed re-plat dated February 12, 2013, reviewed by the Board of Aldermen on March 19, 2013.
2. All comments from the March 5, 2013 plat review comment letter shall be addressed in a revised plat which is submitted to the City prior to final approval by the Board of Aldermen
3. All of the above conditions shall be fully and faithfully executed or the approval shall become null and void.

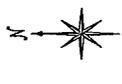
## **Planning and Zoning Action**

The Planning and Zoning Commission reviewed the proposed re-plat and recommend approval to the City's Board of Aldermen on March 12, 2013.

**A RE-PLAT OF LOTS 6-8 OF ASHLAND KEystone SUBDIVISION BLOCK 2 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 12 NORTH, RANGE 12 WEST, T16N, R12W, CITY OF ASHLAND, BOONE COUNTY, MISSOURI. SUBMITTED: FEBRUARY 12, 2013**



**DESCRIPTION**  
 LOTS 6, 7, & 8 OF ASHLAND KEystone SUBDIVISION BLOCK 2, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 12 NORTH, RANGE 12 WEST, T16N, R12W, CITY OF ASHLAND, BOONE COUNTY, MISSOURI.  
 THE ABOVE TRACT OF LAND CONTAINS 65.845 SQUARE FEET OR 1.51 ACRES RECORDED IN BOOK 2034, PAGE 124 OF THE BOONE COUNTY RECORDS. BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD OR NOT OF RECORD, IF ANY.



**LEGEND**

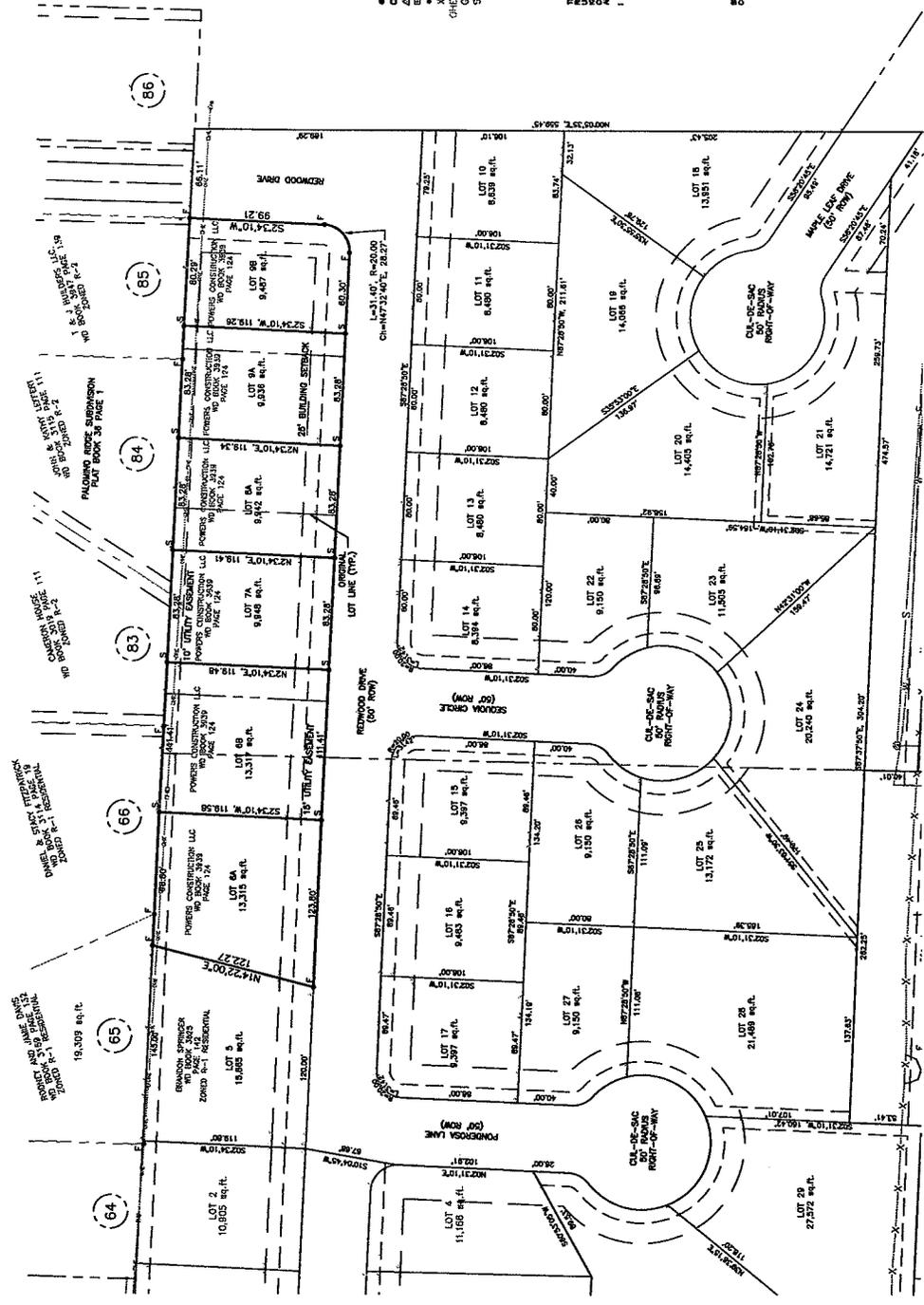
- 1/2" IRON ROD OR PIPE
- 5/8" OR LARGER IRON
- △ RIGHT OF WAY MARKER
- CORNER POST
- ✕ CORNER POST
- X FENCE LINE
- OHE OVERHEAD ELECTRIC
- ONE GAS LINE
- S SEWER LINE

THIS IS A PRELIMINARY MAP OF THE PROPOSED RE-PLAT. ALL INFORMATION IS BASED ON THE RECORDS OF THE BOONE COUNTY RECORDS. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE TRACT AND HAS FOUND IT TO ACCORD WITH THE RECORDS. THE SURVEYOR HAS NOT CONDUCTED A FIELD SURVEY OF THE TRACT. THE RESULTS ARE BASED ON THE RECORDS OF THE BOONE COUNTY RECORDS. THE SURVEYOR HAS NOT CONDUCTED A FIELD SURVEY OF THE TRACT. THE RESULTS ARE BASED ON THE RECORDS OF THE BOONE COUNTY RECORDS.

RECORDS BOOK 2034, PAGE 124  
 DATE FEBRUARY 12, 2013

RECORDED AND SHOWN BEFORE ME ON THIS 12TH DAY OF FEBRUARY, 2013 BY  
 COMMISSIONER CORNELIUS W. J. JONES

DEED RECORDS  
 BOONE COUNTY



**NOTES**  
 1. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE TRACT AND HAS FOUND IT TO ACCORD WITH THE RECORDS. THE SURVEYOR HAS NOT CONDUCTED A FIELD SURVEY OF THE TRACT. THE RESULTS ARE BASED ON THE RECORDS OF THE BOONE COUNTY RECORDS.  
 2. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE ACCURACY STANDARDS FOR AN UNDIVIDED PLAT PROPERTY SURVEY.  
 3. ALL BOUNDARY AND AREA ARE 1/2" UNLESS NOTED.  
 4. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE TRACT AND HAS FOUND IT TO ACCORD WITH THE RECORDS. THE SURVEYOR HAS NOT CONDUCTED A FIELD SURVEY OF THE TRACT. THE RESULTS ARE BASED ON THE RECORDS OF THE BOONE COUNTY RECORDS.  
 5. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE TRACT AND HAS FOUND IT TO ACCORD WITH THE RECORDS. THE SURVEYOR HAS NOT CONDUCTED A FIELD SURVEY OF THE TRACT. THE RESULTS ARE BASED ON THE RECORDS OF THE BOONE COUNTY RECORDS.

APPROVED BY THE CITY OF ASHLAND PLANNING AND ZONING  
 COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2013

CORNER  
 THE \_\_\_\_\_ OF \_\_\_\_\_ 2013

BOONE COUNTY, MISSOURI - BOONE, MISSOURI, CITY CLERK

**THINE**  
 Consulting Engineers  
 1100 N. MAIN ST.  
 ASHLAND, MISSOURI 64003  
 Phone: 660-622-1100  
 Fax: 660-622-1108

AN ORDINANCE APPROVING THE FINAL PLAT FOR EAGLE LAKES PLAT 3A, A REPLAT OF LOTS 305, 306, AND 307 AND PART OF EAGLE POINT DRIVE, EAGLE LAKES PLAT 3, DATED FEBRUARY 11, 2013

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WHEREAS, the City has enacted a Subdivision Ordinance; and

WHEREAS, in accordance with the Subdivision Regulations, The Planning and Zoning Commission has recommended the approval of the final plat of Eagle Lakes Plat 3A, a replat of Lots 305, 306, and 307 and part of Eagle Point Drive, Eagle Lakes Plat 3 at their meeting on March 12, 2013; and

WHEREAS, the Board of Aldermen accepts the recommendation of the Planning and Zoning Commission.

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

Section 1. The final record plat for Eagle Lakes Plat 3A, a replat of Lots 305, 306, and 307 and part of Eagle Point Drive meets the requirements of Chapter 11, Subdivision Regulations, of the City of Ashland Municipal Code and is approved for filing.

Section 2. The legal description of said subdivision is as follows:

A tract of land located in the Northeast  $\frac{1}{4}$  of Section 22, Township 46 North, Range 12 West, Ashland, Boone County, Missouri, being all of the lot 305, 306 and 307 of Eagle Lakes Plat 3 as recorded in Plat Book 38, Page 98, and part of vacated Eagle Point Drive as described by ordinance recorded in Book 3395, Page 201, all of the Boone County Records and being more particularly described as follows:

Beginning at the Southeast corner of said lot 305, said point also being on the North right-of-way line of Peterson Lane; Thence along said lines, N87°57'50"W, 210.00 feet; Thence along a 430.00-foot radius curve to the right, 213.45 feet, said curve having a chord which bears N73°44'35"W, 211.26 feet to the Southwest corner of said Lot 307; Thence along the West line of said lot, N30°28'40"E, 225.32 feet; Thence S87°57'50"E, 10.61 feet to the Northwest corner of lot 343A of Bluegrass South Estates Plat 6 as recorded in Plat Book 43, Page 4; Thence along the West line of said lot, S17°00'55"E, 36.36 feet; Thence S02°02'10"W, 96.54 feet to the Southwest corner of said lot 343A, said point also being the Northwest corner of lot 306 of Eagle Lakes Plat 3; Thence along the lines of said lots, S87°57'50"E, 180.00 feet; Thence N02°02'10"E, 15.89 feet; Thence S87°57'50"E, 105.00 feet to the Northeast corner of lot 305 of Eagle

Lakes Plat 3; Thence along the east line of said lot, S02°02'10"W, 135.00 feet to the point of beginning and containing 1.23 acres.

Section 3. The City Clerk is hereby instructed to have said plat recorded.

Section 4. This ordinance shall be in full force and effect after its passage and approval.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Michael P. Jackson, Mayor

Attest:

\_\_\_\_\_  
Darla Sapp, City Clerk



## **Board of Aldermen Report**

**DATE:** March 14, 2013  
**TO:** Members of the Board of Aldermen  
**FROM:** Charles Senzee, Community Development Director  
**CC:** Chris Sander, A Civil Group  
**SUBJECT:** SP 13-03: Eagle Lakes Plat 3A

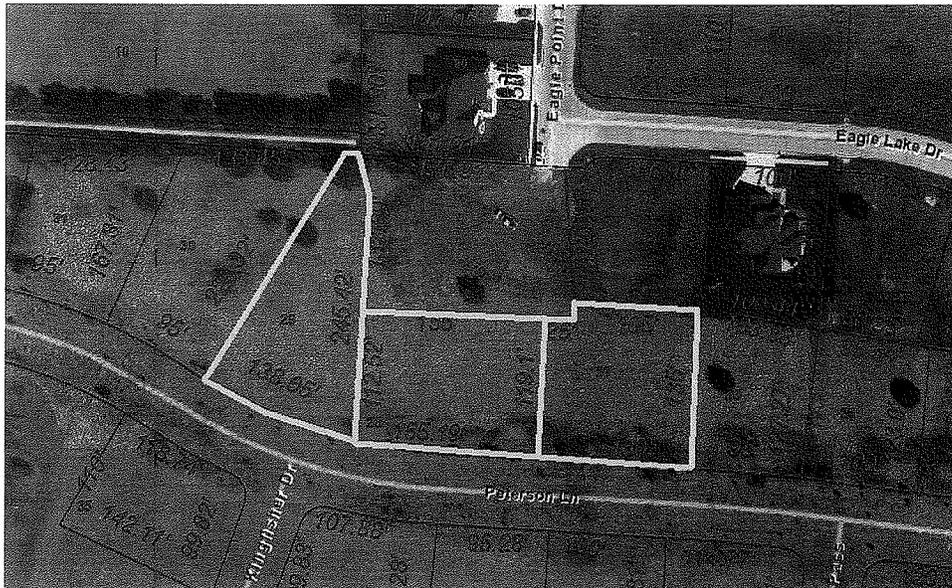
The purpose of this report is to provide you with information regarding a request by Chris Sander with A Civil Group (representing the property owner Keith Winscott) for final plat approval to reconfigure the dimensions of 3 existing residential lots within the Eagle Lakes Plat 3 subdivision. The subject properties are located along Peterson Lane. Section 11.150 of the City's adopted Code of Ordinances authorizes the Planning and Zoning Commission to review and recommend approval to the City's Board of Aldermen of plats.

### **GENERAL INFORMATION**

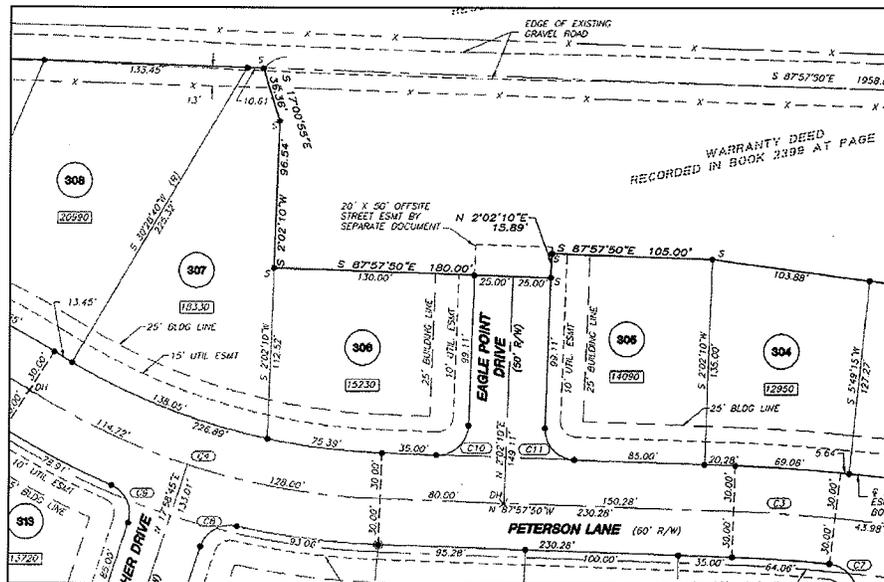
**Parent Parcel Identification.** Lot 305 – PIN: 24-504-00-01-027.00 01 (14,090 sq ft)  
Lot 306 – PIN: 24-504-00-01-028.00 01 (15,230 sq ft)  
Lot 307 – PIN: 24-504-00-01-029.00 01 (18,330 sq ft)

**Parcel Size / Physical Characteristics.** The subject properties are currently undeveloped.

**Zoning Classification.** R-1 (Single Family Residential)



**Existing lot configuration shown in yellow.**



Previous lot configuration as shown on existing Eagle Lakes Plat.

## BACKGROUND

As part of the on-going efforts to develop Eagle Lakes Plat 3 the proposed plat was submitted on February 18, 2013. The proposed plat achieves the following:

- Eliminates Eagle Point Drive from the recorded plat to avoid any future confusion regarding this roadway. Eagle Point Drive was formally vacated by the City in 2008 and the property which had been reserved for this road was divided between Lots 306 & 307.
- Properly depicts the legal dimensions of Lots 306 & 307.
- Provides a utility easement for Ameren between Lots 306 & 307. This proposed plat has been reviewed and approved by Ameren.
- Enlarges Lot 307 to allow the developer additional room for home construction.

The proposed final plat has been reviewed by all appropriate departments and agencies. No comments were generated as the reviewers were satisfied with the proposed plat.

## STAFF RECOMMENDATIONS

Staff has reviewed the proposed plat and recommends approval with the conditions listed below. Should the Board of Aldermen choose to approve SP 13-03 in order to create the 3-lot Eagle Lakes Plat 3A, staff recommends that this approval be based upon the following conditions of approval:

1. The approval shall be limited to the proposed re-plat dated February 11, 2013 which was reviewed by the Planning and Zoning Commission on March 12, 2013, and by the Board of Aldermen on March 19, 2013.
2. All of the above conditions shall be fully and faithfully executed or the approval shall become null and void.

## Planning and Zoning Action

The Planning and Zoning Commission reviewed the proposed re-plat on March 12, 2013 and unanimously recommended approval to the City's Board of Aldermen.



**AN ORDINANCE OF THE CITY OF ASHLAND, MISSOURI, AMENDING THE CITY'S CODE OF ORDINANCES, CHAPTER 9, PLANNING AND ZONING TO ADD SECTION 9.340 "FENCES AND WALLS" ESTABLISHING SPECIFIC REGULATIONS FOR THE CONSTRUCTION OF FENCES AND WALLS, PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE**

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**WHEREAS**, the City Staff has determined that the proposed code amendment is necessary to ensure that fences and walls in the City are safely constructed, preserve the aesthetic quality of Ashland's neighborhoods, and do not encroach upon recorded easements; and

**WHEREAS**, a Public Hearing on the question of the amendment has been duly held by the Planning and Zoning Commission of the City of Ashland, Missouri on March 12, 2013 and at such hearing, interested parties and citizens for and/or against the proposed amendments were heard; and

**WHEREAS**, the Board of Aldermen has reviewed the ordinance to be known as Chapter 9, Section 9.340 *Fences and Walls*:

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

**SECTION 1. AMENDMENT.** Chapter 9; Planning and Zoning shall be amended to add Section 9.340, *Fences and Walls*.

**SECTION 2. CODE LANGUAGE.** The Board of Aldermen hereby adopts the attached Section 9.340, *Fences and Walls* to be marked as Exhibit "A".

**SECTION 3. SEVERABILITY.** If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

**SECTION 4. CODIFICATION.** It is the intention of the Board of Aldermen of the City of Ashland, Missouri, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Ashland, Missouri; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, "Ordinance" may be changed to "Section," "Article," or other appropriate word.

**SECTION 5. CONFLICTS.** All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage and approval.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Michael P. Jackson, Mayor

Attest:

\_\_\_\_\_  
Darla Sapp, City Clerk

**9.340. Fences and Walls:**

Any fence or wall erected within the City shall meet professionally accepted building standards and the regulations cited below.

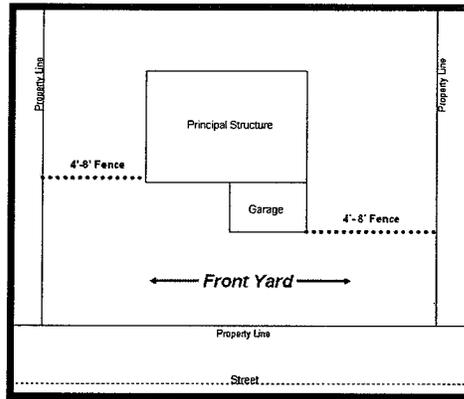
A. *Definitions.* For the purpose of this section the following definitions shall apply.

1. **Fence.** A manmade structure erected for separation, security or privacy purposes through the means of intermittent posts supporting vertical or horizontal members made of wood, metal, vinyl, aluminum, chain link, or barbed wire. While the opacity may vary, the height and location are dictated by the regulations within this section. The term fence shall also include associated gates.
2. **Wall.** A wall may be erected for the same purposes as a fence but shall only include those structures with continuous footers. The main structure of a wall may be constructed of brick, stone or concrete block. The wall construction may be used in combination with decorative veneers of brick, rock, stone, stucco or any other material meeting professionally accepted building standards.

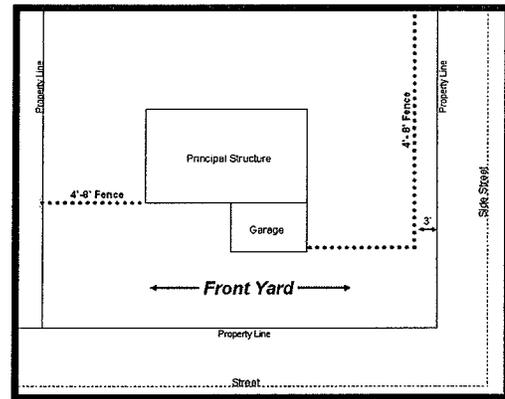
B. *Building permit required.* No fence or wall shall be erected, replaced or receive major repair until a permit has been issued by the City. Major repair is defined as the replacement of 60% or more of an existing fence's value, as measured over the entirety of the existing fence length. Permit applicants are responsible for any required permit fees which have been established by the City.

C. *Commercial or industrial fences and walls.* Fences or walls may be erected in any commercial or industrial district to provide screening and/or buffering. The fence shall not exceed eight (8) feet above the finished grade with the finished side facing out. Walls shall be similarly finished on both sides. Barbed wire or similar materials may be used provided the use is limited to a maximum of three strands installed a minimum of six (6) feet above the finished grade.

D. *Residential fences and walls.* In any residential district, no fence or wall shall be erected or project beyond the property line. Fences in side or rear yards shall not exceed eight (8) feet in height. Fences within front yards shall not exceed four (4) feet in height. For the purposes of this section, a front yard is defined as the area between a property line adjacent to a street and the primary façade of a principal structure. Corner lot fencing which is located between a property line adjacent to a street and a secondary façade of a principal structure may be up to eight (8) feet in height so long as it is a minimum of three (3) feet from the property line. The diagrams below demonstrate acceptable fence locations for both standard and corner lots.



Standard Lot



Corner Lot

All residential fences shall be constructed of approved materials listed within this section. Fences which face public-right-of-ways shall be erected with the finished side facing out. Barbed wire or similar materials shall not be allowed within any residential district. Undeveloped residential properties may be fenced upon approval of the fence location and material by the Administrative Official or designee.

E. *Agricultural Uses.* Fences associated with approved agricultural uses on properties with agricultural zoning designations are exempt from the requirements of this section and may be installed without permit approval from the City. Barbed wire and similar materials may be used on such fencing so long as it is not immediately adjacent to a public right-of-way. Walls associated with agricultural uses are not exempt from the requirements of this section and must receive permit approval from the City. Fences not associated with approved agricultural uses shall conform to the requirements of this section and shall be considered residential fencing.

F. *Easements.* In addition to the regulations listed above, fences and walls erected over recorded property easements shall be subject to the following:

1. **Water/Sewer/Storm water Easements.** Walls are prohibited within recorded water, sanitary sewer, and storm water easements. However, when an area is encumbered by such an easement the owner may construct a fence with permit approval from the City. However, the owner shall understand that the City can require that the fencing be temporarily or permanently removed at the owner's expense if work within the easement is necessary or if it is determined that the fencing is detrimental to the function of the water, sewer, or storm water systems. In non-emergency situations the City will try to provide the property owner a reasonable amount of notice to remove the fencing. However, if the owner fails to remove the fencing or if an emergency situation arises the City will remove the fencing and charge the property owner for the expenses. At no time will the City be required to compensate the owner for the cost of repair, replacement, or

removal of fences within water, sanitary sewer, or storm water easements.

2. **Other Easements.** The City takes no responsibility for any fence or wall installed over easements not granted to the City.



## **Board of Aldermen Report**

**DATE:** March 14, 2013

**TO:** Members of the Board of Aldermen

**FROM:** Charles Senzee, Community Development Director

**SUBJECT:** PZ 13-01: Amendment to Chapter 9 – Fences and Walls

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The purpose of this report is to provide you with information regarding a proposed code amendment to Chapter 9, *Planning and Zoning*, of the City's adopted Code of Ordinances. This proposed amendment will create Section 9.340 "Fences and Walls" establishing specific regulations for the construction of fences and walls within the City. This proposed amendment was advertised on February 26th in the Boone County Journal.

### **Background**

Currently the City has no regulations regarding the construction of fences and walls. In 2010 Community Development staff determined that the creation of fence and wall regulations would benefit the City. The addition of such regulations would ensure that all new fences and walls within the City would be safely constructed and designed to preserve the aesthetic appeal of the property while still providing property owners an opportunity to preserve their privacy. However, this issue was shelved due to staff workload and the presence of more pressing concerns.

In June of 2012 a proposed amendment was presented to the Planning and Zoning Commission to establish fence and wall regulations. After numerous revisions and public meetings regarding this proposed amendment it was ultimately rejected by the City's Board of Aldermen on September 18, 2012. On January 8, 2013 the Planning and Zoning Commission requested that staff make some edits to the previous version of the amendment and then bring it back for formal consideration.

### **Proposed Code**

The full text of the proposed code amendment is included within the attached ordinance. Some highlights of this code include:

- Specific definitions for fences and walls.
- Permits required for construction.
- Specific regulations for agricultural, residential, and commercial fences and walls.
- Fences over 4' in height prohibited within residential front yards.
- Finished side of all fences must face out when visible from a public right-of-way.

### **Planning and Zoning Action**

The Planning and Zoning Commission reviewed the proposed amendment and recommended its approval to the City's Board of Aldermen on March 12, 2013.

**AN ORDINANCE OF THE CITY OF ASHLAND, MISSOURI, AMENDING THE CITY'S CODE OF ORDINANCES, CHAPTER 9, PLANNING AND ZONING TO ADD SECTION 9.373, "TRAVEL TRAILER PARKS" ESTABLISHING SPECIFIC REGULATIONS FOR THE IMPLEMENTATION OF SUCH PARKS WITHIN THE CITY, PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

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**WHEREAS**, the City Staff has determined that the proposed code amendment is necessary to ensure that travel trailer parks in the City are safely constructed, properly designed, and preserve the quality of Ashland's neighborhoods; and

**WHEREAS**, a Public Hearing on the question of the amendment has been duly held by the Planning and Zoning Commission of the City of Ashland, Missouri on March 12, 2013 and at such hearing, interested parties and citizens for and/or against the proposed amendments were heard; and

**WHEREAS**, the Board of Aldermen has reviewed the ordinance to be known as Chapter 9, Section 9.373 *Travel Trailer Parks*:

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

**SECTION 1. AMENDMENT.** Chapter 9, Planning and Zoning shall be amended to add Section 9.373, *Travel Trailer Parks*.

**SECTION 2. CODE LANGUAGE.** The Board of Aldermen hereby adopts the attached Section 9.373, *Travel Trailer Parks* to be marked as Exhibit "A".

**SECTION 3. SEVERABILITY.** If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

**SECTION 4. CODIFICATION.** It is the intention of the Board of Aldermen of the City of Ashland, Missouri, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Ashland, Missouri; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, "Ordinance" may be changed to "Section," "Article," or other appropriate word.

**SECTION 5. CONFLICTS.** All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage and approval.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Michael P. Jackson, Mayor

Attest:

\_\_\_\_\_  
Darla Sapp, City Clerk

DRAFT

**9.373. Travel Trailer Parks:**

Travel Trailer Parks may be permitted in those zoning districts which include it as a "permitted use" in Chapter 9. The following additional standards shall apply.

- A. *Required Plans.* A site plan in accordance with Chapter 9, Section 9.106 shall be provided.
- B. *Access.* Access to a Travel Trailer Park shall be provided only from a collector or arterial street.
- C. *Minimum Area.* A Travel Trailer Park shall encompass a minimum of ten acres.
- D. *Fencing.* Total or partial fencing of park boundaries may be required to prevent park users from trespassing onto adjacent private property, to restrict vehicular access to designated areas, and to adequately delineate property lines to prevent encroachment by adjacent land owners. The need for fencing shall be determined by the approval authority.
- E. *Internal Circulation Roads.* Roads within the Travel Trailer Park shall provide easy access to camp sites and shall comply with the following standards:
  - (1) Two-way traffic. Roads designated for two-way traffic shall have a width not less than 26 feet in width.
  - (2) One way traffic. Roads designated for one-way traffic shall have a width not less than 20 feet, and be adequately marked as such.
  - (3) No parking shall be permitted alongside any internal road, except within turnouts or parking areas so designated.
  - (4) Driveways and main internal access roads serving the park, including the office, solid waste disposal area and service roads shall be designed and constructed in accordance with public street specifications on file with the City. Internal circulation roads providing access to lots may be paved or hard-surfaced, with adequate grading, drainage or treatment to prevent ruts, depressions and dust.
- F. *Lot Design Standards.* Each lot shall comply with the following standards:
  - (1) Parking pad. Provide a parking pad, with minimum dimensions of 12 feet wide and 45 feet deep. A maximum 2 percent grade on the rear 30 feet of the parking pad shall be maintained, with a maximum 10 percent grade on the entrance.
  - (2) Patio area. Provide an outdoor living or patio area adjacent to the parking pad, situated to correspond to the door of the entrance door of the travel trailer. The patio area shall have

a minimum area of 120 square feet. The patio area shall be stabilized and shall maintain a grade of 0-2 percent. The patio area may be detached from the parking pad and accessed by steps where site conditions require.

- (3) Utility hookups. Where provided, individual hookups at lots for wastewater drains, water supply and electrical supply shall comply with applicable state and local codes.
- (4) Location of Lots. No lots shall be located within 100 feet of the traveled portion of any public right-of-way.
- (5) Minimum Spacing Between Lots. The minimum space between lots shall be 50 feet, as measured from center to center.

G. *Water Supply.* Water from an approved public water supply source shall be provided.

H. *Electric Power.* All electric power lines shall be placed underground.

I. *Sanitary and Wastewater Disposal.*

- (1) Sanitary and wastewater disposal shall tie into the public wastewater disposal system where feasible. On-site treatment may be provided where it is not feasible to connect to the public wastewater system. Such on-site treatment shall be constructed in conformance with local and state codes.
- (2) Sanitary Dump Station. A sanitary dump station shall be provided for the dumping and cleaning of campers' sewage holding tanks in a designated area, and shall include wash down facilities which are connected to the approved wastewater disposal system. The sanitary dump station shall be screened from public view by a solid fence or wall six feet in height or a combination of stagger-planted evergreen shrubs and trees to provide a solid visual barrier at the time of planting.
- (3) Traveler Washhouse. A washhouse providing separate toilet, lavatory and shower facilities for each sex as well as unisex facilities, shall be provided. One toilet, lavatory and shower shall be provided for each 25 lots. Washhouses shall be constructed and maintained in waterproof condition. The floors of washhouses shall be cement, concrete, tile or other type of waterproof material.

J. *Solid Waste, Garbage and Rubbish.* A central collection point or disposal system shall be maintained, which shall be screened from public view.

K. *Safety and Security.*

- (1) Registration of Guests. A register shall be kept at the park office and upon arrival, the owner or person in control of the recreational vehicle or vehicle and trailer shall register his or her name and address and all persons using same, the date of arrival, the state vehicle license plate number, together with the name of the state issuing the license. Each day, the applicant shall be responsible for entering the departure of trailers and guests in the register and for keeping such register in a legible form to indicate at all times the trailer count, and population of the park. An office area shall be maintained on the site of the travel trailer park
- (2) Lighting. Vandal resistant exterior lighting is to be provided where appropriate for the safety and security of the park guests, taking care not to over-light any facility. Exterior lights shall be controlled with photoelectric cells or timed switches. At a minimum, the following locations shall be illuminated:
  - Driveway entrances and exits from public streets;
  - Internal road intersections;
  - Office area;
  - Washhouses;
  - Public pay telephone areas; and
  - Other major facilities within the park.
- (3) Telephone. Public pay telephone service should be provided where appropriate for the safety and convenience of park guests, however a minimum of one public pay telephone shall be located in the vicinity of the park office and each washhouse area.

L. *Limitation of Trailers.* No person, firm or corporation permitted to operate a Travel Trailer Park shall allow the parking of trailers to an excess of the number specified in the application and permit under which the park is operated. Except for a single residence for the park supervisor or caretaker, no travel trailer occupancy may be permitted for longer than 90 days.



## **Board of Aldermen Report**

**DATE:** March 14, 2013

**TO:** Members of the Board of Aldermen

**FROM:** Charles Senzee, Community Development Director

**SUBJECT:** PZ 13-02: Amendment to Chapter 9 – Travel Trailer Parks

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The purpose of this report is to provide you with information regarding a proposed code amendment to Chapter 9, *Planning and Zoning*, of the City's adopted Code of Ordinances. This proposed amendment will create Section 9.373 "Travel Trailer Parks" establishing specific regulations for the implementation of such parks within the City. This proposed amendment was advertised on February 26th in the Boone County Journal.

### **Background**

In November of 2012 staff was approached by the owners of Golden Windmill Mobile Home Park to discuss the possibility of allowing travel trailers (aka RV's) to be placed within the mobile home park for residential purposes. While investigating this question staff found that Ashland's existing Code of Ordinances provides definitions for "travel trailers" and "travel trailer parks". Ashland's existing code also permits such parks within the C-G zoning district and allows them as conditional uses within the APC, API, and AAD zoning districts. However, the existing code fails to establish any specific regulations on how such parks should be implemented. The definitions currently found within the City's code are listed below:

- **Travel Trailer:** (1) A vehicular, portable structure built on a chassis and designed for temporary occupancy for travel, recreational or vacation use; when factory equipped for road use, being of any weight, provided its overall length does not exceed thirty-two (32) feet; (2) a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation; (3) a portable, temporary dwelling to be used for travel, recreational and vacation purposes, constructed as an integral part of a self-propelled vehicle, (4) a folding or telescoping structure, mounted on wheels and designed for travel, recreation and vacation use.
- **Travel Trailer Park:** A parcel of land which has been improved for the placement of travel trailers for transient use.

Staff researched the issue further and consulted with the City's Attorney and the Boone County Building Division. It was determined that "Mobile Home Parks" and "Travel Trailer Parks" were fundamentally different in nature and that travel trailers could not be utilized within Mobile Home Parks in the manner proposed by the owners of Golden Windmill. However, it was also determined that specific standards for travel trailer parks should be adopted in order to correct the deficiency found in the City's current code.

Staff evaluated a number of local and national codes regarding travel trailer parks and determined that the code from Jefferson City could best be adapted for Ashland's use. After discussing this issue with the City's Board of

Aldermen on November 20, 2012 the City Administrator (Kelly Henderson) issued a memo temporarily adopting these standards until such time that the City could formally adopt an ordinance regarding travel trailer parks.

### **Proposed Code**

The full text of the proposed code amendment is included within the attached ordinance. This code is based upon the code adopted by Jefferson City but has been altered to better suit the needs of Ashland. This code is identical to that temporarily adopted by the City on November 21, 2012.

### **Planning and Zoning Action**

The Planning and Zoning Commission reviewed the proposed amendment and unanimously recommended its approval to the City's Board of Aldermen on March 12, 2013. However, the Commission requested that staff prepare a separate amendment to the existing "Travel Trailer" definition to allow larger trailers. Staff has initiated the process necessary to amend this definition and a separate ordinance will be provided to the Planning and Zoning Commission for consideration at an upcoming meeting.

AN ORDINANCE AMENDING CHAPTER 14; SEWER, WATER AND SOLID WASTE BY ENACTING ARTICLE V. SUB-CHAPTER B-WATER TO BE KNOWN AS EMERGENCY USE RESTRICTIONS TO THE CITY OF ASHLAND, MISSOURI CODE OF ORDINANCES

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WHEREAS, The City of Ashland desires to implement a plan for the conservation of water by all city water customers in the event of a water shortage or other emergency; and

WHEREAS, the Board of Aldermen has found that it is necessary to have the ability to implement water use restrictions and respond to City water supply emergencies; and

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

Section 1. That Article V. Emergency Use Restrictions shall be enacted to Chapter 14; Sewer, Water and Solid Waste, Sub-Chapter B-Water and shall read as follows.

**SECTION 14.300. PROCLAMATION-GENERALLY**

Whenever the water supply of the City is low, or whenever the pressure maintained in the water storage facilities or water mains of the City is low, due to conditions of drought or other emergencies which may arise, it shall be the duty of the Mayor to issue a proclamation stating the facts and prohibiting any person from using City water for any purpose other than for essential health, safety and welfare needs.

**SECTION 14.305. PROCLAMATION-FORMS OF PROCLAMATIONS**

As provided in Section 14.300, the Mayor shall implement provisions of this Article to the extent and for such periods as h/she deems necessary for the protection of human life and safety. Such proclamations shall be in effect for periods at the Mayor's discretion. In his/her proclamation the Mayor may provide for a scheduled implementation of restrictions of water use, or he/she may direct such immediate and total restrictions as are provided for in this Article. The Mayor may issue proclamations amending any previously issued by him/her under this Article. The Mayor may rescind or revoke any proclamations made by him/her should the emergency causing such action be resolved.

**SECTION 14.310. NOTICE**

Any proclamation issued by the Mayor within the purview of this Article shall be posted in at least two (2) public places within the City and shall also be published at least once in a newspaper generally circulated within the City.

#### SECTION 14.315. EFFECTIVE DATES OF PROCLAMATIONS

Any proclamation issued by the Mayor within the scope of this Article shall take effect immediately upon its being posted and published, and shall be in full force and effect until rescinded or revoked by the Mayor.

#### SECTION 14.320. ENFORCEMENT OFFICIALS

All employees of the Board of Public Works, Water Department and all Police Officers are empowered to enforce the provisions of this Article. Also, the Board of Aldermen shall have the power to appoint any number of persons necessary to enforce the provisions of this Article, who shall themselves have the power of special Policemen with the authority to make arrests for any violations of this Article.

#### SECTION 14.325. COORDINATION WITH GOVERNMENT AGENCIES

During times of water emergencies proclaimed by the Mayor, it shall be the duty of the Mayor and Superintendent of the Board of Public Works to maintain close coordination with the State's Department of Natural Resources and such other agencies of the Federal, State, or other local governments as may have the ability to assist the City during its period of emergency.

#### SECTION 14.330. APPLICATION OF ARTICLE

The provisions of this Article shall apply to all persons using water both within and outside the corporate limit of the City, and regardless of whether any person, firm, corporation, or institution using water shall have a contract for water service with the City.

#### SECTION 14.335. CERTAIN USES PROHIBITED

In times of emergency proclaimed as provided in this Article, the following uses and withdrawals of water by any person shall be prohibited.

1. Watering yards, namely, the sprinkling, watering, or irrigating of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers, and any other vegetation.
2. Washing mobile equipment, namely, the washing of automobiles, trucks, trailers, trailer-houses, railroad cars, and any other type of mobile equipment.
3. Cleaning outdoor surfaces, namely, the washing of sidewalks, driveways, filling station aprons, porches and other outdoor surfaces.
4. Cleaning buildings, namely, the washing of the outside of dwellings and of the inside or outside of office and other commercial buildings.
5. Cleaning equipment and machinery, namely, the washing and cleaning of any business or industrial equipment and machinery.
6. Swimming pools, namely, swimming and wading pools not employing a filter and recirculating system.

7. Ornamental fountains, namely, the operation of any ornamental fountain or other structure making a similar use of water.
8. "Escape through defective plumbing", namely, the escape of water through defective plumbing, which shall mean the knowing permission for defective plumbing to remain out of repair.
9. Sale to bulk haulers, namely, the sale of water to non-metered customers hauling the same to out of town consumers.
10. Sale to out of town consumers, namely, all bulk or tank sale, coin-operated facilities where water is sold to persons hauling the same for their own use.
11. Automatic or commercial car washes, namely, commercial coin-operated car wash or any other type of mobile equipment commercial washing operation.
12. Cooling water, namely, water used for cooling machinery, air conditioning, or heating unless such water is recycled within a closed system.
13. Dust control, namely, water used for the control of dust.
14. Flushing mains, namely, flushing of water mains by Board of Public Works employees except to alleviate specific customer complaints.
15. Use from a fire hydrant, namely, use of water from a fire hydrant except for fighting fires, human consumption, or use in connection with animals.

#### SECTION 14.340. CONSERVATION PLAN REQUIRED OF LARGE COMMERCIAL, INDUSTRIAL, INSTITUTIONS, GOVERNMENTAL SUBDIVISION, WATER DISTRICTS

It is mandatory that within forty-eight (48) hours after the posting of the Mayor's proclamation under this Article all customers with a two (2) inch water meter (this does not include meters strictly for fire protection only) submit a water conservation plan in writing to the Mayor for approval. Such plan shall incorporate all uses prohibited in Section 14.335 of this Article and shall immediately when approved be put into effect. Such plan shall only be approved if average consumption is reduced by fifty percent (50%). Failure to submit such plan shall result in the penalty provisions of this Article being enacted immediately.

#### SECTION 14.345. RESTRICTIONS ON BUSINESS, INSTITUTIONAL AND INDUSTRIAL USES

In times of emergency any restrictions imposed on the consumption of water within the City shall first be levied against industrial, institutional, and business users, with the Mayor hereby empowered to limit the consumption of water by industrial, institutional, and business users to the amount used by such users, during the corresponding month of the year previous to the emergency, a fraction thereof, or he/she may suspend such services entirely when, in his/her opinion, the welfare of the City so warrants. If no previous year consumption data is available, the Mayor shall establish a formula establishing a consumption average.

#### SECTION 14.350. EXCEPTION FOR BUSINESSES NECESSARY TO PUBLIC WELFARE

In any proclamation issued by the Mayor pursuant to this Article curtailing the usage of water by business or industrial customers, provisions may be made to allow water usage by those businesses and industries that are, in the Mayor's opinion, necessary for the public health, safety, and welfare.

#### SECTION 14.355. PROVIDING OF NECESSARY USAGE DATE

It shall be the responsibility of the Superintendent of the Board of Public Works to keep current and have available such records of water usage as may be necessary to implement the provisions of this Article, including the amount of water available for sale by the City and that normally consumed by its several customers.

#### SECTION 14.360. RESIDENTIAL USE OF WATER

The restrictions herein imposed on the consumption of water within the City shall apply to residential users to the extent that the Mayor may also restrict the usage of water to certain hours of the day, divide the City into sections for the purpose of alternating water service on a scheduled basis, besides making applicable to such customers provisions of the preceding Sections of this Article. The Mayor is also hereby empowered to limit the consumption by residential users to the amount used by such users during the corresponding month of the year previous to the emergency, a fraction thereof, or he/she may suspend such services entirely when, in his/her opinion, such customers does not intend to practice water conservation at the expense and general welfare of other citizens. If no previous year consumption data is available, the Mayor shall establish a formula establishing a consumption average.

#### SECTION 14.365. EXCEPTION TO MAINTAIN SANITATION

Notwithstanding other provisions set forth in this Article, the Mayor shall have the authority to permit a reasonable use of water in any case necessary to maintain adequate health and sanitation standards.

#### SECTION 14.370. TERMINATION OF WATER SERVICE

Whenever a customer of the Water Department continues to violate the provisions of this Article, the Mayor may have such customer's water service disconnected at the water main and all costs for such disconnection shall be payable by such customer. Reinstatement of such service shall be at the discretion of the Mayor.

#### SECTION 14.375. INCREASED COSTS FOR WATER SERVICE

The Mayor, with the approval of the Board of Aldermen, is hereby empowered to increase the costs of water service by fifty percent (50%) during an emergency if a customer violates the provisions of this Article.

SECTION 14.380. PENALTIES

Any person who uses any water furnished by the City in violation of this Article shall be deemed guilty of a misdemeanor, and upon conviction may be punished as provided in Section 14.165 of this Code.

SECTION 2. SEVERABILITY. If any Section, or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 3. CODIFICATION. It is the intention of the Board of Aldermen of the City of Ashland, Missouri, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinance of the City of Ashland, Missouri; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word "Ordinance" may be changed to "Section," "Article," or other appropriate word.

SECTION 4. CONFLICTS. All ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and approval.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Michael P. Jackson, Mayor

Attest:

\_\_\_\_\_  
Darla Sapp, City Clerk