

BILL NO. 24-5

ORDINANCE NO. _____

AN ORDINANCE IN THE CITY OF PIERCE CITY, MISSOURI, DEFINING A DWELLING AND SETTING FORTH REQUIREMENTS FOR ALL DWELLINGS.

WHEREAS, there exist in the city numerous dwellings that are substandard in one or more important features of structure, equipment, maintenance or occupancy; and

WHEREAS, such conditions adversely affect public health and safety and lead to the continuation, extension and aggravation of urban blight; and

WHEREAS, adequate protection of public health, safety and welfare therefore requires the establishment and enforcement of minimum housing standards.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PIERCE CITY, MISSOURI, THAT SECTION 405.040 WILL BE ADDED TO THE ORDINANCES OF THE CITY OF PIERCE CITY AS FOLLOWS:

SECTION 405.040

1. A Dwelling shall be defined as any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as a residence by any one person or one (1) or more families; and which must have facilities which are used, or are intended to be used, for living, sleeping, cooking and eating.
2. Temporary housing shall not be classified as a dwelling. Temporary housing includes campers of any type, fifth wheels and all recreational vehicles with and without wheels.
3. Industrialized housing and modular construction that conforms to nationally accepted industry standards and used or intended for use for living, sleeping, cooking and eating purposes shall be classified as dwellings with the proper Federal or Missouri certification.
4. No person shall occupy or reside in any structure that is not a Dwelling as defined in subsection 1.
5. It shall be unlawful for anyone in the city limits of the City of Pierce City, Missouri to inhabit a Dwelling unless the Dwelling has functional running water.
6. The Dwelling must have at least one sink, and one lavatory or wash closet containing a flushing toilet, and one bathtub or one shower, and one drinking fountain, and all plumbing fixtures shall be properly connected to either a public water system or to an approved private water system and be functional while residents are inhabiting the premises for safety and sanitation reasons. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water.

7. All Dwellings must have kitchens, which are comprised of a room used for the storage of foods, preparation of foods and containing the following equipment: sink and/or other device for dishwashing, stove or other device for cooking, refrigerator or other device for cool storage of food, cabinets and/or shelves for storage of equipment and utensils and counter or table for food preparation.

8. Any person found to be living in a structure that does not conform to the definition of Dwelling as defined herein is in violation of this ordinance and may be sent notice of said violations, which shall be remedied within fourteen (14) days or the occupant will be ticketed for a nuisance.

9. Any person found to be without proper water service, shall have water service restored within five (5) business days. The occupant must vacate the premises if water is not restored. If the occupant chooses to stay on the premises without water, they will be cited and required to appear in court.

10. Temporary Housing may be used upon application and approval of the Board of Alderman for a period of thirty (30) days.

11. Any person violating any of the provisions of this Section shall be deemed guilty of an ordinance violation and upon conviction thereof may be fined in an amount not exceeding five hundred dollars (\$500.00). Each incident such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

12. Should the definition of Dwelling in this ordinance conflict with the definition of dwelling in any other ordinance passed by the city of Pierce City, the definition of dwelling in this ordinance shall supersede all other definitions of dwelling, but not replace the definition of dwelling in the other ordinances when not found to be in conflict.

13. This ordinance if found to be in the best interest of the citizens of Pierce City, Missouri.

14. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court, such a decision shall not affect the validity of the remaining portions of this Ordinance.

15. This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED this __ day of _____, 2024.

Todd Killingsworth Mayor
City of Pierce City, Missouri

BILL NO. 24-6

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF PIERCE CITY, MISSOURI, BY SETTING FORTH THE SPECIFICATIONS FOR THE TYPES OF STURCTURES IN DISTRICT ONE OF THE CITY OF PIERCE CITY.

SECTION 405.080 District One. The Municipal Code of the City of Pierce City, Missouri, Title IV Land Use, Chapter 405 Zoning Regulations Article III District One Regulations Section 405.080 is hereby amended by clarifying the specifications for structures in District One of the City of Pierce City.

WHEREAS, there exist in the city numerous dwellings that are substandard in one or more important features of structure, equipment, maintenance or occupancy; and

WHEREAS, such conditions adversely affect public health and safety and lead to the continuation, extension and aggravation of urban blight; and

WHEREAS, adequate protection of public health, safety and welfare therefore requires the establishment and enforcement of minimum housing standards.

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

1. In District One, no building, structure, land or premises shall be used and no building or structure shall be erected, moved, constructed or altered except for one (1) or more of the following uses:

(1). *Single-Family Dwellings.* "Single-family" shall be defined as one (1) or more persons who are related by blood or marriage, and one (1) other person not so related, living together and occupying a single housekeeping unit with single kitchen facilities. This may include any home in which eight (8) or fewer unrelated developmentally or physically handicapped persons reside and may include two (2) additional persons acting as houseparents or guardians who need not be related to each other or to any of the developmentally or physically handicapped persons residing in the home, in the case of any such residential home for developmentally or physically handicapped persons, the exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards.

(2). Public schools, public parks and playgrounds, golf courses, except miniature golf courses, driving ranges and similar activities operated as a business, museums, libraries, recreational building, fire stations or other public buildings used or owned, controlled and operated exclusively by the City, the State or the United States.

(3). Accessory buildings including the private garage when situated upon the same lot with the main building and not less than sixty (60) feet from the front street line and in the case of corner lots, no closer to the side street than is permitted for residences on that lot; except that a private garage may be constructed as an integral part of the main building, subject to the height and area regulations of the main building.

(4). Multiple-family dwellings, boarding houses or lodging houses, churches, fraternity or sorority houses, hospitals, sanitariums or clinics, mortuaries, nurseries and greenhouses.

(5). Music studios, philanthropic or eleemosynary uses or institutions, other than a penal or correctional institution, private clubs, except clubs where the chief activity of which is a service customarily carried on as a business, to family private residences, and private or parochial schools, colleges or universities.

(6). Hotels and apartment houses, including only such facilities as are customarily required for the operation of a hotel or an apartment house or for the use or entertainment of guests or tenants; provided that such facilities are conducted and entered from within the building; provided further that no window or other display or sign is used to advertise the same.

(7). Telephone business and switchboard office and related facilities; provided, that no building or structure constructed or used for such purpose shall be located nearer than five (5) feet from the lot line of any immediately adjoining or contiguous lot, upon which a residence or dwelling house is situated at the time a building or structure is constructed or first used for such purposes, and that no such building or structure shall be situated nearer to the street than any residence located upon an immediately adjoining or contiguous lot.

(8). Customary home occupation, such as the office of a physician, dentist, surgeon, veterinarian, dressmaker, caterer, musician, artist, beautician or barber, under the following restrictions such uses are located in the dwelling used by a person as his/her private residence; no assistant except that a receptionist or secretary other than a member of the family household is employed; and no windows, display or sign either illuminated or more than one (1) foot square in area is used to advertise the same.

2. In District One, no billboard sign or advertising signs shall be permitted, except a "For Sale" sign, "Garage Sale" sign or "For Rent" sign. Political signs not in excess of thirty-six (36) inches by thirty-six (36) inches shall be allowed.

3. In District One, the height of buildings and dwellings, the minimum dimension of lots and yards and the minimum lot area per family permitted upon any lot used for residential purposes shall be as follows:

(1). *Height.* No building erected or structurally altered after April 21, 1992, shall exceed three (3) stories or forty-five (45) feet in height, except as otherwise provided in this Chapter.

(2). *Lot size.* The minimum lot size shall not be less than seventy-five (75) feet by one hundred (100) feet.

(3). The depth of the rear yard shall not be less than twenty-five percent (25%) of the depth of the lot, provided that such depth need not be more than twenty-five (25) feet.

(4). The depth of the front yard shall be not less than twenty percent (20%) of the depth of the lot, but such front yard need not be more than twenty-five (25) feet, except as otherwise provided in this Chapter.

(5). There shall be a side yard on each side of a building not less than ten percent (10%) of the width of the lot, but in no event less than seven and one-half (7½) feet in width. Buildings on corner lots where interior lots have been platted on side streets shall provide a side yard adjacent to the side of the street of not less than fifty percent (50%) of the front yard established for buildings on interior lots on the side street; provided that this regulation shall not be interpreted as to reduce the buildable width of a corner lot of record of April 21, 1992, to less than sixty-five percent (65%) of the total width of such lot, provided further that the minimum side yard regulations in this Section must be observed. Accessory buildings on corner lots, where interior lots have been platted on side streets, shall not project beyond the front yard line established on the side street, provided that this regulation shall not reduce the buildable width to less than twenty (20) feet.

4. In District One, every building or portion of building erected, moved or altered for residence purposes in District One after April 21, 1992, shall provide a lot area of not less than seventy-five (75) feet by one hundred (100) feet per family in a single-family dwelling and in the case of multiple-family dwellings not less than three thousand seven hundred fifty (3,750) square feet per family and not less than one thousand (1,000) square feet per family in apartment houses.

5. In District One, no private garage shall provide space for storage for more than one (1) vehicle for each one thousand (1,000) square feet of lot area.

6. In District One, only one dwelling can occupy a lot without permission through permit authorized by the Board of Alderman.

7. The owner of a manufactured home or tiny home as hereinafter defined may convert the manufactured home or tiny home to real property by:

(1). Attaching the manufactured home or the tiny home to a permanent foundation situated on real estate owned by the manufactured homeowner; and by orienting the manufactured home or tiny home on the lot so that its long axis is parallel with the street which bears that lot's address; and

(2). The removal or modification of the transporting apparatus including, but not limited to, wheels, axles and hitches rendering it impractical to reconvert the real property thus created to a manufactured home.

8. Any person violating any of the provisions of this Section shall be deemed guilty of an ordinance violation and upon conviction thereof may be fined in an amount not exceeding five hundred dollars (\$500.00). Each incident such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

9. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court, such a decision shall not affect the validity of the remaining portions of this Ordinance.

10. This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED this __ day of _____, 2023.

Todd Killingsworth Mayor
City of Pierce City, Missouri

ATTEST:

Julie Johnson – City Clerk
City of Pierce City, Missouri

BILL NO. 24-7

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF PIERCE CITY, MISSOURI, BY ADDING TINY HOMES TO THE MOBILE HOME DISTRICT SECTION OF THE MUNICIPAL CODE, SETTING FORTH THE SPECIFICATIONS FOR TINY HOMES, AMENDING THE SPECIFICATIONS OF MOBILE HOMES, AND ADDING AREAS FOR THE DEVELOPMENT OF TINY HOME CLUSTERS

SECTION 405.130 District Two. The Municipal Code of the City of Pierce City, Missouri, Title IV Land Use, Chapter 405 Zoning Regulations Article III District Two Regulations Section 405.130 is hereby amended by adding the following language regulating Tiny Homes, amending specifications for mobile home, and creating area for the development of Tiny Home Clusters.

WHEREAS, Development that allows flexibility for creative design and superior scenic quality through preservation of sensitive environmental areas and efficient use of land. Instead of a conventional subdivisions, which traditionally result in buildings spaced evenly throughout the site, cluster developments allow for individual lot and setback requirements to be reduced so as to group to 'cluster' development on a portion of the site, and

WHEREAS, the City of Pierce City has an interest in the welfare of the community, which allows for zoning and building requirements for the safety and wellbeing of its citizens.

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

1. In District Two, no building, structure, land or premises shall be used and no building or structure shall be erected, moved, constructed or altered except for one (1) or more of the following uses:

- (1). Any use permitted in District One.
- (2). The placing or setting of a mobile home, park trailer or manufactured home on one or more mobile home spaces.
- (3). The operation of a mobile home park as hereinafter defined.
- (4). The placing, setting or building of a Tiny Home, as hereinafter defined.
5. The operation of a Tiny Home Cluster.

2. For purposes of this Section, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

DEPENDENT MOBILE HOME

A mobile home that does not have a flush toilet and a bath or shower.

INDEPENDENT MOBILE HOME

A mobile home that has a flush toilet and a bath or shower.

MANUFACTURED HOME

A factory-built structure or structures which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, contains three hundred twenty (320) or more square feet, equipped with the necessary service connections and made so as to be readily movable as a unit or units on its or their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation. The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the manufactured home placed thereon may be moved from time to time at the convenience of the owner.

MOBILE HOME

Any vehicle or portable structure having no foundation other than wheels, jacks or blocks and so designed or constructed as to permit occupancy for dwelling or sleeping purposes, including any vehicle or portable structure constructed to permit the same to be driven or pulled upon the public highways and so designed or constructed as to permit occupancy for dwelling or sleeping purposes.

TINY HOME

A structure not less than 128 Sq Ft and not to exceed 750 Sq Ft (not including loft spaces) and not exceeding 2 stories in height. Intended for use as a permanent, single-family residence. Structure must be independently connected to public utilities (electric, water and sewer). A manufactured home, mobile home or travel unit is not considered a Tiny Home. Storage buildings converted to Tiny Homes are not accepted. Units must have characteristics of a typical home.

MOBILE HOME PARK

Any plot of ground containing two (2) or more mobile home spaces.

TINY HOME CLUSTER

A cluster development must include construction of a minimum of 4 and a maximum of 16 Tiny Homes.

MOBILE HOME SPACE

A plot of ground designed for the accommodation of one (1) mobile home within a mobile home park.

PARK TRAILER

A modular type unit built on a single chassis mounted on wheels, designed primarily as temporary living quarters for seasonal or destination camping, and having a gross trailer area not exceeding four hundred (400) square feet and not less than two hundred forty (240) square feet in the setup mode.

Nothing in the above definition of mobile home or in this Section shall prohibit the storage of, nor occupancy of, a recreational vehicle (motor home or travel trailer) on one's own property regardless in what district classification the property may be located.

C.

No person shall park or occupy any mobile home on any premises within the City limits, other than in District Two. The parking or storing of an unoccupied mobile home in a building or in a rear yard or rear portion of a lot other than in District Two shall not be permitted.

D.

It shall be unlawful for any person to maintain or operate a mobile home park or a Tiny Home Cluster within the City limits unless such mobile home park is licensed as provided in this Chapter.

E.

Application for a mobile home park license [or a Tiny Home Cluster license] shall be filed with the City Clerk for approval by the Board of Alderman. Such application shall include:

1.

Name and address of the applicant.

2.

Location and description of the existing or proposed park.

3.

A drawing at scale of not less than one (1) inch equals twenty (20) feet that shall show:

a.

Accurate dimensions of the existing or proposed mobile home park or Tiny Home Cluster.

b.

All roads and approaches and the methods of ingress and egress from public streets.

c.

Complete installations for electric service, natural gas service, sanitary service and telephone service.

d.

Location and dimensions, construction and surfacing of all interior streets, parking areas, patios and all other weather surfaces.

e.

Locations and dimensions of all buildings and structures.

f.

Locations and dimensions of all spaces.

F. If the Board of Alderman determines that such mobile home park or Tiny Home Cluster is or will be in compliance with the provisions of this Chapter and with the other provisions of the City, the license shall be issued to the applicant and shall be valid for a period of one (1) year from the date of its issuance.

G. Any enlargement of existing mobile home parks or Tiny Home Cluster shall require that an application for enlargement be submitted and approved by the Board of Alderman before such enlargement is undertaken.

H. A permit shall be issued on an annual basis, upon written request therefore, for every mobile home park in existence on April 21, 1992.

I. Every mobile home park or Tiny Home Cluster license or permit shall be renewed each year upon determination of the Building Inspector or Chief Law Enforcement Officer that operation and maintenance of the Mobile Home Park or Tiny Home Cluster continue to meet the provisions of this Section. The annual mobile home park license or permit fee shall be twenty-five dollars (\$25).

J. The lawful use of real property for the parking of mobile homes existing on April 21, 1992, although such use does not conform to the provisions of this Section, may be continued, but only to the extent such use exists on such date. If such non-conforming use is discontinued for a continuous period of more than sixty (60) days, any further use of such real property shall be subject to and shall be made in conformity with all other Sections of this Chapter.

K. If a structure meeting the Tiny Home definition is being inhabited as a dwelling at the time of the passage of this ordinance it shall be brought up to specifications of this ordinance and the specifications of Dwellings generally in Section 405.040 within ninety (90) days of its passage, or notice of a violation of this ordinance may be sent from the city to the occupant or homeowner. If the violation is not remedied within fourteen (14) days, the occupant or homeowner will be ticketed for violation of this ordinance or ticketed for a nuisance generally. Upon conviction thereof may be fined in an amount not exceeding five hundred dollars (\$500.00). Each incident such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

L. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court, such a decision shall not affect the validity of the remaining portions of this Ordinance.

This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED this __ day of _____, 2024.

Todd Killingsworth Mayor
City of Pierce City, Missouri

ATTEST: