

# The City of Iron Mountain Lake, Missouri

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# **CONSTITUTION**

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# **The City of Iron Mountain Lake, Missouri**

## **CHAPTER 1 – INCORPORATION, BOUNDARIES, WARDS, SEAL**

### *GOVERNMENT AND REVENUE – INCORPORATION*

#### **BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE AS FOLLOWS:**

##### **I.010. Incorporation, classification.**

1. The City of Iron Mountain Lake is incorporated as a city of the fourth class in the State of Missouri.
2. Iron Mountain Lake is subject to the statutes and constitutional provisions of Missouri pertaining to cities of the fourth class. Any ordinances or parts of ordinances of the City which conflict with such statutes or constitutional provisions shall be void.  
(ORD. IML – 1983)

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##### **1.020. Boundaries.**

1. The corporate boundaries of the City of Iron Mountain Lake shall be as follows:

A tract of land being Section 5, Township 34 North, Range 4 East and part of Section 29, 31, and 32, Township 35 north, Range 4 East, St. Francois County, Missouri, and described as follows:

Beginning at the northeast corner of the southeast quarter of Section 32, Township 35 north, Range 4 east; thence southwardly along the eastern line of said section 5 to the southwest corner thereof; thence northwardly along the western line of Section 5 to the northwest corner thereof; said point being located on the southern line of Section 31, Township 35 north, Range 4 east; thence leaving the southern line of said Section 31 and running Northwardly along a line parallel with the eastern line of Section 31 to its intersection with the east and west Centerline Section 31; thence westward along said center section line parallel with the eastern line of Section 31 to its intersection with the east and west centerline Section 31; thence westward along said center section line to a point being 258 feet east of the northwest corner of the southeast quarter of Section 31 as measured along the east and west centerline of said Section; thence northwardly to a point on the southeastern line Highway “W” at its intersection with the northern line of Iron Mountain Road; thence Eastwardly and Southeastwardly along said road line to a point 30 feet perpendicular distance west of the east line

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of Section 31; thence northwardly along a line parallel with said Section line to a point on the North line of Section 31; thence eastwardly along said northern Section line 30 feet to the Northeast corner of Section 31, said point also being the southwest corner of section 29, township 35 North, Range 4 East; thence Northwardly along the western line of section 29 to its intersection with the Southeastern line of Highway “W”; thence Northeastwardly along said Highway line to a point 130 feet perpendicular distance east of the western line of said section 29; thence southwardly and parallel with the western line of section 20 and the western line of Section 32 to its intersection with the Northeastern line of Iron Mountain; thence southeastwardly along said road line to a point on the east and west centerline of Section 32, and the point of beginning. (Ord. IML – 1983)

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### **1.30. Wards. - [Amended](#)**

1. The City of iron Mountain Lake shall be divided into two (2) wards.
2. The First Ward of the City of Iron Mountain Lake shall include so much of the City as lies east of the centerline of Wayne Street and the extensions thereof.
3. The Second Ward of the City of Iron Mountain Lake shall include so much of the City as lies west of the center line of Wayne Street and the extensions thereof. (ORD. IML – 1983)

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### **1.040. Councilmen.**

Each ward of the City of Iron Mountain Lake shall be represented on the Board of Councilmen by two (2) councilmen. Each ward shall annually elect one (1) councilmen, who shall hold his office for a term of two (2) years.

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### **1.050. Common Seal.**

1. The Seal of The City of Iron Mountain Lake shall be circular, one and seven-eighths (1 7/8) inches in diameter, with the words “St. Francois County, Missouri” engraved across the face, and the words “Seal of the City of Iron Mountain Lake” engraved near the outer edge.
2. The City Clerk shall be the keeper of the common seal of Iron Mountain Lake, and any impression of said seal in any contract or other writing shall have no validity or binding obligation upon said city unless such impression be accompanied by the attestation and signature of the City Clerk, and then only in cases authorized by law or by the ordinances or duly enacted resolution of said City. (Ord. IML – 1983)

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Read three times and passed this 25<sup>th</sup> day of May, 1983.

Approved this 25<sup>th</sup> day of May, 1983

Pearl Pirtle

Mayor

Attest:

Joyce Pearl

City Clerk

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### Amendment to Section 1.030. Wards.

AN ORDINANCE TO AMEND CHAPTER I, [SECTION 1.030](#) OF CHAPTER ONE SHALL BE CHANGED TO READ:

#### 1.030 Wards

1. The City of Iron Mountain Lake shall be divided into three wards.
2. The first ward of the City of Iron Mountain Lake shall include so much of the City that lies North of the center line of Mexico drive and the extensions thereof including all residents west of the lake south of Gallatin Drive, and west of the center line of Wayne Drive and the northern extension thereof on the North side of Gallatin Drive.
3. The second ward of the City of Iron Mountain Lake shall include so much of the City that lies East of the center line of Wayne Drive to the East boundary of the City and south to include all residents on the East side of the lake and the portion of the inlet creek located North of the center line of Kirkwood Drive and the extension thereof.
4. The third ward of the City of Iron Mountain Lake, Missouri shall include so much of the City that lies north of King School Road to the center line of Kirkwood Drive and the

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extension thereof that extends to the inlet creek, to include all residents living south of the center line of Mexico Drive and the extension thereof. (ORD.IML – 1991)

Read three times and passed this 9<sup>th</sup> day of December 1991

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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## **The City of Iron Mountain Lake, Missouri**

### **CHAPTER 5 – ORDINANCES**

#### **BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE AS FOLLOWS:**

##### **5.010. Ordinances, how cited.**

These ordinances, and the subsequent amendments thereto, shall be known as the “Ordinances of the City of Iron Mountain Lake”, and shall be designated and cited as such, adding the chapter and section without reference to the date of passage or approval. (ORD. IML-1983)

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##### **5.020. Passage - [Amended](#)**

The style of the ordinance of this City shall be: “Be it ordained by the Board of Councilmen of the City of Iron Mountain Lake as follows: “No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members of the Board of Councilmen shall vote for it, and the ayes and nays be entered on the journal. All bills shall be read three times before passage. If a repealed ordinance be re-enacted, it must be set forth at length in a new bill, as if it were a new and original ordinance. All bills must be signed by the Mayor, or person exercising the duties of the Mayor, before becoming ordinances, unless such bill shall be passed over the Mayor’s veto, as hereinafter provided. (ORD. IML – 1983)

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##### **5.030. Mayor’s signature, veto---passage over veto.**

Every bill passed by the Board of Councilmen and signed by the Mayor shall become an ordinance. The Mayor may object in writing to the bill and sign and return the same to the Board of Councilmen, which shall cause the Mayor’s objections to be entered upon

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the journal, and then consider and vote upon the following question: “shall the bill pass, the objections of the Mayor thereto notwithstanding?” If two-thirds of the councilmen vote “aye”, the City Clerk shall so certify in the minutes, and the bill shall become an ordinance. If the Mayor should refuse to sign any bill, but also refuse or fail to return the same to the Board of Councilmen with his written and signed objections at the next regular meeting of the Board of Councilmen, then the bill shall become an ordinance without the Mayor’s signature. (ORD. IML – 1983)

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### **5.040. Resolutions.**

If the Board of Councilmen shall decide to enter a contract for work to be done, or make a purchase, or take some other action which shall have no effect upon citizens or officials of the City after the work is done, or the payment is made, or the legal obligation is incurred, then such action may be taken by resolution, unless otherwise required by law, resolutions may be passed orally, and need not be presented in the form of a bill.

Resolutions are not subject to the veto of the Mayor, and need not be read three times before passage, and the ayes and nays need not be entered in the journal. Resolutions shall be kept in a separate book, as set out elsewhere in this chapter. (ORD. IML – 1983)

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### **5. 050. Resolutions and ordinances appropriating money.**

No ordinances or resolution appropriating money shall be passed unless there is an unexpended balance in the fund in the treasury from which such appropriation is to be

## **The City of Iron Mountain Lake, Missouri**

made sufficient to meet such appropriation. Every bill that contemplates payment of money shall, upon its second reading, be referred to the City Treasurer or to the person acting as the City Treasurer, for his endorsement to the effect that the City has sufficient money in the appropriate fund. (ORD. IML – 1983)

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### **5. 060. Custody, numbering.**

How to number ordinances, numbering system for ordinances

1. The City Clerk shall be the official custodian of the ordinances and resolutions. He shall preserve them, bound and indexed, in separate books. Ordinances shall be numbered in accordance with the system of numbering used in these ordinances. Resolutions shall be numbered with the year, followed by a dash, followed by the consecutive number of the resolution from and after January first of that year. (Example: 1983-17). Ordinances enacted later than the date of enactment of Ordinances of the City of Iron Mountain Lake of 1983 shall be marked with the date of their passage and effective date and shall be placed in a section of the Ordinance Book designated as “Supplement” until such time as the body of the Ordinance Book may be revised.
2. Each councilmen and officer of the City Shall be provided with a copy of the official Ordinance Book, and shall be responsible for maintaining the same as a duplicate of the official Ordinance Book in the custody of the City Clerk, and shall turn such copy over to his or her successor at the expiration of his or her term of office. (ORD. IML – 1983)

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## **The City of Iron Mountain Lake, Missouri**

### **5.070. Retroactivity, tenure of office, private rights.**

1. No ordinances or resolution shall be retroactive.
2. No ordinance or resolution shall shorten an existing term of office.
3. No ordinance or resolution, or the repeal thereof, shall harm or effect the rights of any person or organization under a contract with the City in existence at the time of passage of such ordinance or resolution. No act done or right accrued under previously existing ordinances or resolutions shall become invalid by passage or repeal of an ordinance or resolution. (ORD. IML – 1983)

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### **5.080. Effective date, repeal.**

1. Each ordinance and resolution shall become effective on the date of its passage and approval, unless a later date is specified.
2. All ordinances and parts of ordinances in conflict with a newly-passed ordinance are repealed on the effective date thereof, regardless of whether such new ordinances specifies the old ordinance, ordinances or parts of ordinances to be repealed. (ORD. IML – 1983)

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### **5.090. Designation of effective date.**

1. The date of passage and approval and the effective date of each section of the Ordinances of Iron Mountain Lake of 1983 shall be stated at the end of each chapter hereof. The following designation, to wit: (ORD. IML - 1983) at the end of each section shall indicate that such section was enacted on the date stated at the end of the chapter.



## **The City of Iron Mountain Lake, Missouri**

2. Additional and amended ordinances shall include a designation of the date of passage or amendment. For example: (ORD. IML - 1983, amended Jan. 10 1984). (ORD. IML – 1983)

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Read three times and passed this 25<sup>th</sup> day of May, 1983.

Approved this 25<sup>th</sup> day of May, 1983.

Pearl Pirtle

Mayor

Attest: Joyce Pearl

City Clerk

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### **Amendment to Section 5.020**

#### **AN ORDINANCE TO AMEND CHAPTER 5, [SECTION V.020](#) ENTITLED PASSAGE OF THE CODE OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI**

The style of the ordinances of the City shall be: “Be it ordained by The Board of Aldermen of the City of Iron Mountain Lake as follows:” No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the Board of Aldermen shall vote for it, and the ayes and nays be entered on the journal. Every proposed ordinance be introduced to the Board of Aldermen in writing and shall be read by title or in full two times prior to passage, both reading may occur at a single meeting of the Board of Aldermen. If the proposed ordinance is read by title only, copies of the proposed ordinance shall be made available for public inspection prior to the

## **The City of Iron Mountain Lake, Missouri**

time the bill is under consideration by The Board of Aldermen. No bill shall become an ordinance until it shall have been signed by the Mayor or person exercising the duties of the Mayor's office, or shall have been passed over the Mayor's veto, as herein provided

(ORD IML, 1983  
Amended

11/5 1990).

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

This ordinance shall be in full force and effect upon passage.

Date of First Reading: 5 November 1990

Date of Second Reading: 5 November 1990

Passed and Approved: THIS 5th DAY OF November 1990

Doyle Lance

Mayor

ATTEST:

Martha Lance

City Clerk

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## **The City of Iron Mountain Lake, Missouri**

### **CHAPTER 10 – ELECTION AND APPOINTMENT OF OFFICERS**

#### **BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE AS FOLLOWS:**

##### **10.010. Elective officers, terms.**

The following officers shall be elected by the qualified voters of the City to hold office for two (2) years and until their successors are elected and qualified: Mayor, Councilmen

Their terms shall commence on the first Monday following their election. (ORD. IML – 1983)

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##### **10.020. Appointive officers, terms.**

1. The following officers shall be appointed by the Mayor, with the consent and approval of the majority of the Councilmen; Chief of Police, Municipal Judge For terms of one (1) year and City Clerk for a term of (2) years.
2. The following officers may be appointed by the Mayor, with the consent and approval of the majority of the Councilmen; Auxiliary Police Officers. To serve at the pleasure of the Mayor and the Board of Councilmen.
3. Such officers shall be appointed at the first regular meeting of the Board of Councilmen after each election, and at other times when appointive offices shall become vacant. (ORD. IML – 1983)

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##### **10.030. Time of elections—state law to prevail.**

1. A general election for elective officers of the City shall be held on the first Tuesday in April, 1984, and every year thereafter.
2. City elections shall be held according to the provisions of Chapter 115, RSMO. Of 1969 and successor statutes. Any ordinances or parts of ordinances in conflict with such statutes shall be deemed null and void. (ORD. IML – 1983)

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##### **10.040. County Clerk to conduct elections.**

The Clerk of the county Court of St. Francois County, Missouri, shall conduct all elections of the City, in accordance with the provisions of Chapter 115, RSMO. Of 1969, and succeeding statutes. (ORD. IML – 1983)

## **The City of Iron Mountain Lake, Missouri**

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### **10.050. Election contests.**

Election contests shall be conducted according to the provisions of Chapter 115, RSMO of 1969, and succeeding statutes. (ORD. IML – 1983)

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### **10.060. Tie Votes.**

1. In case of a tie vote for any office, the County Clerk shall issue a proclamation of a tie vote immediately after results of the election have been certified.
2. The County Clerk shall thereafter cause a special election to be held in accordance with Section 115. 517, RSMO of 1979 and succeeding statutes.
3. The tied candidates may, by the agreement of both, determine between themselves the result of the election, by casting lots or otherwise, and one of them may withdraw and declare the other to be the winner. (ORD. IML – 1983)

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### **10.070. Vacancy in elective office.**

Reasons the Mayor can appoint elective office, can the Mayor appoint someone to fill an elected office

1. When a vacancy shall occur in an elective office of the City, the City Clerk shall immediately notify the County Clerk of that fact.
2. If the vacancy has occurred less than six (6) month before a general municipal election, then the Mayor shall, by appointment, fill such vacancy.
3. If the vacancy has occurred more than six (6) months before a general municipal election, the Mayor shall cause a special election to be held to fill such city or in the next nearest newspaper published in the county, or by at least twenty (20) handbills posted up in as many public places within the City. The County Clerk shall conduct said election according to Missouri law. (ORD. IML – 1983)

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### **10.080 Leaving city vacates office—leave of absence.**

1. If any officer whose qualifications include residence should leave the City intending to become a nonresident, his office shall become vacant.
2. If any officer shall be absent from the City or unable to perform his official duties or fails to perform his official duties for more than sixty (60) days consecutively, his office shall become vacant.

## **The City of Iron Mountain Lake, Missouri**

3. Upon application to the Mayor, the Mayor may, with the consent of the majority of the Councilmen, extend the sixty-day period of allowed absence or failure of duties for an additional sixty (60) days.

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### **10.090. Absence of Mayor**

In the absence of the Mayor, the President of the Board of Councilmen shall occupy the office of Mayor temporarily. Such temporary Mayor shall be titled “Acting President of the Board of Councilmen.”

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### **10.100. Vacancy in office of Mayor.**

When any vacancy shall occur in the office of Mayor by death, resignation, removal from the City, removal from office, refusal to qualify, or from any other cause whatsoever, the Acting President of the Board of Councilmen shall, for the time being, perform the duties of Mayor, with all the rights, privileges, powers and jurisdiction of Mayor, until such vacancy be filled or such disability be removed; or in case of temporary absence, until the Mayor’s return. (ORD.IML – 1983).

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Read three times and passed this 25<sup>th</sup> day of May, 1983

Approved this 25<sup>th</sup> day of May, 1983

Pearl Pirtle

Mayor

Attest: Joyce Pearl

City Clerk

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## **The City of Iron Mountain Lake, Missouri**

## **The City of Iron Mountain Lake, Missouri**

### **CHAPTER 15 – REMOVAL OF OFFICERS**

#### **BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE AS FOLLOWS:**

##### **15.010. Removal of elective officers other than Mayor.**

1. The Mayor may, with the consent of the majority of the Councilmen, for some cause shown, remove any elective officer of the City from his office. Such elective officer to be removed may be a councilmen. In such case, the following procedure shall be followed:
  - (a) the Mayor shall give such officer at least ten (10) days written notice of the cause for which the Mayor seeks his removal, and that hearing will be held and the time and place of such hearing, and that such officer shall be given opportunity to be heard and to confront witnesses against him, and to present evidence, and to be represented by council.
  - (b) Such officer shall have the right to have an attorney present at such hearing, and such attorney shall have the right to cross-examine witnesses and to present evidence and testimony of witnesses.
  - (c) Such hearing shall be before a Board of Impeachment, to be composed of the members of the Board of Councilmen, with the Mayor presiding.
  - (d) The accused officer shall be considered impeached and removed from office if, after such hearing, the Mayor and the majority of the Board of Impeachment shall vote for removal. If the Mayor shall vote against removal, the officer shall retain his office, unless two-thirds of the Board or more shall vote for removal.
2. Independently of the Mayor's approval or recommendation, the Board of Councilmen may, for cause shown, remove any elective officer other than the Mayor from his office in accordance with the terms of this section. Such elective officer removed may be a councilman. In such case, the same procedures set forth in this section must be followed, except that the necessary vote for removal must be two-thirds of the members of the Board of Impeachment. The Mayor shall preside at the hearing unless he declines to do so, in which case the Board of Impeachment shall appoint one of its members to preside, and such presiding member shall have a vote. (ORD.IML – 1983)

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##### **15.020. Removal of Mayor**

The Board of Councilmen, for cause shown, may remove the Mayor from office. To such case, the same procedures set forth in the previous section relating to removal of other elective officers must be followed, except that the necessary vote for removal must be two-thirds of the members of the Board of Impeachment. In such case, the Board of

## **The City of Iron Mountain Lake, Missouri**

Impeachment shall appoint one of its members to preside, and such presiding member shall have a vote. (ORD. IML – 1983)

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### **15.030. Removal of appointive officer.**

1. The Mayor may, with the consent of the majority of the Councilmen, for cause shown, remove any appointive officer of the City from his office. In such case, the same procedures set forth in Section 15.010 must be followed.
2. Independently of the Mayor's approval or recommendation, the Board of Councilmen may, for cause shown, remove any appointive officer of the City from his office. In such case, the same procedures set forth in Section 15.010 shall be followed, except that the necessary vote for removal must be two-thirds of the members of the Board of Impeachment. The Mayor shall preside at the hearing, unless he declines to do so, in which case the Board of Impeachment shall appoint one of its members to preside, and such presiding member shall have a vote. (ORD. IML – 1983)

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### **15.040 Grounds for removal, charges brought.**

1. Grounds for removal of an officer shall be willful violation of any of his official duties, or culpable official negligence, or dereliction of official duty or official incompetency, or conviction of a crime connected with this office.
2. Any citizen or officer of the City may make a complaint against an officer, in writing, or the grounds stated above, specifying the nature of the charge. Such complaint must be signed by the citizen or officer making the same. (ORD. IML – 1983)
3. Any such complaint shall be filed, in the first instance, with the Mayor. If the Mayor believes the grounds stated are valid, he shall lay such complaint before the Board of Councilmen at a special meeting the Mayor shall call within ten (10) days after he receives the complaint. At such meeting, the Board of Councilmen shall give notice to the accused officer, and shall schedule a meeting of the Board of Impeachment to be held after due notice of at least ten (10) days has been given to the accused officer.
4. If the Mayor does not believe the grounds for removal as set forth in the complaint to be valid, or if the Mayor does not deem removal of the accused officer to be in the best interest of the City, the Mayor need not take any action.
5. If the Mayor has not acted within ten (10) days after receipt of the complaint, then the citizen or officer who made the complaint in the first instance may make such written and signed complaint to the Board of Councilmen at a regular session, and if a majority of the



## **The City of Iron Mountain Lake, Missouri**

Councilmen shall believe that reasonable grounds exist to consider the complaint valid, and that the best interests of the City required a hearing upon such complaint, the Board of Councilmen shall schedule a meeting of the Board of Impeachment, and shall hold a hearing before the Board of Impeachment in accordance with the procedures set forth herein.

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### **15.050. Summons, depositions.**

1. The presiding officer of the Board of Impeachment shall have subpoena power for witnesses. Such subpoenas shall be served and returned by the Chief of Police or by any peace officer of the State of Missouri in accordance with the statutes of Missouri pertaining to subpoenas issued by courts. The Board of Impeachment may punish persons disobeying such subpoenas by judgment of contempt and by a fine of up to Five Hundred dollars (\$500.00) or by imprisonment for up to sixty days or by both such fine and imprisonment.
2. Depositions of witnesses beyond the jurisdiction of the Board of Impeachment, or disabled by illness or other causes lawfully justifying non-appearance, may be taken and read at the hearing in conformity with the laws of this state. (ORD.IML – 1983)

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### **15.060. Costs of hearing.**

1. Witnesses appearing under subpoena shall be entitled to the same fees as for appearance at municipal court.
2. If the accused officer is removed, costs shall be adjudged against him, and execution shall issue.
3. If the accused officer is found not guilty, costs shall be certified to the City Clerk, specifying the amount of the names of the persons to whom they are due. The City Clerk shall draw his warrant on the Treasurer in favor of each such person for the amount due him. (ORD.IML – 1983)

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### **15.070. When salary to cease.**

If the accused officer be removed from office by the Board of Impeachment, his salary shall cease upon the date of such decision. (ORD.IML – 1983)

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### **15.080. Journal record.**

The proceedings of the Board of Impeachment shall be entered at large on the journal of the Board of Councilmen.

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## **The City of Iron Mountain Lake, Missouri**

### **15.090. Appeal.**

If any officer be removed from office in accordance with this ordinance, he shall be entitled to appeal in accordance with the statutes of Missouri relating to such appeals. (ORD.IML – 1983)

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Read three times and passed this 25<sup>th</sup> day of May, 1983

Approved this 25<sup>th</sup> Day of May, 1983

Pearl Pirtle

Mayor

Attest:

Joyce Pearl

City Clerk

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# The City of Iron Mountain Lake, Missouri

## Conflict of Interest

What is conflict of interest? Generally speaking, when you have a financial interest in a measure or decision or question before you in your official capacity, there is or may be a “conflict” in exercising a true independent decision on that issue. Conflict of interest also has been described as bribery, corruption, misuse or misapplication of funds or conversion of funds. **City officials should be aware that the appearance of evil can be as harmful as evil itself.** It is both the evil of an individual occupying a public position using the trust imposed in him and the position he occupies to further his own personal gain and the appearance of such evil that the law seeks to eradicate.

Early Conflict of interest statutes:

In 1815, the third territorial assembly in Missouri adopted the common law of England, including the blanket prohibition against “public officials contracting with themselves” Basically, the assembly felt it was against public policy. Seventy-five years later, the Missouri General Assembly codified this common law prohibition against public officers being interested in contracts (Section 106.300 RSMO). In later years, the General Assembly adopted similar prohibitions applicable to specific classes of cities.

In 1978, the General Assembly adopted a comprehensive conflict of interest statute (Chapter 205 RSMO) that allowed public officials, under very limited circumstances, to do business with the political subdivision. However, the General Assembly, in an oversight, failed to repeal the existing, more stringent statutes (Sections 106.300, 77.470, 78.410 and 78.640). During the 1985 session of the General Assembly, the legislature repealed the conflicting statutes.

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## Provisions of the Law

The law in Chapter 105 provides that no elected official, appointed official or administrative employee may:

1. Perform any service for the political subdivision in which he is an officer or employee over, or he has supervisory power for receipt or payment of any compensation, other than of the compensation provided for the performance of his official duties, in excess of \$500 per transaction or \$5,000 per annum, except on transactions made pursuant to an award on a contract let or sale made after public notice and competitive bidding provided that the bid or offer is the lowest received;
2. Sell, rent or lease any property to the political subdivision in which he is an officer or employee or over which he has supervisory power and received consideration therefor in excess of \$500 per transaction or \$5,000 per annum unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of

## **The City of Iron Mountain Lake, Missouri**

property other than real property, competitive bidding provided that the bid or offer accepted is the lowest received;

3. Participate in any matter directly or indirectly, in which he attempts to influence any decision of the political subdivision in which he is an officer or employee, or over which he has supervisory power when he knows the result of such decision may be the acceptance of the performance of a service or the sale, rental or lease of any property to the agency for consideration in excess of \$500 value per transaction or \$5,000 per annum to him, to his spouse, to a dependent child in his custody or to any business with which he is associated unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding provided that the bid or offer accepted is the lowest received;
4. Perform any services during the time of his office or employment for any consideration from any person, firm or corporation, other than the compensation provided for the performance of his official duties by which service he attempts to influence a decision of the political subdivision in which he was an officer or employee or over which he had supervisory power,
5. Perform any service for consideration, during one year after termination of his office or employment, by which performance he attempts to influence a decision of the political subdivision in which he was an officer or employee or over which he had supervisory power, except that this provision shall not be construed to prohibit any person from performing such service and receiving compensation therefor, in any adversary proceeding or in the preparation or filing of any public document;
6. Perform any service for any consideration for any person, firm or corporation after termination of his office or employment in relation to any case, decision, proceeding or application with respect to which he was directly concerned or in which he personally participated during the period of his service or employment.

Also, the Law provides that no member of the municipal governing body may;

1. Perform any service for the political subdivision or any agency of the political subdivision for any consideration other than the compensation provided for the performance of his official duties;
2. Sell, rent or lease any property to the political subdivision or any agency of the political subdivision for consideration in excess of \$500 per transaction or \$5,000 per annum unless the transaction is made pursuant to an award on a contract let or a sale made after public notice and in the case of property other than real property, competitive bidding provided that the bid or offer accepted is the lowest received;
3. Attempt for any compensation other than the compensation provided for the performance of his official duties, to influence the decision of any agency of the political subdivision on any matter.

Finally , the law provides that no sole proprietorship, partnership, joint venture or corporation in which any member of any legislative body of any political subdivision is

## **The City of Iron Mountain Lake, Missouri**

the sole proprietor, partner, co-participant or owner of in excess of ten percent of the outstanding shares of any class of stock shall:

1. Perform any service for the political subdivision or any agency of political subdivision for any consideration in excess of \$500 per transaction or \$5000 per annum unless the transaction is made pursuant to an award on a contract let after public notice and competitive bidding, provided that the bid or offer is the lowest received;
2. Sell, rent or lease any property to the political subdivision or any agency of the political subdivisions where the consideration is in excess of \$500 per transaction or \$5,000 per annum unless the case of property other than real property, competitive bidding provided that the bid or offer accepted is the lowest received.

### **Penalties**

The statute provides that all complaints against officials or employees of a political subdivision concerning violations of the conflict of interest provisions must be made in writing to the county prosecuting attorney. The complaint must name the person allegedly violating the law, the nature and date of the violation, and must be signed by the complainant with an oath attesting that he believes, to the best of his knowledge, the truthfulness of the complaint.

Any person found guilty of purposefully violating any of the provisions of the law would be punished as follows: for the first offence, such person is guilty of a B misdemeanor; for the second and subsequent offenses, such person is guilty of a Class D felony.

### **Other Considerations:**

In addition to the conflict of interest provisions in Chapter 105, some municipal officials are covered by local charter provisions and ordinances pertaining to conflict of interest. Also, municipal officials always should be aware that the appearance of an impropriety may be as embarrassing and politically damaging as an actual violation of the conflict of interest law. Although some municipal officials now legally may do business with the City, municipal officials are encouraged to carefully analyze the probable public perception of such activities.

### **Incompatibility of Office (Dual Office Holding):**

Many Missouri municipalities, especially smaller ones, have combined offices in order to be more efficient and effective. Usually someone will pose the question, "Is it legal to combine these offices under one office holder?"

Under common law, an individual may hold more than one office only if the offices are compatible. The test for incompatibility of offices has four standards:

1. One office is subordinate to the other,
2. One office has supervisory powers over the other,

## **The City of Iron Mountain Lake, Missouri**

3. One office audits the other's accounts, or
4. One office has power of appointment or removal over the other.

Although many municipalities have combined offices for efficiency and economy and have found the arrangement satisfactory from a practical point of view, this practice might be criticized under the doctrine of incompatibility of office. In particular, the common practice of combining the offices of clerk, collector and treasurer would seem to be a technical violation of the doctrine of incompatibility of office.

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## **The City of Iron Mountain Lake, Missouri**

### **CHAPTER 20 - OFFICERS**

**Be it ordained by the Board of Council of The City of Iron Mountain Lake as follows:**

#### **20.010. Qualifications of Mayor - [Amendment](#)**

No person shall be Mayor unless he be at least twenty-five (25) years of age, a citizen of the United States, and a resident of the City of Iron Mountain Lake at the time of, and for at least one (1) year next preceding his election. He shall be a lawfully qualified voter of the City of Iron Mountain Lake at the time of his election. He shall not be in arrears to the City for any tax, fine, forfeiture or defalcation in office. (ORD.IML – 1983)

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#### **20.020. Powers and duties of Mayor.**

1. The Mayor shall have a seat and preside over the Board of Councilmen, but shall not vote on any question except in case of a tie, nor shall he preside or vote in cases when he is an interested party, except as heretofore provided in the matter of Boards of Impeachment. The Mayor shall administer oaths to witnesses who appear before the Board of Councilmen and the Board of Impeachment.
2. The Mayor shall exercise a general supervision overall the officers and affairs of the City, and shall take care that the ordinances of the City, and the state laws relating to the City, are complied with.
3. They Mayor shall be active and vigilant in enforcing all laws and ordinances for the government of the City and he shall cause all subordinate officers to be dealt with promptly for any neglect or violation of duty, and he is hereby authorized to call on every male inhabitant of the City over the age of eighteen (18) and under the age of fifty (50) to aid in enforcing the laws.
4. The Mayor shall, from time to time, communicate to the Board of Councilmen such measures as may, in his opinion, tend to the improvement of the finances, the police, health, security, ornament, comfort and general prosperity of the City.
5. The Mayor may remit fines and forfeitures, and grant reprieves and pardon for offences arising under the ordinances of the City, but this section shall not be construed to authorize the Mayor to remit any costs which may have accrued to any officer of the City by reason of any prosecution under the laws or ordinances of such city.
6. The Mayor shall sign the commission and appointments of all city officers elected or appointed in the City and shall approve all official bonds unless otherwise prescribed by ordinance. He shall sign all orders, drafts and warrants drawn on the City treasury for money, and cause the City Clerk to attest the same and to affix thereto the seal of the City, and to keep an accurate record thereof in a book to be provided for that purpose.

## **The City of Iron Mountain Lake, Missouri**

7. The Mayor shall make an annual budget report to the Board of Councilmen on or before the first day of May in each year. Such report shall contain estimates of the necessary appropriations to meet all of the wants of the current year, and the estimated receipts from licenses, sales tax, and other sources.
8. The Mayor shall have the power to require any officer of the City to exhibit his accounts, papers or other records, and to make a report to the Board of Councilmen, in writing, touching any matter relating to such officer's office. The Mayor may require such disclosure and report as often as he may deem such to be necessary.
9. The Mayor shall have the power to initiate removal of officers of the City and to call elections to fill vacant offices, pursuant to Chapter 15 of these ordinances.
10. The Mayor shall give his successor all information he may possess relative to his office, if so required, and shall deliver to his successor all books, papers, furniture and other things pertaining to his office.
11. The Mayor shall perform such other duties as may be prescribed elsewhere in these ordinances or in the Statutes of Missouri. (ORD.IML – 1983)

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### **20.030. Qualifications of Councilmen. – [Amendment](#)**

No person shall be a councilman unless he be at least twenty-one (21) years of age, a citizen of the United States, and an inhabitant and resident of the City of Iron Mountain Lake for one year next preceding his election, and a resident of the ward from which he is elected. He shall be a lawfully qualified voter of the City of Iron Mountain Lake at the time of his election. He shall not be in arrears to the City for any tax, fine, forfeiture or defalcation in office. (ORD.IML – 1983)

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### **20.040. Powers and Duties of Councilmen.**

1. Councilmen shall have the power and duty to sit at regular and special meetings of the Board of Councilmen of the City, and at meetings of the Board of Impeachment, and to vote upon matters presented to such boards. Councilmen shall have no official power to act individually in matters of city government, except as may be specifically provided elsewhere in these ordinances, but councilmen may take official action only by and through their participation in meetings of the Board of Councilmen and Board of Impeachment.
2. Councilmen must attend all meetings of the Board of Councilmen, both special and regular. If any councilman shall fail to attend two (2) meetings of the Board, either regular or special, without showing good reason to the Board for such absences, within any term of office, such councilman shall not receive his monthly pay for any subsequent month when he is absent without good cause shown.



## **The City of Iron Mountain Lake, Missouri**

3. The Councilmen shall perform such other duties as may be prescribed elsewhere in these ordinances, or in the statutes or Missouri. (ORD.IML – 1983)

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### **20.050. Qualifications of City Clerk. - [Amendment](#)**

The City Clerk shall be a resident of Iron Mountain Lake, and at least eighteen (18) years of age, and a qualified voter of the City at the time of her appointment. She shall not be in arrears to the City for any tax, fine, forfeiture or defalcation in office. (ORD.IML – 1983)

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### **20.060. Powers and duties of City Clerk.**

1. The City Clerk shall keep a journal of the proceedings of the Board of Councilmen, and safely and properly keep all records and papers belonging to the City which may be entrusted to her care.
2. The City Clerk shall examine all claims and demands for and against the City for the payment of which any money may be drawn out of the City Treasury, and after having examined the same, with all accompanying vouchers and documents to certify the balance or true state of such demands, except where some other officer is charged with such duty.
3. The City Clerk shall be the general accountant for the City, and keep proper books in which accounts of the City shall be kept. The monies of the City shall be carried in said books, unless otherwise required by the ordinances, under the term “General Fund”, and shall specify the sources from which said monies were derived, and the general fund shall be credited with all appropriation, specifying on what account the appropriation is made.
4. The City Clerk shall keep in proper books the accounts between the City and all its officers, persons or bodies corporate, who may hold or have the collection of any monies for the City, charging him with the amount he may so hold, or may be in his hands for collection, or with blank licenses issued to him, and crediting him with all payments made into the City Treasury.
5. The City Clerk shall keep in proper books all accounts between the City and City Treasurer, charging him with all monies received into the treasury, specifying the source from which the same were derived and making all proper credits for all monies paid out according to law and the ordinances.
6. The City Clerk shall keep in proper books and detailed and specific statement of the condition of the City revenue, entering every fund in the manner required by law and ordinance, crediting every fund with all receipts into the treasury on account thereof, and charging it with all warrants drawn thereon.

## **The City of Iron Mountain Lake, Missouri**

7. The City Clerk shall keep a register of all warrants drawn on the treasury, specifying the date, number and amount, the name of the person to whom, and out of what fund payable.
8. The City Clerk shall keep an account of all debts due to or from the City, and a bill book, into which he shall enter all bonds, notes, bills, and other obligations given by or payable to the City, with the name of person by or to whom and the time when principal and interest are payable, and the rate of interest.
9. The City Clerk shall have custody of the City Seal. She shall affix the seal to all public instruments or official acts of the Mayor which by law or ordinance are required to be attested by the City Seal, and countersign the same, and affix the seal to and certify any documents, copies or papers in her office required for individual uses, or by any officer of the City, and shall furnish to the Board of Councilmen, or City Attorney, any record or document in her office to be used in any court.
10. The City Clerk shall prepare all commissions and other official documents, and affix the seal thereto, and keep a register thereof.
11. The City Clerk shall procure all books, forms, stationary and other materials for city officers, and pay postage on things sent by mail. She shall render her accounts therefor, with vouchers, to the Board of Councilmen.
12. The City Clerk shall be official custodian of the ordinance book, resolution book, and official bond book.
13. The City Clerk may administer official oaths and oaths to persons certifying to claims and demands against the City.
15. The City Clerk shall report delinquent accounts of any City officer to the City Attorney for suit against said officer or other appropriate action. Accounts shall be considered delinquent if not paid into the City Treasury within ten (10) days after adjustment of said account, and such officer's commission shall be forfeited.
16. The City Clerk shall at all times permit the Mayor, Board of Councilmen and any other interested officer, to examine any books, papers or documents in her office.
17. The City Clerk shall make an annual report to the Board of Councilmen, on the first Monday after the first Tuesday of April in each year, of the receipts and expenditures of her office and of such other matters as may be required.
18. The City Clerk shall give all information in her power to her successor relative to her office, and shall transmit to her successor all books, papers and records relevant to her office.
19. The City Clerk shall perform such other duties as may be prescribed elsewhere in these ordinances, or in Missouri Statutes.

## **The City of Iron Mountain Lake, Missouri**

### [Top of Chapter](#)

#### **20.070. Qualifications of Chief of Police. – [Amendment](#)**

The Chief of Police shall be at least twenty-one (21) years of age, and shall not be arrears to the City for any tax, fine, forfeiture, or defalcation in office.

### [Top of Chapter](#)

#### **20.080. Powers and duties of Chief of Police.**

1. The Chief of Police shall supervise the duties of all police officers of the City and shall, subject to the approval of the Mayor and the Board of Councilmen, promulgate such rules and regulations for the approval of the Mayor and the Board of Councilmen, promulgate such rules and regulations for the proper operation of the Police department as shall be necessary and not inconsistent with the law.
2. The Chief of Police shall investigate all creditable reports or suspicions of violations of laws and ordinances. He shall visit neighborhoods where he has reason to believe offenses have occurred or may occur.
3. The Chief of Police shall arrest persons who commit offenses in his presence and hold them, unless bail be given, until the opening of the Municipal Court. He may transfer custody to the Sheriff when offenses are violations of Missouri Statutes.
4. The Chief of Police may give summons to persons who commit violations in his presence, instead of arresting such persons. Such summons shall require the presence of the offenders at a regular session of the Municipal Court.
5. The Chief of Police may summon possess whenever he deems it necessary to aid in execution of warrants, writs, or process within the City limits, or to carry out any other legitimate duty of law enforcement. Such summons may be verbal, and may be addressed to any male inhabitant of the City over the age of eighteen (18) years. If such person shall refuse or neglect to aid the Chief of Police or any of his officers as aforesaid, he shall be guilty of an offence against the City, and may be fined up to Three Hundred Dollars (\$300.00)
6. The Chief of Police shall keep a register of all fines collected by him or his officers and of all monies belonging to the City in his or their hands, and he shall make settlement of the same at every regular meeting of the Board of Councilmen. And within the first three (3) days of every month he shall pay into the City Treasury the full amount of all fines and other monies collected by him during the preceding month. He shall take duplicate receipts for all such monies paid in by him, and he shall file one of such receipts with the City Clerk.
7. The Chief of Police shall abate and remove public nuisances when so required by lawful authority.
8. The Chief of Police shall attend each meeting of the Board of Councilmen, keep the hall swept and clean, provide fuel, lights, fires and other necessary services for the hall, carry

## **The City of Iron Mountain Lake, Missouri**

messages for officers pursuant to sessions of the Board, and perform such other duties as may be required by said Board.

9. The Chief of Police shall attend the Municipal Court while in session, and shall preserve order there.
10. The Chief of Police shall execute such process as may be placed in his hands including arrest warrants, subpoenas, attachments and writs. If the Chief of Police shall execute warrants for arrest by taking persons into his custody, he shall hold such persons in the City jail or County Jail or other lawful place until trial shall be had, unless such persons shall make bail.
11. The Chief of Police shall at all times permit the Mayor, Board of Councilmen, and any other interested officers, to examine any books, papers or documents in his office.
12. The Chief of Police shall make an annual report to the Board of Councilmen, of the receipts and expenditures of his office and of such other matters as may be required.
13. The Chief of Police shall give all information in his power to his successor relative to his office, and shall transmit to his successor all books, papers and records relevant to his office.
14. The Chief of Police shall perform such other duties as may be prescribed elsewhere in these ordinances or in the statutes of Missouri relating to the office of City Marshall or to Police Officers of a fourth class city. (ORD.IML – 1983)

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### **20.090. Oaths of all officers.**

1. Every officer of the City and his assistants, and every councilman, before entering upon the duties of his office, shall take and subscribe to an oath or affirmation before some Court of record in the County, or the City Clerk, as follows:  

“I hereby swear that I possess all the qualifications prescribed for the office of \_\_\_\_\_ by law, and that I will support the Constitution of the United States of America and the Constitution of the State of Missouri and the laws of Missouri and the ordinances of this City, I do further swear that I will faithfully demean myself while I hold the office of \_\_\_\_\_ of this City, so help me God.”
2. Such oath shall be reduced to writing, and signed by each officer, and recorded with the City Clerk.
3. In addition to the oath set out above, the Street Commissioner shall take and subscribe to an oath or affirmation before some Court of record in the County, or the City Clerk, as follows:  

“I hereby swear that I am not directly or indirectly concerned or interested in any contract made with the City for any public work, and I will not during my tenure in office become directly or indirectly concerned or interested in any contract made with the City for any public work, so help me God.”

## **The City of Iron Mountain Lake, Missouri**

4. Such oath shall be taken, subscribed and filed in the same manner as oaths of all officers. (ORD.IML – 1983)

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### **20.100. Bonds of Officers.**

1. Before entering upon the duties of their offices, the following officers of the City shall give bonds to the City within fifteen (15) days after their election or appointment, to wit: Mayor and City Clerk.
2. Such bonds shall be in such sums and with such sureties as are provided in these ordinances, and shall be conditioned upon the faithful performance of the duties of such officers, and that such officers will pay over all monies belonging to the City, as provided by law, that may come into their hands.
3. Such bonds, after being executed and approved by the Mayor, shall be presented to the City Attorney for approval of the form thereof. If his approval be endorsed thereon, the bonds shall be filed with the City Clerk. The Mayor shall present his bond to the Board of Council for approval, and shall thereafter file the same with the City Clerk.
4. Bonds of the officers named above shall be in the sum of five thousand dollars (\$5,000).
5. When the Mayor and Board of Councilmen are satisfied that the bond of any officer is, or is likely to, become insufficient they may require said officer to give a new bond, and upon a failure to comply with the order within the time specified, not to be less than ten (10) days, such office shall be deemed vacant. (ORD.IML – 1983)

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### **20.110. Offenses of Officers.**

1. No officer of the City, nor any deputy, clerk or employee of such officer, nor any servant or agent of the City shall, directly or indirectly, himself or by another, for his own benefit or that of another, deal in the purchase of warrants, bonds or other obligations of the City.
2. No officer of the City shall refuse, wilfully fail, or neglect to perform any duty enjoined upon him by law or ordinance; nor shall he be guilty of any fraud, extortion, oppression, favoritism, partiality or wilful wrong or injustice in the discharge of his official duties.
3. Any officer of this City who shall violate any provision of this ordinance shall be guilty of an offense against the City, and shall upon conviction be fined not more than three hundred dollars (\$300.00) and shall forfeit his office. (ORD.IML – 1983)

READ THREE TIMES AND PASSED THIS 25<sup>TH</sup> DAY OF MAY, 1983

Approved this 25<sup>th</sup> day of May, 1983

## The City of Iron Mountain Lake, Missouri

Pearl Pirtle

Mayor

Attest:

Joyce Pearl

City Clerk

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### Amendment to Establish a Treasurer

Bill Number

Ordinance Number

#### **AN ORDINANCE TO ESTABLISH THE POSITION OF CITY TREASURER FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI**

#### **BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

Ordinance IML – 1983, Government and Revenue – Officers, Chapter 20, shall be amended to read as follows:

##### **Chapter 20.120, Qualifications of City Treasurer.**

The treasurer shall be a resident of The City of Iron Mountain Lake, Missouri, and at least eighteen (18) years of age, and a qualified voter of the City at the time of his appointment. He shall not be in arrears to the City for any tax, fine, or forfeiture or defalcation in office. He must be bondable.

##### **Chapter 20.130 Powers and duties of City Treasurer.**

1. Process, verify and record financial data related to accounts payable, accounts receivable, cash, payroll and related activities.

## **The City of Iron Mountain Lake, Missouri**

2. Run monthly budget reports
3. Run reports and reconciles accounts on a monthly basis
4. Maintain proper accounting records
5. Process payments
6. Set up and maintain sewer accounts
7. Reconcile sewer accounts
8. Reconcile city bank accounts
9. Other duties as assigned
10. This ordinance shall be in full force and effect upon its passage and approval

DATE OF FIRST READING: 10-14-08

DATE OF SECOND READING: 10-14-08

PASSED AND APPROVED THIS 14 DAY OF OCT, 2008

Jody Niccum

Mayor

Attest:

Phillip W. Fox

Witness

[Top of Chapter](#)

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Amendment to Qualifications of Treasurer - [Amendment](#)

Bill Number 08-22

Ordinance Number Ch1 section 20

**The City of Iron Mountain Lake, Missouri**  
**NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF**  
**ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THAT**  
**CHAPTER 1 SECTION 20 BE AMENDED AS FOLLOWS:**

**Section 20.200: Office of City Treasurer:**

The Mayor shall nominate a resident of the City of Iron Mountain Lake to serve as City Treasurer. The nomination shall be approved by a vote of the majority of the Board of Alderman. The term of office for the City Treasurer shall be two (2) years. The appointment of the City Treasurer shall be made at the same time as the appointment of the City Clerk and the Chief of Police.

**Section 20.201: Duties of the City Treasurer:**

The City Treasurer shall have the duties prescribed by section 79.300 RSMO or its successor statute. As such, the City obligations entrusted to his or her care, and shall pay over all monies, bonds or other obligations of the City on warrants or orders duly drawn, passed or ordered by the Board of Alderman and signed by the Mayor and attested by the City Clerk and having the Seal of the City affixed thereto and not otherwise. The City Treasurer shall report the Board of Alderman the income received and the expenses paid by the City on a regular basis. The City Treasurer shall participate in and assist in the completion of any audits of city finances. The City Treasurer shall participate in and assist in the completion of any audits of city finances. The City Treasurer shall assist the Board of Alderman in the preparation of semi-annual statements and any other financial statements required by law.

**Section 20.202: Bond of the City Treasurer:**

Before taking office, the City Treasurer shall post a bond in the amount of \$25,000.00.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON DATE OF PASSAGE.

DATE OF FIRST READING OCTOBER 14, 2008

DATE OF SECOND READING; OCTOBER 14, 2008



## The City of Iron Mountain Lake, Missouri

Jody Nicum

Mayor

Attest:

Christina Lincoln

City Clerk

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### Amendment to Qualifications of Mayor

Bill Number 09-12

Ordinance Number 20.010

#### AN AMENDMENT TO ORDINANCE NUMBER [20.010](#) QUALIFICATIONS OF MAYOR

**NOW THEREFOR BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMAN FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THAT  
ORDINANCE NUMBER 20.010 BE AMENDED AS FOLLOWS:**

#### **20.010. Qualifications of Mayor.**

No person shall be Mayor unless he be at least twenty-five (25) years of age, a citizen of the United States, and a resident of the City of Iron Mountain Lake at the time of, and one (1) year next preceding his or her election. He or she shall be a lawfully qualified voter of the City of Iron Mountain Lake at the time of his election. He or she shall not be in arrears to the City for any tax, fine, forfeiture of defalcation in office. **He or she shall not have a felony conviction in the State of Missouri, any other state, or in the United States Federal Court System.**

## **The City of Iron Mountain Lake, Missouri**

**IN ALL OTHER RESPECTS, ORDINANCE NUMBER 20.010 SHALL REMAIN THE SAME.**

**THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE AND APPROVAL.**

DATE OF FIRST READING; 6-8-09

DATE OF SECOND READING: 6-8-09

PASSED AND APPROVED THIS 8<sup>TH</sup> DAY OF JUNE, 2009

Eugene Henson

Mayor

Attest:

Tina Blum

City Clerk

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### **Amendment to Qualifications for Mayor**

Bill Number

Ordinance Number

**AN AMENDMENT TO ORDINANCE NUMBER [20.010](#), QUALIFICATIONS OF  
MAYOR**

## **The City of Iron Mountain Lake, Missouri**

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMAN FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THAT ORDINANCE NUMBER 20.010 BE AMENDED AS FOLLOWS:

### **20.010. Qualifications of Mayor:**

No person shall be Mayor unless he be at least twenty-five (25) years of age, a citizen of the United States, and a resident of the City of Iron Mountain Lake at the time of, and for at least one (1) year next preceding his **or her** election. He **or she** shall be a lawfully qualified voter of the City of Iron Mountain Lake at the time of his election. He **or she** shall not be in arrears to the City for any tax, fine, forfeiture or defalcation in office. **He or she shall not have a felony conviction in the State of Missouri, any other state, or in the United States Federal Court System.**

In all other respects, Ordinance Number 20.010 shall remain the same.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE AND APPROVAL.

DATE OF FIRST READING: \_\_\_\_\_

DATE OF SECOND READING: \_\_\_\_\_

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

# **The City of Iron Mountain Lake, Missouri**

## **Amendment to Qualification of Chief of Police**

Bill Number 09-010

Ordinance Number 20.070

**AN AMENDMENT TO ORDINANCE NUMBER [20.070](#), QUALIFICATIONS OF CHIEF OF POLICE.**

**NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMAN FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THAT ORDINANCE NUMBER 20.070 BE AMENDED AS FOLLOWS:**

### **20.070 Qualifications of Chief of Police.**

The Chief of Police shall be at least twenty-one (21) years of age, and shall not be in arrears to the City for any tax, fine, forfeiture or defalcation in office. **He or she shall not have a felony conviction in the State of Missouri, any other state, or the United States Federal Court System.**

**IN ALL OTHER RESPECTS, ORDINANCE NUMBER 20.070 SHALL REMAIN THE SAME.**

**THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE AND APPROVAL.**

DATE OF FIRST READING 6-8-09

DATE OF SECOND READING: 6-8-09

PASSED AND APPROVED THIS 8TH DAY OF JUNE 2009

Eugene Henson

Mayor

## The City of Iron Mountain Lake, Missouri

Attest:

Tina Blum

City Clerk

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[Top](#)

### Amendment to Qualification for Chief of Police

**NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMAN FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THAT ORDINANCE NUMBER [20.070](#) BE AMENDED AS FOLLOWS:**

#### **20.070. Qualifications of Chief of Police:**

The Chief of Police shall be at least twenty-one (21) years of age, and shall not be **in** arrears to the City for any tax, fine, forfeiture or defalcation in office. **He or she shall not have a felony conviction in the State of Missouri, any other state, or of the United States Federal Court System.**

.

In all other respects, Ordinance Number 20.070 shall remain the same.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE AND APPROVAL.

DATE OF FIRST READING: \_\_\_\_\_

DATE OF SECOND READING: \_\_\_\_\_

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_

Mayor

## The City of Iron Mountain Lake, Missouri

ATTEST:

---

City Clerk

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### Amendment to Qualifications of Councilmen

Bill Number 09-013

Ordinance Number 20.030

#### **AN AMENDMENT TO ORDINANCE NUMBER [20.030](#), QUALIFICATIONS OF COUNCILMEN**

**NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMAN FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THAT ORDINANCE NUMBER 20.030 BE AMENDED AS FOLLOWS:**

##### **20.030. Qualifications of Councilmen.**

No person shall be a councilmen unless he or she be at least twenty-one (21) years of age, a citizen of the United States, and an inhabitant and resident of the City of Iron Mountain Lake at the time of, and for at least one (1) year next preceding his or her election. He or she shall be a lawfully qualified voter of the City of Iron Mountain Lake at the time of his election. He or she shall not be in arrears to the City for any tax, fine forfeiture or defalcation in office. **He or she shall not have a felony conviction in the State of Missouri, any other state, or in the United States Federal Court System.**

**IN ALL OTHER RESPECTS, ORDINANCE NUMBER 20.030 SHALL REMAIN THE SAME.**

## **The City of Iron Mountain Lake, Missouri**

**THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE AND APPROVAL.**

DATE OF FIRST READING: 6-8-09

DATE OF SECOND READING; 6-8-09

PASSED AND APPROVED THIS 8<sup>TH</sup> DAY OF JUNE, 2009

Eugene Henson

Mayor

Attest:

Tina Blum

City Clerk

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### **Amendment to Qualifications of City Clerk**

Bill Number 09-025

Ordinance Number 20.050

**AN AMENDMENT TO ORDINANCE NUMBER [20.050](#), QUALIFICATIONS OF CITY CLERK**

**NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMAN FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THAT ORDINANCE NUMBER 20.050 BE AMENDED AS FOLLOWS:**

**20.050. Qualifications of City.**

## **The City of Iron Mountain Lake, Missouri**

The City Clerk shall be at least eighteen (18) years of age at the time of his or her appointment. He or she shall not be in arrears to the City for any tax, fine, forfeiture or defalcation in office. **He or she shall not have a felony conviction in the state of Missouri, any other state or of the United States Federal Court System.**

**IN ALL OTHER RESPECTS, ORDINANCE NUMBER 10.050 SHALL REMAIN THE SAME.**

**THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE AND APPROVAL.**

DATE OF FIRST READING: 7-13-09

DATE OF SECOND READING: 7-13-09

PASSED AND APPROVED THIS 13<sup>TH</sup> DAY OF JULY, 2009

Eugene Henson

Mayor

Attest:

Tina Blum

City Clerk

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## **Amendment to Qualifications for City Treasurer**

Bill Number

Ordinance Number



## The City of Iron Mountain Lake, Missouri

### AN AMENDMENT TO ORDINANCE NUMBER 20.120, QUALIFICATIONS OF CITY TREASURER

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMAN FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THAT ORDINANCE NUMBER 20.120 BE AMENDED AS FOLLOWS:

#### **20.120. Qualifications of City Treasurer**

The Treasurer shall be a resident of Iron Mountain Lake, at least eighteen (18) years of age, and a qualified voter of the City of Iron Mountain Lake at the time of his **or her** appointment. He **or she** shall not be in arrears to the City for any tax, fine, forfeiture or defalcation in office. **He or she** must be bondable. **He or she shall not have a felony conviction in the State of Missouri, any other state, or of the United States Federal Court System.**

In all other respects, Ordinance Number 20.120 shall remain the same.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE AND APPROVAL.

DATE OF FIRST READING: \_\_\_\_\_

DATE OF SECOND READING: \_\_\_\_\_

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_

# The City of Iron Mountain Lake, Missouri

City Clerk

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## Amendment to Qualifications for City Clerk

### AN AMENDMENT TO ORDINANCE NUMBER 20.050, QUALIFICATIONS OF CITY CLERK

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMAN FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THAT ORDINANCE NUMBER 20.050 BE AMENDED AS FOLLOWS:

#### **20.050. Qualifications of City Clerk.**

The City Clerk shall be least eighteen (18) years of age at the time of his **or her** appointment. He **or she** shall not be in arrears to the City for any tax, fine, forfeiture or defalcation in office. **He or she shall not have a felony conviction in the State of Missouri, any other state, or of the United States Federal Court System.**

.

In all other respects, Ordinance Number 20.050 shall remain the same.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE AND APPROVAL.

DATE OF FIRST READING: \_\_\_\_\_

DATE OF SECOND READING: \_\_\_\_\_

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Mayor

## The City of Iron Mountain Lake, Missouri

ATTEST:

\_\_\_\_\_  
City Clerk

[Top of Chapter](#)

### Amendment to Qualifications for City Clerk

#### AN AMENDMENT TO ORDINANCE NUMBER 20.050, QUALIFICATIONS OF CITY CLERK

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMAN FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THAT ORDINANCE NUMBER 20.050 BE AMENDED AS FOLLOWS:

##### **20.050. Qualifications of City Clerk.**

The City Clerk shall be a resident of Iron Mountain Lake, least eighteen (18) years of age, and a qualified voter of the City of Iron Mountain Lake at the time of his **or her** appointment. He **or she** shall not be in arrears to the City for any tax, fine, forfeiture or defalcation in office. **He or she shall not have a felony conviction in the State of Missouri, any other state, or of the United States Federal Court System.**

.

In all other respects, Ordinance Number 20.050 shall remain the same.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE AND APPROVAL.

DATE OF FIRST READING: \_\_\_\_\_

DATE OF SECOND READING: \_\_\_\_\_

## The City of Iron Mountain Lake, Missouri

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

[Top of Chapter](#)

### Amendment to Qualification for Councilmen

#### AN AMENDMENT TO ORDINANCE NUMBER [20.030](#), QUALIFICATIONS OF COUNCILMEN

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMAN FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THAT  
ORDINANCE NUMBER 20.030 BE AMENDED AS FOLLOWS:

##### **20.030. Qualifications of Councilmen.**

No person shall be a councilmen unless he or she be at least twenty-one (21) years of age, a citizen of the United States, and an inhabitant and resident of the City of Iron Mountain Lake at the time of, and for at least one (1) year next preceding his **or her** election. He **or she** shall be a lawfully qualified voter of the City of Iron Mountain Lake at the time of his election. He **or she** shall not be in arrears to the City for any tax, fine, forfeiture or defalcation in office. **He or she shall not have a felony conviction in the State of Missouri, any other state, or in the United States Federal Court System.**

.

In all other respects, Ordinance Number 20.030 shall remain the same.

## **The City of Iron Mountain Lake, Missouri**

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE  
AND APPROVAL.

DATE OF FIRST READING: \_\_\_\_\_

DATE OF SECOND READING: \_\_\_\_\_

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CHAPTER 25 – BOARD OF COUNCILMEN, DUTIES, MEETINGS**  
**BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON**  
**MOUNTAIN LAKE AS FOLLOWS:**

**25.010. General authority.**

The Mayor and Board of Councilmen of the City of Iron Mountain Lake shall have the care, management and control of the City and its finances, and shall have the power to enact and ordain any and all ordinances not repugnant to the constitution and laws of Missouri, and as such they shall deem expedient for the good government of the City, the preservation of peace and good order, the benefit of trade and commerce and the health of the inhabitants. The Board of Councilmen may enact such other ordinances, rules and regulations as may be deemed necessary to carry such powers into effect, and to alter, modify or repeal the same. (ORD.IML – 1983).

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**25.020. Organizational meeting.**

1. The Board of Councilmen shall meet on the first Monday after the first Tuesday in April of each year, or at a later time if adjourned, for the purpose or organization, of election officers and standing committees, and of settling the accounts of the Treasurer and other officers for the previous fiscal year.
2. No Councilman may participate in the organizational meeting unless he has taken oath, given bond and been commissioned as required by these ordinances and the laws of Missouri.
3. The Board shall, at such meeting, elect a City Clerk, who shall be nominated by the Mayor, to serve for a term of two (2) years, whose duty it shall be to attend the organizational meeting, keep a record thereof, and preserve, file and mark the papers thereof.
4. The board shall, at such meeting, elect a President of the Board of Councilmen, to serve for a term of one (1) year.
5. There shall be elected at the same time such standing committees as may from time to time be required by ordinance, resolutions, or the rules of procedure of the Board.  
(ORD.IML – 1983)

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**25.030. Regular Meetings. - [Amendment](#)**

1. The regular sessions of the Board of Councilmen shall meet on the first Monday in each month. Such regular sessions shall be held in the City Hall in the City of Iron Mountain

## **The City of Iron Mountain Lake, Missouri**

Lake, and shall open at 7:00 P.M., unless a different place or different hours shall be prescribed by a rule or resolution of the Board.

2. Members of the general public may attend all such meetings, except for such portions thereof as may be designated by the Board as “executive sessions.”

(ORD.IML – 1983)

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### 25.040. Special Meetings. - [Amendment](#)

1. Special or called sessions of the Board of Councilmen may be held upon the call of the Mayor or person acting as Mayor.
2. At least two (2) days prior notice of special sessions must be given to the several councilmen by serving upon them written copies or the call, which shall state date and time of such special session, and the place thereof, and the matters to be taken up at such session. The councilmen may waive such notice by appearing at such session and consenting thereto.
3. Members of the general public may attend all special sessions, except for such portions thereof as may be designated by the Board as “executive sessions.”
4. No matters may be taken up at such special sessions, nor business transacted, except such matters as were specified in the written call. (ORD.IML – 1983)
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### 25.050. Conduct of Meetings.

1. A quorum for the conduct of meeting of the Board of Councilmen shall be a majority of the members thereof.
2. The Mayor shall preside at all meetings of the Board, but shall have no vote except in case of tie. In the absence of the Mayor, the President of the Board of Councilmen shall preside, and he shall, at such times, be titled “Acting President of the Board of Councilmen.” In the absence of both Mayor and President, the Board shall elect one of its members present to preside, and he shall be titled “Acting President of the Board of Councilmen Pro Tem.” The Acting President or the Acting President Pro Tem, when presiding, shall have the same privileges to vote and otherwise as other members of the Board of Councilmen.
3. The Mayor shall take the chair at the hour of the meeting and, on the appearance of a quorum, shall call the members to order, cause the roll to be called and open the meeting.
4. The Mayor shall preserve order and decorum and decide all questions of order, subject to an appeal to the Board.
5. Order of business shall be as follows:
  - a) Reading of minutes of the last meeting,

## **The City of Iron Mountain Lake, Missouri**

- b) Reports of officers and committees,
  - c) Unfinished or old business,
  - d) New business, including debts,
  - e) Public petitions and discussions,
  - f) Adjournment.
6. No business shall be taken up except in the class to which it belongs, unless by unanimous consent of the Board. If any person present, whether councilman or instruct him or her to desist or wait until the proper time, the Mayor may deem him or her to be disorderly, and may take measures provided for the control of disorderly persons.
  7. Every member of the Board present shall vote upon all questions presented, unless the Board for good reason excuse him. The Clerk shall record in the journal the total numbers of yeas and nays, an abstention shall not be counted as aye or nay. If any Councilman shall so require, the Clerk shall call the names of the members and record and vote of each. In all elections held in the Board, and upon all questions before the Board, a majority of all votes shall determine the issue, with the Mayor voting in case of tie, except as otherwise provided by these ordinances.
  8. If any member shall require, a motion or proposition shall be reduced to writing before the same be considered by the Board.
  9. The Mayor or other presiding officer of the Board of Councilmen shall have power to administer oaths to witnesses in relation to, or touching any matter before the Board for consideration, with like effect as the same are administered in any court of law, and such oath shall be as follows: "Do you swear to tell the truth, the whole truth, and nothing but the truth in the matter now before this Board, so help you God?"
  10. Parliamentary law and rules governing parliamentary proceedings shall be followed in meetings of the Board of Councilmen, except as otherwise provided by these ordinances.  
(ORD.IML – 1983)

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## **25.060. Witnesses, fees.**

1. The Board of Councilmen shall have the power to compel the attendance of witnesses and the production of papers and records relating to any subject under consideration in which the interest of the City is involved, and may issue subpoenas for testimony and subpoenas duces tecum for papers and records, to be signed by the City Clerk.
2. The Board of Councilmen may call upon law enforcement officers of the City and Law Enforcement Officers of the County of St. Francois to execute such subpoenas and other process. The officer making such process shall receive therefor such fees as are allowed by law in the Circuit Court for similar services, to be paid by the City, out of the Contingency Fund.
3. All lawful fees to which witnesses shall be entitled shall be paid by the City out of the Contingency Fund.

(ORD.IML – 1983)



## **The City of Iron Mountain Lake, Missouri**

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### **25.070. Journal**

The Board of Councilmen shall cause to be kept a journal of its proceedings, and the City Clerk shall make entries therein and maintain the Custody thereof.

(ORD.IML – 1983)

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### **25.080. Semiannual statements.**

1. The Board of Councilmen shall semiannually, in January and July of each year make out and spread upon its records a full and detailed account and statement of the receipts and expenditures of the City for the half year ending December thirty-first and June thirtieth, preceding the date of such report, which account and statement shall be published in some newspaper in the City or in the next nearest newspaper in the County of St. Francois. A copy of such report shall be submitted to the State Auditor of Missouri.
2. The Treasurer shall not pay out any money of the City on any warrant or order of the Board of Councilmen after the end of the month in which such statement is required to be published until such statement is published. If the Treasurer shall violate the provisions of this section, the Treasurer shall be guilty of a crime and may be punished under Missouri law.

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READ THREE TIMES AND PASSED THIS 25<sup>TH</sup> DAY OF MAY, 1983.

APPROVED THIS 25<sup>TH</sup> DAY OF MAY, 1983.

Pearl Pirtle

Mayor

Attest:

Joyce Pearl

# The City of Iron Mountain Lake, Missouri

City Clerk

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## Chapter 25 Adopted 4/1/88

### RESOLUTION ON OPEN MEETINGS AND RECORDS

WHEREAS, the Missouri General Assembly enacted significant amendments to the Missouri Open Meetings and Records Law, effective September 28, 1987, and

WHEREAS, Section 610.028 (2) of the new law requires each political subdivision 610.010 to 610.030 RSMO.

**NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF ALDERMAN (OR CITY COUNCIL OR BOARD OF TRUSTEES) OF THE CITY (OR VILLAGE OF) 556 HEREBY ADOPTS THE FOLLOWING POLICY TO APPLY TO ALL GOVERNMENTAL BODIES AND COMMITTEES OF THIS MUNICIPALITY:**

1. All meetings records and votes are open to the public, except the governmental body may close any meeting record or vote relating to the following:
  - a. Legal actions causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any vote relating to litigation involving a public governmental body shall be made public upon final disposition of the matter voted upon provided however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to be authorize institution of such a legal action. Legal work product shall be considered a close record;
  - b. Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;
  - c. Hiring, firing, disciplining or promoting an employee of a public governmental body. However, any vote on a final decision, when taken by a public

## **The City of Iron Mountain Lake, Missouri**

governmental body, to hire, fire, promote or discipline an employee of a public governmental body must be made available to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice before such decision is made available to the public.

- d. Non-judicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;
  - e. Testing and examination materials, before the test or examination is given or if it is to be given again, before so given again;
  - f. Welfare cases of identifiable individuals;
  - g. Preparation including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;
  - h. Software codes for electronic data processing and documentation thereof;
  - i. Specification for competitive bidding, until either the specification are officially approved by the public governmental body or the specifications are published for bid;
  - j. Sealed bids are related documents. Until the earlier of either when the bids are opened, or all bids are accepted or all bids are rejected;
  - k. Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such;
  - l. Records which are protected from disclosure by law;
  - m. Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest.
2. All records that may be closed are hereby deemed closed records unless the governmental body votes to make them public. Before closing a meeting to the public, a majority of a quorum of the governmental body must vote to do so in a public vote. The vote of each member of the governmental body on the question of closing the meeting or vote and the reason for closing the meeting by reference to a specific exception shall be announced at a public meeting and entered into the minutes.
  3. The governmental body shall give notice of the time, date and place of a closed meeting and the reason for holding it by reference to a specific exception. The notice shall be the same in (4) below. No other business may be discussed in a closed meeting which does not directly relate to the specific reason announced to close the meeting to the public.
  4. The governmental body shall give notice of the time, date, place and tentative agenda of each meeting. The notice shall be placed on the appropriate bulletin board at City Hall at least 24 hours prior to the meeting. If an emergency makes it impossible to give 24 hours' notice, the reason must be reflected in the minutes. Notice shall also be given to any representatives of the news media who requests notice of a particular meeting.

## **The City of Iron Mountain Lake, Missouri**

5. Each meeting shall be held at a place reasonably accessible to the public, and at a time reasonably convenient to the public, unless for good cause such a place or time is impossible or impractical. When it is necessary to hold a meeting on less than twenty-four hour notice, or at a place that is not reasonably accessible to the public, or at a time that is not reasonably convenient to the public, the nature of the good cause justifying that departure from the normal requirements shall be stated in the minutes.
6. A formally constituted subunit is publicly announced at the parent meeting and the subject of the meeting reasonably coincides with the subjects discussed or acted upon by the parent governmental body.
7. The (designate a City Official) shall be the custodian of records and will be responsible for maintenance and control of all records. The custodian shall provide public access to all public records as soon as possible but no later than the third business day following the date the request is received by the custodian. If additional delay is necessary the custodian shall give an explanation for the delay and the date the record will be available for inspection.

If a request for access is denied, the custodian shall provide, upon request, a written statement of the grounds for such denial. Such statement shall cite the specific provision of law under which access is

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### Amendment to sections 25.030 and 25.040

#### **AN ORDINANCE TO AMEND SECTIONS [25.030](#) AND [25.040](#) OF THE CITY CODE.**

BE IT ORDAINED BY THE BOARD OF COUNCILMEN AS FOLLOWS:

#### **Section 25.030, Part 1, entitled Regular Meetings shall read as follows:**

1. The regular sessions of the Board of Councilmen shall meet on the second Monday in each month. Such regular sessions shall be held in the City Hall in the City of Iron Mountain Lake, and shall open at 7:00 P.M. unless a different place or different hour shall be prescribed by a rule or resolution of the Board.

#### **Section 25.040, part 2 entitled Special Meetings shall read as follows:**

## **The City of Iron Mountain Lake, Missouri**

1. At least twenty-four (24) hours prior notice of special sessions must be given to the several councilmen by serving upon them written copies or the call, which shall state date and time of such special session, and the place thereof, and the matters to be taken up at such session. The councilmen may waive such notice by appearing at such session and consenting thereto.

READ THREE TIMES AND PASSED THIS 1<sup>ST</sup> DAY OF APRIL 1991.

(IML.ORD – 1991)

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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### **Amendment 2 – Change in Regular Meetings**

#### **AN ORDINANCE TO AMEND: ORDINANCE NUMBER [25.030.1](#) – AN ORDINANCE CONCERNING REGULAR MEETINGS**

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:

THAT ORDINANCE NUMBER 25.030.1 BE AMENDED AS FOLLOWS:

1. The regular session of the Board of Councilmen shall meet on **the second Monday in each month and, if determined by the Mayor as necessary, the fourth Monday in each**

## **The City of Iron Mountain Lake, Missouri**

**month.** Such regular sessions shall be held in the City Hall in the City of Iron Mountain Lake, and shall open at 7:00 P.M., unless a different place or different hours shall be prescribed by a rule or resolution of the Board.

Said amendment shall be effective upon date of passage.

DATE OF FIRST READING: \_\_\_\_\_

DATE OF SECOND READING: \_\_\_\_\_

PASSED AND APPROVED: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

(SEAL)

ATTEST:

\_\_\_\_\_  
City Clerk

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Amendment 3 – change in Regular Meetings - 2012

Bill number 2-016

Ordinance Number 25.030

**AN ORDINANCE TO AMEND: ORDINANCE NUMBER 25.030.1 AN ORDINANCE  
CONCERNING REGULAR MEETINGS**

## The City of Iron Mountain Lake, Missouri

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:

**That ordinance number 25.030.1 be amended as follows:**

1. The regular session of the Board of Councilmen shall meet on the second Monday in each month and if determined by the Mayor as necessary, the fourth Monday in each month. Such regular sessions shall be held in the City Hall in the City of Iron Mountain Lake, and shall open at 7:00 P.M. unless a different place or different hours shall be prescribed by a rule or resolution of the Board.

Said amendment shall be effective upon date of passage.

DATE OF FIRST READING SEPTEMBER 10, 2012

DATE OF SECOND READING: SEPTEMBER 10, 2012

PASSED AND APPROVED SEPTEMBER 10, 2012

Brian Goodman

Mayor

Attest:

Lanette Kunz

City Clerk

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### Amendment 4 – Change in Regular Meetings – 2014

Bill number 2 – 016

Ordinance number 25.030

## **The City of Iron Mountain Lake, Missouri**

### **AN ORDINANCE TO AMEND: ORDINANCE NUMBER 25.030.1 AN ORDINANCE CONCERNING REGULAR MEETINGS.**

NOW, THEREFORE BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:

That the Changes to ordinance Number 25.030.1 be amended as follows: section 1 is repealed and ordinance Number 25.030.1 Part One, Section 1 is hereby amended to read as follows:

1. The regular session of the Board of Aldermen shall meet on the Second Monday in Each month and not on the Fourth Monday unless an emergency occurs and the Mayor deems it necessary.

Said amendment shall be in full force and effect upon passage.

DATE OF FIRST READING: 12 MAY 2-14

DATE OF SECOND READING: 12 MAY 2014

PASSED AND APPROVED THIS 12<sup>TH</sup> DAY OF MAY 2014

Dustin Steince

Mayor

Attest:

Lannette Kunz

City Clerk



# **The City of Iron Mountain Lake, Missouri**

## **CHAPTER 30 – REAL ESTATE TAXES**

### **Real Estate Taxes**

BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE AS FOLLOWS:

#### **30.010. Annual Levy.**

There shall be annually levied for the support of the City government and for all public purposes, a tax in such amount, not to exceed one Dollar (\$1.00) on every One Hundred Dollars (\$100.00) valuation, as may be fixed by ordinance from time to time, upon all property, not exempted by law from taxation, within the limits of the City. (ORD.IML – 1983)

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#### **30.020. Assessment.**

The Mayor shall procure from the Clerk of the County Court of St. Francois, Missouri on or before the first day of October in each year, a certified abstract from the county Assessor's books on file in his office, of all property within the value thereof as agreed upon by the Board of Equalization of said county, which abstract shall be transmitted to the Board of Councilmen at its first regular session thereafter. (ORD.IML – 1983)

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#### **30.030. Tax rate Ordinance.**

The Board of Councilmen shall, within a reasonable time after the Assessor's books of each year are transmitted to the Board, ascertain the amount of money to be raised thereon for general and other purposes, and fix the annual rate of levy therefor by ordinance. (ORD.IML – 1983)

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#### **30.040. Tax Books.**

After the property tax rate is levied the City Clerk shall prepare tax books, to be known as "The Real Property Tax Book" and shall enter the general and special taxes therein. (ORD.IML – 1983)

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#### **30.050. Collection.**

The Clerk shall proceed to notify taxpayers, by mail, of taxes due, and collect the taxes, and enter payments in the tax books, and give receipts therefor. He shall pay into the City treasury between the first and fifth day of each month all taxes collected during the preceding month. (ORD.IML – 1983)

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## **The City of Iron Mountain Lake, Missouri**

### **30.060. Delinquency.**

1. All unpaid City Taxes shall become delinquent upon the first day of January of each year.
2. A lien is hereby created in favor of the City against any lot or tract of land for any unpaid property tax against the said lot or tract of land. Such lien shall be superior to all other liens or encumbrances except a lien of the state for state, county or school taxes. (ORD.IML – 1983)

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### **30.070. Delinquent lists.**

1. At the first meeting of the Board of Councilmen in April of each year, or as soon thereafter as may be, the Clerk shall make out, under oath, lists of delinquent which shall be known as “The Land and Lot Delinquent Lists.”
2. The Board of Councilmen shall examine the lists carefully, and if it appears that all property and taxes contained in the lists are properly returned as delinquent, the Board shall approve the lists, enter a record thereof on the journal, and credit the amount thereof to the account of the City Clerk.
3. The Board shall return the delinquent lists to the Clerk, charging him therewith, and he shall proceed to collect the same. (ORD.IML – 1983)

[Top of Chapter](#)

### **30.080. Penalty. – [Amendment](#)**

Delinquent taxes shall bear a penalty of one percent (1%) per month from the first day of January. Each fractional part of a month shall count as a whole month. However, such penalty shall not exceed ten percent (10%) annually. (ORD.IML – 1983)

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### **30.090. Collection, laws applicable.**

These ordinances shall specify the manner of collection and enforcement of real estate taxes. However, the statutes of Missouri and in particular Chapter 140 thereof, shall be paramount, and if any portion of these ordinances relating to tax collection shall conflict therewith, such ordinance section shall be void.

(ORD.IML – 1983).

[Top of Chapter](#)

## **Collection of Real Estate Taxes**

### **30.100. Back Tax book.**

1. Within ten (10) days after receiving the delinquent lists approved by the Board of Councilmen, the City Clerk shall make a back tax book.

## **The City of Iron Mountain Lake, Missouri**

2. The back tax book shall list in numerical order the tracts and lots on which taxes are due.
3. In appropriate columns opposite the tracts and lots, shall be listed the owners or persons to whom last assessed, the year or years for which taxes are delinquent, owners or persons to whom last assessed, the year or years for which taxes are delinquent, the amount of original tax due each fund, the interest due, the clerk's fees due, and the aggregate of all for all the years delinquent.
4. The City Clerk shall compare the back tax book with the delinquent lists. If it is accurate, the City Clerk shall attach a certificate in the back of the back tax book that it contains a true copy of the delinquent land list on file in his office.
5. If the County Assessor has certified his abstract of assessment to the City in alphabetical order of the names of the owners.
6. For making and recording the delinquent land list and preparing the back tax book, the City Clerk shall receive a fee of ten cents (10¢) per entry, and the City Clerk shall receive an additional five cents (5¢) per entry for comparing and authenticating such list.
7. At every annual report by the Clerk, the Board of Councilmen shall examine the back tax book and strike all bills more than five (5) years old which are too small to justify the expense of collection, and which are against exempt property, and which are against property not worth the bill which cannot be compromised.

(ORD.IML – 1983)

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### 30.110. Compromise of back taxes.

The Board of Councilmen may compromise the taxes on any land which is not worth the bill against it, and order the compromised sum to be distributed to the various funds to which the taxes were due in proration as the amount received bears to the whole amount charged against the tract or lot.

(ORD.IML – 1983)

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### 30.120. Limitations of actions.

No suit for collection of back taxes or foreclosure sale shall be had for taxes due more than five (5) years before such suit for foreclosure sale.

(ORD.IML – 1983)

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## The City of Iron Mountain Lake, Missouri

### 30.130. Publication of delinquent land lists, sale of land.

1. The Clerk shall cause a copy of the list of delinquent lands to be published in some newspaper of the county for three (3) consecutive weeks, the last insertion to be at least fifteen (15) days prior to the fourth Monday in August of each year.
2. Such publication shall be in accordance with the provisions of Section 140.170, RSMO of 1969, or any statute which may replace the same, except that where such statute may contain the term “County Collector”, the term “City Clerk” shall be used.
3. If the unpaid taxes shall not be paid by the fourth Monday in August of each year, after publication as aforesaid, the lots or tracts of land may be sold as hereinafter provided.

(ORD.IML – 1983)

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### 30.140. Clerk of sale, sale record book.

1. The City Clerk shall be clerk of the sale, and shall enter each sale in a sufficient record book giving description, sale price, name and address of buyer how much of the lot or tract was sold, or whether the same remains unsold.
2. The Clerk of the Sale shall receive a fee of twenty-five cents (25¢) for each lot or tract sold, to be paid by the buyer.

(ORD.IML – 1983)

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### 30.150. Manner of bids.

1. No out-of-state resident may bid unless he has consented in writing to jurisdiction of the Circuit Court of the county to try any suit growing out of the sale. He shall appoint in writing some citizen of the county as his agent for service of process. Such consents shall be filed by the collector.
2. Bidders shall state the amount of land they will accept for full payment of the tax bill.
3. If more than one tract owned by the same person is for sale, bids for the entire tax bill shall be requested on one of the lots or tracts, or a part of one tract or lot. If no person bids a part of the lot or tract for the entire bill, then the tract or lot shall be offered to the highest cash bidder. If any amount then remains unpaid of the entire bill, then each of the other tracts shall be offered in like manner until the required sum is realized. If on bidder bids on the separate lots separately, then the whole of the tracts or lots shall be offered together. A failure to comply with this procedure shall not invalidate any sale.
4. If less than the whole of a tract of land which is not a City lot shall be sold, the quantity sold shall be in square form as near as practical and shall be at the most northwestwardly corner of the tract. If less than the whole of a city lot is sold, the part sold shall extend from the main or principal street, road or alley forming the most

## **The City of Iron Mountain Lake, Missouri**

convenient front to such lot, to the rear of such lot, and the boundaries of the portion sold shall be as nearly parallel with the outlines of such lot as practicable.

(ORD.IML – 1983)

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### **30.160. High bid less than tax bill.**

1. Except as provided in cases of multiple delinquent lots owned by one owner, a tract or lot shall not be sold at the first offering unless the high bid is equal to the tax bill.
2. The Clerk of Sale shall note the fact in his record of sale, and the Clerk shall note the fact in the back tax book.
3. At the second yearly offering, if said tract or lot shall not receive a high bid equal to the tax bill, said tract or lot shall not be sold and the Clerk of Sale and City Clerk shall note such fact.
4. At the third yearly offering of such tax- delinquent tract or lot at the tax sale, it shall be sold to the highest bidder, and there shall be no period of redemption, and the Collector's Deed shall be issued immediately instead of a certificate of purchase.
5. If the tract or lot be not sold at the third annual offering, then the Collector need only offer such land for sale every five (5) years to toll the operation of the statute of limitations.

(ORD.IML – 1983)

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### **30.170. Foreclosure Sale Surplus.**

1. When a tract of lot is sold in accordance with these ordinances and there shall be a surplus over the amount of the tax bill, it shall be paid to the owner. If the owner cannot be found, the surplus shall be deposited in a special trust fund of the treasury where it shall remain for twenty (20) years. At the end of that time, if not claimed, it shall become the property of the City.
2. If a dispute exists as to the person entitled to a surplus, it shall be held in the special trust fund of the treasury until the dispute shall be settled.

(ORD.IML – 1983)

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### **30.180. Certificate of Purchase.**

After payment of the amount of the bid, the Clerk shall give the purchaser a certificate of purchase in accordance with provisions of Sections 140.290 and 140.300, RSMO of 1969

(ORD.IML – 1983)

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## **The City of Iron Mountain Lake, Missouri**

### **30.190. Redemption.**

There shall be a redemption period of two (2) years, during which the owner or occupant of any land or lot sold for tacks, or any other person having an interest therein, may redeem such land or lot in accordance with the provisions of Sections 140.340, 140.350, 140.360, 140.370, 140.380, 140.390 and 140.400, RSMO. Of 1969.

(ORD.IML – 1983)

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### **30.200. Clerk's tax deed to purchaser.**

1. If no person shall redeem the lands sold for taxes within two (2) years from the sale, the Clerk shall execute the purchaser, his heirs or assigns, a Clerk's Tax Deed.
2. Such Clerk's Tax Deed shall be in the form prescribed by Section 140.460, RSMO of 1969
3. Such Clerk's Tax Deed shall be issued in accordance with the provisions of sections 140.420, 140.430, 140.440, 140.450, 140.460, and 140.470, RSMO. Of 1969

(ORD.IML – 1983)

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### **30.210. Record of Clerk's tax deeds.**

The Clerk shall keep in his office a record of the lands conveyed by him on sales for taxes, the name of the person charged therewith, the date of the sale, the name of the purchaser, the amount for which it was sold, the name of the grantee in the deed, and the date of its execution.

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## **Collection of Personal Taxes**

### **30.220. Notification to delinquent taxpayer.**

1. Before any suit shall be brought to recover delinquent personal property taxes, the collector shall notify the delinquent taxpayer by ordinary mail, addressed to the last known address thereof, that there are taxes assessed against him, stating the amount thereof, and that if the same are not paid within thirty (30) days an action will be brought to recover such taxes.
2. The Collector shall be allowed a fee of twenty-five cents (25¢) for such notice.
3. The Collector shall make a certificate that he has mailed such notice, giving the date of the mailing. Such certificate shall be attached to any petition against the tax payer, and shall constitute prima facie evidence that such notice has been duly given.

(ORD.IML – 1983)

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## **The City of Iron Mountain Lake, Missouri**

### **30.230. Attorney's Fee and Duty in Collection Suit.**

It shall be the duty of the City Attorney to file suit against delinquent taxpayers, and if said suit shall be duly filed, a fee in the amount of ten percent (10%) of the taxes due, but in no event less than five dollars (\$5.00), shall be allowed the attorney. Such attorney's fee and all collector's fees shall be included in the judgment for taxes in such action.

(ORD.IML – 1983)

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### **30.240. When Collection Suits Filed.**

Personal tax bills shall become delinquent on the first day of January following the day when said bills are placed in the hands of the Collector, and suits thereon may be instituted on and after the first day of February following, and within five (5) years from said day.

(ORD.IML – 1983)

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### **30.250. Defendants.**

The delinquent taxpayer shall be the Defendant in suits for delinquent taxes. Such suits may be presented against the estates of deceased and insolvent debtors. The remedy of lawsuit shall be cumulative, and shall not impair other methods existing or hereafter provided for the collection of delinquent taxes.

(ORD.IML – 1983)

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### **30.260. Suit against delinquent taxpayer.**

1. Suits against delinquent taxpayers of the City shall be commenced in the Circuit Court of St. Francois County, Missouri, or any court which has jurisdiction to order personal judgments against defendants.
2. All actions commenced under these ordinances shall be prosecuted in the name of the State of Missouri, at the relation and the use of the Collector and against the person or persons named in the tax bill, and in one petition and in one count thereof may be included the said taxes for all such years as may be delinquent and unpaid, and said taxes shall be set forth in a tax bill or bills of said personal back taxes duly authenticated by the certificate of the collector and filed with the petition; and said tax bill or tax bills so certified shall be prima facie evidence that the amount claimed in said suit is just and correct.

## **The City of Iron Mountain Lake, Missouri**

3. All notices and process in suits under this chapter shall be used and served in the same manner as in civil actions and the general laws of this state as to practice and proceedings and appeals and writs of error in civil cases shall apply as far as applicable, to the above actions; provided, however, that in no case shall the State or the City or the Collector be liable for any costs nor shall any be taxed against them or any of them.

(ORD.IML – 1983)

[Top of Chapter](#)

READ THREE TIMES AND PASSED THIS 25<sup>TH</sup> DAY OF MAY, 1983

APPROVED THIS 25<sup>TH</sup> DAY OF MAY, 1983

Pearl Pirtle

Mayor

Attest:

Joyce Pearl

City Clerk

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Amendment to Section 30.080

**AN ORDINANCE TO AMEND CHAPTER 30, SECTION [30.080](#) OF THE CITY CODE ENTITLED “PENALTY”.**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN/WOMEN THAT SECTION 30.080 OF CHAPTER 30 IN THE CITY CODE BE CHANGED TO READ AS FOLLOWS:**



## **The City of Iron Mountain Lake, Missouri**

Delinquent taxes shall bear a penalty of two percent (2%) per month from the first day of January. Each fractional part of a month shall count as a whole month. However, such penalty shall not exceed eighteen percent (18%) annually. This rate will become effective on January 1, 1992 for all delinquent taxes for the year 1991 and later.

READ THREE TIMES AND PASSED THIS 11<sup>TH</sup> DAY OF NOV. 1991.

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **REVISED MISSOURI STATUTES**

Fourth Class Cities

### **Chapter 79**

#### **Section 79.100**

August 28, 2008

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#### **Acting president to perform duties of Mayor, when.**

79.100. When any vacancy shall happen in the office of Mayor by death, resignation, removal from the City, removal from office, refusal to qualify, or from any other cause whatever, the Acting President of the Board of Aldermen shall, for the time being, perform the duties of Mayor, with all the rights, privileges, powers and jurisdiction of the Mayor, until such vacancy be filled or such disability be removed; or in case of temporary absence, until the Mayor's return.

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#### **Section 79.130**

August 28, 2008

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#### **Ordinances – Procedure to enact.**

79.130. The style of the ordinances of the City shall be: "Be it ordained by the Board of Aldermen of the City of..... as follows:" No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the Board of Aldermen shall vote for it, and the ayes and nays be entered on the journal. Every proposed ordinance shall be introduced to the Board of Aldermen in writing and shall be read by title or in full two times prior to passage, both readings may occur at a single meeting of the Board of Aldermen. If the proposed inspection prior to the time the bill is under consideration by the Board of Aldermen. No bill shall become an ordinance until it shall have been signed by the Mayor or person exercising the duties of the Mayor's office, or shall have been passed over the Mayor's veto, as herein provided.

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#### **Section 79.220**

August 28, 2008

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## **The City of Iron Mountain Lake, Missouri**

### **Mayor may remit fine, grant pardon.**

79.220. The Mayor shall have power to remit fines and forfeitures, and to grant reprieves and pardons for offenses arising under the ordinances of the City; but this section shall not be so construed as to authorize the Mayor to remit any costs which may have accrued to any officer of said city by reason of any prosecution under the laws or ordinances of such city.

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#### [Section 79.240](#)

August 28, 2008

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### **Removal of Officers.**

79.240. The Mayor may, with consent of a majority of all the members elected to the Board of Aldermen, remove from office, for cause shown, any elective officer of the City, such officer being first given opportunity, together with his witnesses, to be heard before the Board of Aldermen sitting as a Board of Impeachment. Any elective officer, including the Mayor, May in like manner, for cause shown, be removed from office by a two-thirds vote of all members elected to the Board of Aldermen, independently of the Mayor's approval or recommendation. The Mayor may, with the consent of a majority of all the members elected to the Board of Aldermen, remove from office any appointive officer of the City at will, and any such appointive officer may be so removed by a two-thirds vote of all the members elected to the Board of Aldermen, independently of the Mayor's approval or recommendation. The Board of Aldermen may pass ordinances regulating the manner of impeachments and removals.

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#### [Section 79.280](#)

August 28, 2008

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### **Vacancies in certain offices, how filled.**

79.280. If a vacancy occurs in any elective office, the Mayor or the person exercising the duties of the Mayor shall cause special meeting of the Board of Aldermen to convene where a successor to the vacant office shall be selected by appointment by the Mayor with the advice and consent of a Majority of the remaining members of the Board of Aldermen. If the vacancy is in the office of Mayor, nominations of a successor may be made by any member of the Board of Aldermen and selected with the consent of a majority of the members of the Board of Aldermen. The Board of Aldermen may adopt procedures to fill vacancies consistent with this section. The successor shall serve until the next regular municipal election. If a vacancy occurs in any office

## **The City of Iron Mountain Lake, Missouri**

not elective, the Mayor shall appoint a suitable person to discharge the duties of such office until the first regular meeting of the Board of Aldermen thereafter, at which time such vacancy shall be permanently filled.

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### **Section 79.460**

August 28, 2008

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#### **Board may prohibit carrying concealed weapons.**

79.460. The Board of Aldermen may adopt ordinances providing for the prohibition of and punishment for the carrying of concealed deadly weapons, and may also adopt ordinance providing for the prohibition of vagrancy and providing that upon conviction one adjudged guilty may be imprisoned, fined, or set to work.

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## **Chapter 578**

### **Section 578.005**

August 28, 2008

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#### **Definitions.**

578.005. As used in sections 578.005 to 578.023, the following terms shall mean:

1. "Adequate Care," normal and prudent attention to the needs of an animal, including wholesome food, clean water, shelter and health care as necessary to maintain good health in specific species of animal;
  2. "Adequate Control," to reasonably retrain or govern an animal so that the animal does not injure itself, any person, any other animal, or property;
  3. "Animal," every living vertebrate except a human being;
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## **The City of Iron Mountain Lake, Missouri**

4. “Animal Shelter,” a facility which is used to house or contain animals and which is owned, operated, or maintained by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other not-for-profit organization devoted to the welfare, protection, and humane treatment of animals;
5. “Farm animal,” an animal raised on a farm or ranch and used or intended for use in farm or ranch production, or as food or fiber;
6. “Harbor,” to feed or shelter an animal at the same location for three or more consecutive days;
7. “Humane killing,” the destruction of an animal accomplished by a method approved by the American Veterinary Medical Association’s Panel on Euthanasia (AVMA 173: 59 – 72, 1978); considered humanely killed;
8. “Owner,” in addition to its ordinary meaning, any person who keeps or harbors an animal or professes to be owning, keeping, or harboring an animal;
9. “Person,” and individual, partnership, firm, joint stock Company, corporation, association, trust, estate or other legal entity;
10. “Pests,” birds, rabbits, or rodents which damage property or have an adverse effect on the public health, but shall not include any endangered species listed by the United States Department of the Interior nor any endangered species listed in the Wildlife Code of Missouri.

### **Section 578.012**

August 28, 2008

### **Acts and facilities to which sections 578.005 to 578.023 do not apply.**

578.007 The provisions of sections 578.005 to 578.023 shall not apply to:

1. Care or treatment performed by a licensed veterinarian within the provisions of chapter 340. RSMO;
2. Bona fide scientific experiments;
3. Hunting, fishing, or trapping as allowed by chapter 252, RSMO, including all practices and privileges as allowed under the Missouri Wildlife Code;
4. Facilities and publicly funded zoological parks currently in compliance with the federal “Animal Welfare Act” as amended;
5. Rodeo practices currently accepted by the Professional Rodeo Cowboys Association;
6. The killing of an animal by the owner thereof, the agent of such owner, or by a veterinarian at the request of the owner thereof;

## **The City of Iron Mountain Lake, Missouri**

7. The lawful, humane killing of an animal by an animal control officer, the operator of an animal shelter, a veterinarian, or law enforcement or health official;
8. With respect to farm animals, normal or accepted practices of animal husbandry;
9. The killing of an animal by any person at any time if such animal is outside of the owned or rented property of the owner or custodian of such animal and the animal is injuring any person or farm animal but shall not include police or guard dogs while working
10. The killing of house or garden pests; or
11. Field trials, training and hunting practices as accepted by the Professional Hounds men of Missouri.

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### Section 578.012

August 28, 2008

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#### **Animal abuse – penalties.**

##### 578.012.

1. A person is guilty of animal abuse when a person;
  - a. Intentionally or purposely kills an animal in any manner not allowed by or expressly exempted from the provisions of sections 578.005 to 578.023 and 27.030 RSMO;
  - b. Purposely or intentionally causes injury or suffering to an animal; or
  - c. Having ownership or custody of an animal knowingly fails to provide adequate care or adequate control.
2. Animal abuse is a class A misdemeanor, unless the defendant has previously plead guilty to or has been found guilty of animal abuse or the suffering involved in Subdivision (2) of Subsection (1) of this section is the result of torture or mutilation, or both, consciously inflicted while the animal was alive, in which case it is a class D Felony.

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### Section 578.012

August 28, 2008

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#### **Responsibility of parent or guardian of minor owning.**

578.007 The parent or guardian of a minor child is responsible for the adequate care of any animal owned by, in the control of, or harbored by that minor child.

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## The City of Iron Mountain Lake, Missouri

Section 578.016

August 28, 2008

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### **Impoundment of animal found off property of owner or custodian, disposition, procedure – liability of owner or custodian for costs – lien – rights of owner or custodian.**

578.016.

1. Any duly authorized public health official, law enforcement official, or animal control officer may impound any animal when such animal shows evidence of neglect or abuse. Any animal impounded pursuant to this section shall be:
  - a. If the owner can be ascertained and the animal is not diseased or disabled beyond recovery for any useful purpose, held for recovery by the owner. The owner shall be notified within five business days of impoundment by phone or by mail of the animal's location and recovery procedures. The animal shall be held for ten business days. An animal unclaimed after ten business days may be put up for adoption or humanely killed;
  - b. Placed in the care or custody of a veterinarian, the appropriate animal control authority or animal shelter. The animal shall not be disposed of, unless diseased or disabled beyond recovery for any useful purpose, until after expiration of a minimum of five business days, during which time the public shall have clear access to inspect or recover the animal through time periods ordinarily accepted as usual business hours. After five business days, the animal may be put up for adoption or humanely killed; or
  - c. If diseased or disabled beyond recovery for any useful purpose as determined by a public health official, law enforcement official, veterinarian or animal control officer, humanely killed.
2. The owner or custodian of an animal impounded pursuant to this section shall be liable for reasonable costs for the care and maintenance of the animal. Any person incurring reasonable costs for the care and maintenance of such animal shall have a lien against such animal until the reasonable costs have been paid and may put up for adoption or humanely kill any animal if such costs are not paid within ten days after demand. Any moneys received for an animal adopted pursuant to this subsection in excess of costs shall be paid to the owner of such animal.
3. The owner or custodian of any animal killed pursuant to this section shall be entitled to recover the actual value of the animal up to, but not to exceed six hundred dollars if the owner or custodian shows that such killing unwarranted.

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Section 578.018

August 28, 2008

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## **The City of Iron Mountain Lake, Missouri**

### **Warrant for entry on private property to inspect – impoundment of animals, disposition.**

578.018.

1. Any duly authorized public health official or law enforcement official may seek a warrant from the appropriate court to enable him to enter private property in order to inspect, care for, or impound neglected or abused animals. All request for such warrants shall be accompanied by an affidavit stating the probable cause to believe a violation of sections 578.005 to 578.023 has occurred. A person acting under the authority of a warrant shall:
    - a. Be given a disposition hearing before the court through which the warrant was issued, within thirty days of the filing of the request for the purpose of granting immediate disposition of the animals impounded;
    - b. Place impounded animals in the care or custody of a veterinarian, the appropriate animal control authority, or an animal shelter. If no appropriate veterinarian, animal control authority, disabled beyond recovery for any useful purpose;
    - c. Humanely kill any animal impounded if it is determined by a licensed veterinarian that the animal is diseased or disabled beyond recovery for any useful purpose;
    - d. Not be liable for any necessary damage to property while acting under such warrant.
  2. The owner or custodian or any person claiming an interest in any animal that has been impounded because of neglect or abuse may prevent disposition of the animal by posting bond or security in an amount sufficient to provide for the animal's care and keeping for at least thirty days, inclusive of the date on which the animal was taken into custody. Notwithstanding the fact that bond may be posted pursuant to this subsection, the authority having custody of the animal may humanely dispose of the animal at the end of the time for which expenses are covered by the bond or security in the amount necessary to protect the authority having custody of the animal from any cost of the care, keeping or disposal of the animal. The authority taking custody of an animal shall give notice of the provisions of this section by posting a copy of this section at the place where the animal was taken into custody or by delivering it to a person residing on the property.
  3. The owner or custodian of any animal humanely killed pursuant to this section shall not be entitled to recover any damages related to nor the actual value of the animal if the animal was found by licensed veterinarian to be diseased or disabled, or if the owner or custodian failed to post bond or security for the care, keeping and disposition of the animal after being notified of impoundment.
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# The City of Iron Mountain Lake, Missouri

## Chapter 610

### Section 610.020

August 28, 2008

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**Notice of meetings, when required – recording of meetings to be allowed, guidelines, penalty – accessibility of meetings – minutes of meetings to be kept, content – voting records to be included.**

#### 610.020

1. All public governmental bodies shall give notice of the time, date, and place of each meeting, and its tentative agendas, in a manner reasonably calculated to advise the public of the matters to be considered, and if the meeting will be conducted by telephone or other electronic means, the notice of the meeting shall identify the mode by which the meeting will be conducted and the designated location where the public may observe and attend the meeting. If public body plans to meet by internet chat, internet message board, or other computer link, it shall post a notice of the meeting on its website in addition to its principal office and shall notify the public how to access that meeting. Reasonable notice shall include making available copies of the notice to any representative of the news media who requests notice of meetings of a particular governmental body and posting designated for that purpose at the principal office of the body holding the meeting, or if no such office exists, at the building in which the meeting is to be held.
  2. Notice conforming with all of the requirements of subsection 1 of this section shall be given at least twenty-four hours, exclusive of weekends and holidays when the facility is closed, prior to the commencement of any meeting of a governmental body unless for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible shall be given. Each meeting shall be held at a place reasonably accessible to the public and of sufficient size to accommodate the anticipated attendance by members of the public, and at a time reasonably convenient to the public, unless for good cause such a place or time is impossible or impractical. Every reasonable effort shall be made to grant special access to the meeting to handicapped or disabled individuals.
  3. A public body shall allow for the recording by audiotape, videotape, or other electronic means of any open meeting. A public body may establish guidelines regarding the manner in which such recording is conducted so as to minimize disruption to the meeting. No audio recording of any meeting, record or vote closed pursuant to the provisions of section 610.021
  4. When it is necessary to hold a meeting on less than twenty-four hours' notice, or at a place that is not reasonably accessible to the public, or at a time that is not reasonably convenient to the public, the nature of the good cause justifying that departure from the normal requirements shall be stated in the minutes.
-

## **The City of Iron Mountain Lake, Missouri**

5. A formally constituted subunit of a parent governmental body may conduct a meeting without notice as required by this section during a lawful meeting of the parent governmental body, a recess in that meeting, or immediately following that meeting, if the meeting of the subunit is publicly announced at the parent meeting and the subject of the meeting reasonably coincides with the subjects discussed or acted upon by the parent governmental body.
  6. If another provision of law requires a manner of giving specific notice of a meeting, hearing or an intent to take action by a governmental body, compliance with that section shall constitute compliance with the notice requirements of this section.
  7. A journal or minutes of open and closed meetings shall be taken and retained by the public governmental body including, but not limited to, a record of any votes taken at such meeting. The minutes shall include the date, time, place, members present, members absent, and record of any votes taken. When a roll call vote is taken, the minutes shall attribute each “yea” and “nay” vote or absent and record of any votes taken. When a roll call vote is taken the member of the public governmental body.
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**The City of Iron Mountain Lake, Missouri**

# **CITY ORDINANCES**

# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 1 – VEHICULAR SPEED**

Original Ordinance

Bill number: 1

Ordinance number: 1

**A BILL ENTITLED “AN ORDINANCE REGULATING THE VEHICULAR SPEED ON ALL STREETS AND ROADS WITHIN THE CORPORATE LIMITS OF THE CITY OF IRON MOUNTAIN LAKE AS SPECIFIED IN THIS ORDINANCE: PROVIDING A PENALTY FOR VIOLATIONS AND FIXING A TIME WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.”**

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS;**

**Article I:** No person shall operate a motor vehicle on the streets East Lakeshore Drive, West Lakeshore Drive, North Lakeshore Drive, St. Louis Drive, Gallatin Drive and Brown Mt. Road at a speed in excess of twenty (20) miles per hour. No person shall operate a motor vehicle on Parkway Drive at a speed in excess of twenty-five (25) miles per hour.

**Article II:** No person shall operate a motor vehicle on the streets and roads within the corporate limits of the City of Iron Mountain Lake at a speed in excess of fifteen (15) miles per hour except those specified in section 1 in this ordinance.

**Article III:** Any person who shall operate a motor vehicle on the streets or roads within the corporate limits of the City of Iron Mountain Lake at a speed in excess of limits specified in Section 1 and Section 2 of this ordinance shall be subject to a fine not to exceed \$25.00 for each violation.

**Article IV:** This ordinance shall be in full force and effect from and after its passage.

READ THREE TIMES AND PASSED THIS 25<sup>TH</sup> DAY OF MAY 1983

APPROVED THIS 25<sup>TH</sup> DAY OF MAY, 1983

Pearl Pirtle

Mayor

## **The City of Iron Mountain Lake, Missouri**

Attest:

Joyce Pearl

City Clerk

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### **Amendment to speed limits 1987**

Bill Number:1987-01

Ordinance Number: 1

#### **AN AMENDMENT TO BE ADDED TO ORDINANCE NUMBER 1, [ARTICLE I](#),**

The speed limit on West Lakeshore Drive from Gallatin to Potosi Streets shall hereafter be limited to 15 miles per hour.

Stop signs are now placed in the following places:

1. Gallatin at St. Louis, Drive
2. Gallatin at Parkway Drive
3. Potosi at West Lakeshore Drive
4. Potosi and Parkway Drive
5. Dearborn and East Lakeshore
6. Ozark and West Lakeshore
7. North East corner of St. Louis and Parkway Drive
8. South West corner of Mallard and Parkway Drive

**EFFECTIVE THIS 1<sup>ST</sup> DAY OF JUNE 1987.**

Wilburn L Schrum

Mayor

Attest:

Martha Lance

# The City of Iron Mountain Lake, Missouri

City Clerk

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Amendment to speed limits 1988

Bill Number: 1988 - 01

Ordinance Number: 1

**AN ORDINANCE TO AMEND ARTICLE NUMBERS [ONE](#) (1) AND [THREE](#) (3) OF ORDINANCE NUMBER ONE (1) OF THE CITY OF IRON MOUNTAIN LAKE ENTITLED: “AN ORDINANCE REGULATING THE VEHICULAR SPEED ON ALL STREETS AND ROADS WITHIN THE CORPORATE LIMITS OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS SPECIFIED IN THIS ORDINANCE; PROVIDING A PENALTY FOR VIOLATIONS AND FIXING A TIME WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.”**

**AMENDED ARTICLE NUMBER ONE (1) SHALL READ:**

**Article I.**

No person shall operate a motor vehicle on the streets; East Lakeshore Drive, North Lakeshore Drive, St. Louis Drive, Gallatin Drive, Brown Mountain Road, and the article of West Lakeshore Drive extending south from Louisiana Street at a speed in excess of twenty (20) miles per hour. No person shall operate a motor vehicle on Parkway Drive at a speed in excess of twenty-five (25) miles per hour.

**AMENDED ARTICLE NUMBER THREE (3) SHALL READ:**

**Article III.**

Any person who shall operate a motor vehicle on the streets or roads within the corporate limits of the City of Iron Mountain Lake, Missouri at a speed in excess of limits specified in Article One (1) and Article Two (2) of this ordinance shall be subject to a basic fine of ten dollars (\$10.00) plus two (\$2.00) dollars per each mile in excess of stated speed limits, not to exceed seventy (\$70.00) dollars for each violation plus court costs.

Read three times and passed this 5<sup>th</sup> day of December, 1988.

Approved this 5th day of December, 1988

## The City of Iron Mountain Lake, Missouri

Doyle Lance

Mayor

Attest:

Martha lance

City Clerk

[Top](#)

Amendment to speed limits 1990

Bill Number: 1990-01

Ordinance Number: 1

**AN ORDINANCE TO AMEND ARTICLE NUMBER [ONE](#) (1) OF ORDINANCE NUMBER ONE (1) OF THE CITY OF IRON MOUNTAIN LAKE ENTITLED: “AN ORDINANCE REGULATING THE VEHICULAR SPEED ON ALL STREETS AND ROADS WITHIN THE CORPORATE LIMITS OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS SPECIFIED IN THIS ORDINANCE; PROVIDING A PENALTY FOR VIOLATIONS AND FIXING A TIME WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.”**

**AMENDED SECTION NUMBER ONE (1) SHALL READ:**

**Article 1.**

No person shall operate a motor vehicle on the streets: East Lakeshore Drive, St. Louis Drive, Gallatin Drive, Brown Mountain Road and the section of West Lakeshore Drive extending south from Louisiana Street at a speed in excess of twenty (20) miles per hour. No person shall operate a motor vehicle on Parkway Drive or Mallard Drive in excess of twenty-five (25) miles per hour.

(ORD.IML – 1990)

## **The City of Iron Mountain Lake, Missouri**

READ THREE TIMES AND PASSED THIS 10<sup>TH</sup> DAY OF AUGUST 1990

APPROVED THIS 10<sup>TH</sup> DAY OF AUGUST 1990

Doyle Lance

Mayor

Attest:

Martha L. Lance

City Clerk

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### **Amendment to speed limits 1993**

Bill Number: 1993-01

Ordinance Number: 1

**AN ORDINANCE TO AMEND SECTION NUMBERS [ONE](#) (1) AND [THREE](#) (3) OF ORDINANCE NUMBER ONE (1) OF THE CITY OF IRON MOUNTAIN LAKE ENTITLED: “AN ORDINANCE REGULATING THE VEHICULAR SPEED ON ALL STREETS AND ROADS WITHIN THE CORPORATE LIMITS OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS SPECIFIED IN THIS ORDINANCE; PROVIDING A PENALTY FOR VIOLATIONS AND FIXING A TIME WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.”**

#### **AMENDED ARTICLE NUMBER ONE (1) SHALL READ:**

##### **Article I.**

No person shall operate a motor vehicle on the streets: East Lakeshore Drive, St. Louis Drive, Gallatin Drive, Brown Mountain Road and the section of West Lakeshore Drive extending south from Louisiana Street at a speed in excess of twenty (20) miles per hour. No person shall operate a motor vehicle on Parkway Drive in excess of twenty-five (25) miles per hour.

#### **AMENDED ARTICLE NUMBER THREE (3) SHALL READ”**



## **The City of Iron Mountain Lake, Missouri**

### **Article III.**

Any person who shall operate a motor vehicle on the streets or roads within the corporate limits of the City of Iron Mountain Lake, Missouri at a speed in excess of limits specified in Article I and Article III of this ordinance shall be subject to a basic fine of twenty-five dollars (\$25.00) plus three dollars (\$3.00) per each mile in excess of stated speed limits not to exceed two hundred dollars (\$200.00) for each violation plus court costs.

(ORD.IML – 1983)

READ THREE TIMES AND PASSED THIS 8th DAY OF NOVEMBER, 1993

APPROVED THIS 8th DAY OF NOVEMBER, 1993

Doyle Lance

Mayor

Attest:

Martha L. Lance

City Clerk

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### **Resolution 1**

Bill Number: 1984 - 01

Ordinance Number: 1984-01

### **RESOLUTION**

**A RESOLUTION OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, ADDING TO BILL NO. 1 ORDINANCE NO 1. REGARDING VEHICULAR VIOLATIONS. THE FOLLOWING SHALL BE ADDED TO SECTION 10 OF SAID ORDINANCE:**

1. Out of State Licensed Missouri Resident in accordance with Missouri State Statute 302.020
2. Expired license or failed to register annually in accordance with Missouri State Statute 302.020

## **The City of Iron Mountain Lake, Missouri**

3. Fail to signal or improper signal in accordance with Missouri State Statute 304.341
4. Improper left or right turn in accordance with Missouri State Statute 304.341

### **EQUIPMENT VIOLATION MO PART 104**

1. Inadequate muffler. MO State statute 307.170
2. Defective lights, MO State Statute 307.040
3. No mud flaps on trucks, MO State Statute 307.010
4. No cover on truck, MO State Statute 307.010
5. Defective brakes, MO State Statute 307.170

### **MOTOR VEHICLE MISDEMEANORS**

1. Following too closely, MO State Statute 304
2. Fail to stop at stop sign or signal, MO State Statute 304.351
3. Fail to stop for a school bus, MO State Statute
4. Fail to dim lights, MO State Statute 307.070
5. Failure to obey reasonable request, MO State Statute 343.170
6. Failure to display certificate of inspection, MO State Statute 307.350
7. Obstructing traffic, MO State Statute 338.170

Joyce pearl

City Clerk

Pearl Pirtle

Mayor

10/1/84

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 2 – OPERATION OF VEHICLES WITHIN CITY LIMITS**  
**AND UPON THE PUBLIC STREETS**  
Original Ordinance

Bill Number: 1983-02

Ordinance Number: 2

**AN ORDINANCE REGULATING THE OPERATION OF VEHICLES WITHIN THE**  
**CITY LIMITS AND UPON THE PUBLIC STREETS AND ROADS IN THE CITY OF**  
**IRON MOUNTAIN LAKE, MISSOURI:**

PRESCRIBING the rules of the road: providing penalty for operating a motor vehicle without a State License: operating an automobile in a careless and imprudent manner, operating a motor vehicle in an intoxicated condition, leaving a scene of an accident, tampering with a motor vehicle. Defining certain terms used in said ordinance, and providing penalties for violation of this ordinance.

**BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON**  
**MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**Article I. Definitions.**

Whenever, in this ordinance, or in any proceeding under this ordinance, the following words or terms are used. They shall be deemed and taken to have the meaning ascribed to them as follows:

- A. **Motor Vehicle.** Any self-propelled vehicle not operated exclusively upon tracks, except farm tractors.
- B. **Operator.** Any person who operates or drives a motor vehicle.
- C. **Person.** Shall include any firm, corporation, partnership or association, and persons.
- D. **Tractor.** Any vehicle designed primarily for agricultural use or used as a traveling power plant, or for drawing other vehicles, or farm or road building implements and having no provision for carrying loads independently.
- E. **Street.** Any public thoroughfare for vehicles including all public streets, boulevards, parks, alleys, or state or county roads.

## **The City of Iron Mountain Lake, Missouri**

- F. **Vehicle.** Any mechanical device on wheels designed primarily for use upon the highways, streets or alleys, except those propelled or drawn by human power, or those used exclusively on tracks.

### **Article II. Driving in a careless and imprudent manner.**

Every person operating a motor vehicle on the streets of this city, shall drive the same in a careful and prudent manner, and shall exercise the highest degree of care and at a rate of speed so as not to endanger the property of another or the life or limb of any person.

### **Article III. Valid License.**

No person shall operate a motor vehicle upon the streets in the City of Iron Mountain Lake without displaying a valid State Motor Vehicle License.

### **Article IV. Operator's License.**

No person shall operate a motor vehicle upon the streets in the City of Iron Mountain Lake without a valid State Operator's License.

### **Article V. Driving In an Intoxicated Condition.**

Any person who shall operate or drive a motor vehicle or other vehicle upon the streets or alleys of the City while in an intoxicated condition, or when under the influence of drugs, shall be deemed guilty of a misdemeanor and upon conviction, shall be punished by a fine of not less than \$10.00 not more than \$100.00 or by imprisonment in the City or County Jail not less than ten days, and not more than three months, or by both such fine and imprisonment.

### **Article VI. Leaving the scene of an accident.**

Any person operating or driving a vehicle on the highways of the City, knowing that an injury has been caused to a person or damage has been caused to property due to the culpability of said operator or driver, or to accident, who shall leave the place of said injury, damage or accident, without stopping and giving his name and residence, including city and street number, and his motor vehicle number to the injured party or to a police officer, shall be deemed guilty of a misdemeanor and upon conviction, shall be punished by a fine of not less than \$10.00 nor more than \$100.00 or by imprisonment in the City or County Jail not less than ten days nor more than three months, or by both such fine and imprisonment.

### **Article VII. Tampering with Vehicles Prohibited.**

- A. No person shall drive or operate, use or tamper with a motor vehicle without the permission of the owner thereof.

## **The City of Iron Mountain Lake, Missouri**

B. No person shall without the permission of the owner or person in charge thereof, climb upon or into or swing upon any motor vehicle whether the same is in motion or at rest, or sound the horn or other sound producing device, or attempt to manipulate any of the levers, starting devices, brakes, or machinery in motion or hold to such vehicle while riding a bicycle or other vehicle.

### **Article VIII. Definition.**

The word “person” as used in this ordinance shall mean and include every person, persons, association, firm, City Ordinance partnership, or corporation.

The word “misdemeanor” whenever used in this ordinance shall be construed to mean and to stand in lieu of the words “a violation of this ordinance.”

### **Article IX. Severance Clause.**

That if any section, sentence, phrase or clause of this ordinance shall be held to be invalid for such section, sentence, phrase or clause shall not impair the validity of the remaining sections, sentences, phrases or clauses of this ordinance: the Board of Councilmen hereby declare that it would have passed the remaining portions of this ordinance had it known that such section, sentence, phrase or clause would be held invalid.

### **Article X. Repeal of Conflicting Ordinances.**

That all ordinances or parts of ordinances in conflict herewith, shall be, and the same are hereby repealed; and this ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

READ THREE TIMES AND PASSED THIS 25<sup>TH</sup> DAY OF MAY, 1983

APPROVED THIS 25<sup>TH</sup> DAY OF MAY, 1983

Pearl Pirtle

Mayor

Attest:

Joyce Pearl

City Clerk

## **The City of Iron Mountain Lake, Missouri**

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### **Addendum to Ordinance – Banning Unlicensed ATV's**

#### **AN ORDINANCE REGULATING THE OPERATION OF VEHICLES WITHIN THE CITY LIMITS AND UPON PUBLIC STREETS AND ROADS IN THE CITY OF IRON MOUNTAIN LAKE, MISSOURI.**

**BE IT ORDAINED BY THE BOARD OF COUNCILMEN (ALDERMEN) OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

##### **Section 3**

- A. This section of Ordinance #2 shall ban the operation of unlicensed all-terrain vehicles (ATV) on city property, including streets, roads, alleys and parks.
- B. This section of Ordinance #2 shall stipulate that any licensed (ATV's) operating within the corporate limits of the City of Iron Mountain Lake will be subject to all city ordinances pertaining to the operation of motor vehicles.
  - I. Definition of ATV's: any motorized vehicle manufactured exclusively for "off-highway" use, which is 50" or less in width, with an unladen dry weight of 600 lbs. or less, traveling on three (3) or more low pressure tires with a seat designed to be straddled by the "operator" and handlebars for steering control.
  - II. Definition of Highway: Any public thoroughfare for vehicles including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality.
  - III. Definition of municipality: Includes any city, town or village whether incorporated or not.
  - IV. Definition of Operator: Any person who operates or drives a motor vehicle.

Source of Definitions: RSMO 301.010, 304.010 to 304.040, 304.120 to 304.260 and 307.010 to 307.175 RSMO

READ THREE TIMES AND PASSED THIS 2<sup>ND</sup> DAY OF NOVEMBER, 1987

APPROVED THIS 2<sup>ND</sup> DAY OF NOVEMBER, 1987

## **The City of Iron Mountain Lake, Missouri**

Milbourn L Schrum

Mayor

Attest:

Martha Lance

City Clerk

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Amendment and Addendum to Ordinance - Pertaining to All-Terrain Vehicles:

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

### **Section 3**

- A. This section of Ordinance #2 shall ban the operation of any unlicensed All-Terrain Vehicles (ATVs) on all City property, including streets, roads, alleys and parks

**Section 3 (B) shall be omitted.**

### **Section IV: Definitions:**

Source of definitions and reference: RSMO 301.010, 304.010 to 304.040, 304.260 and 307.101 to 307.175.

(ORD.IML – 1990)

READ THREE TIMES AND PASSED THIS 6<sup>TH</sup> DAY OF JUNE, 1990

APPROVED THIS 6<sup>TH</sup> DAY OF JUNE, 1990

Doyle Lance

Mayor

## The City of Iron Mountain Lake, Missouri

Attest:

Martha Lance

City Clerk

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### Amendment to Section 5

Bill Number 1990 - 02

Ordinance Number 2

#### **AN ORDINANCE TO AMEND ORDINANCE #2, SECTION #5 TO READ:**

Any person who shall operate or drive a motor vehicle or any other vehicle upon the streets and/ or drive a motor vehicle or any other vehicle upon the streets and / or alleys of the City of Iron Mountain Lake while in an intoxicated condition, or when under the influence of drugs, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$5.00 nor more than \$500.00 for the first offense, \$500.00 or no more than \$750.00 for the second offense, or by imprisonment in the County Jail not less than ten days nor more than three months, or by both such fine and imprisonment.

(ORD.IML – 1990)

READ THREE TIMES AND PASSED THIS 2<sup>ND</sup> DAY OF APRIL 1990

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **Addendum to ordinance – pertaining to All Terrain Vehicles**

Bill Number 2007-01

Ordinance Number 2

### **AN AMENDMENT TO ORDINANCE NUMBER 2 ADDENDUM.**

**NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

ORDINANCE NUMBER 2 ADDENDUM PASSED NOVEMBER 2, 1987 AND AMENDMENT TO ADDENDUM DATED JUNE 6, 1990 ARE HEREBY REPEALED

#### **Section 11: All-Terrain Vehicles**

- A. **Definition.** The City of Iron Mountain Lake adopts the definition of All-Terrain Vehicle in Section 310.010 RSMO as follows: “All-Terrain Vehicle” any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand pounds or less, traveling on three, four or more low pressure tires with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control
- B. **Authorized use of All-Terrain Vehicles on City Streets.** Use of All-Terrain Vehicles on city streets, alleys, and roadways is prohibited. However All-Terrain Vehicles may be authorized for use on city streets, alleys, and roadways if:
  - a. The All-Terrain Vehicle is owned and operated by a governmental entity for official use.
  - b. The All-Terrain Vehicle is operated pursuant to a special permit.
  - c. The All-Terrain Vehicle is operated pursuant to the exceptions listed in Section 304.013 RSMO.
- C. **Special Permit.** The City Clerk of the City of Iron Mountain Lake may issue special permits for operation of All-Terrain Vehicles upon city streets to residents of the City of Iron Mountain Lake. Before a permit is issued, the person applying for and using the permit;
  - a. Must be at least sixteen years of age.
  - b. Must have a valid Missouri Driver’s License.
  - c. Must show proof of liability insurance for the operation of a Motor Vehicle.

## The City of Iron Mountain Lake, Missouri

- d. Must show proof of liability insurance covering the All-Terrain Vehicle to be operated within city limits.
- e. Must be a resident of the City of Iron Mountain Lake.
- D. **Special Permit Application Process.** The person applying for and using the special permit must fill out a written application specifying the required information listed, and such application must be approved by the City Clerk.
  1. Fee. The person applying for and using the permit must pay a permit fee of \$15.00 to the City of Iron Mountain Lake.
  2. Inspection by Chief of Police or Police officer upon payment of the permit fee, the Chief of Police or other Police officer will inspect the ATV to insure compliance with section F of this ordinance.
  3. Upon proof of compliance with the requirements of this ordinance, the City Clerk may issue a Special Permit for the operation of an All-Terrain Vehicle within the City limits.
- E. **Penalty.** Operation of an All-Terrain Vehicle in the City limits without a Special Use Permit is a violation of this ordinance and each violator is subject to a fine of up to \$500.00 for each offense.
- F. Operation of an All-Terrain Vehicle with Special Use Permit. Persons operating an All-Terrain Vehicle in the City of Iron Mountain Lake subject to a Special Use Permit must:
  1. Maintain Liability Insurance for the operation of a motor vehicle.
  2. Maintain Liability Insurance for the All-Terrain Vehicle being operated.
  3. Wear an approved helmet while operating the All-Terrain Vehicle.
  4. Display a bicycle safety flag, which extends not less than seven feet above the ground, attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty square inches and shall be day-glow in color.
  5. Operate the All-Terrain Vehicle in a careful, prudent, and safe manner.
  6. Not exceed a speed of 15 M.P.H. on city streets, roads or alleyways.
  7. Display the Special Use Permit sticker in a conspicuous place on the All-Terrain Vehicle.
  8. Not operate the All-Terrain Vehicle between the hours of 10:00 PM and 6:00 AM.
  9. Not carry any passengers or riders other than the operator of All-Terrain Vehicle.
- G. **Penalty.** Persons failing to operate an All-Terrain Vehicle in accordance with Section F of this ordinance shall be subject to a fine of up to \$500.00 for each offence.
- H. **Effective Date.** This Ordinance shall be in full force and effect from and after its passage
- I. In all other respects this Ordinance Number 2 shall remain as written and amended.

DATE OF FIRST READING: JUNE 19, 2007

## **The City of Iron Mountain Lake, Missouri**

DATE OF SECOND READING: JUNE 19, 2007

PASSED AND APPROVED THIS 19<sup>TH</sup> DAY OF JUNE 2007

Bill Skaggs

Mayor

Attest:

Christina Lincoln

City Clerk

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### **Amendment to Section 5.1**

Bill number: 2009-002

Ordinance Number: 2

### **AN AMENDMENT TO ORDINANCE 2, SECTION 5, TO INCLUDE THE FOLLOWING:**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN, CITY OF IRON MOUNTAIN  
LAKE AS FOLLOWS:**

#### **Section 5.1 Open Containers.**

1. **Definitions.** Unless the context indicates that a different meaning is intended, as used in this section, the following words or phrases have the following meaning:
  - a. **Alcoholic beverages** includes intoxicating liquor, non-intoxicating beer and any liquid having an alcoholic content, regardless of the percentage alcoholic content by weight or volume, irrespective of the manner in which the alcohol was placed

## The City of Iron Mountain Lake, Missouri

in the container, which is capable of being consumed as a beverage by a human being.

- b. **Bus** means a motor vehicle designed for the transportation of a driver and ten or more passengers.
  - c. **Person** includes a driver or passenger
  - d. **Public way** means any street, alley, boulevard, parkway or other public thoroughfare.
  - e. **Recreational Motor Vehicle** means any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purpose of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Such a vehicle may or may not be registered as a commercial vehicle.
2. **Prohibition; exceptions.** No person shall transport, carry, possess or have, and no driver shall permit the transporting, carrying, possessing or having, of any alcoholic beverages within the passenger area of any motor vehicle which is being operated upon a public way, except in the original container with the seal unbroken.
- a. This section shall not apply to a recreational vehicle, provided the alcoholic beverage is kept in a container with an airtight lid which is stored in a closed cabinet, refrigerator or similar storage compartment located outside the reach of the driver of the vehicle.
  - b. Any evidence of an alcoholic beverage container in the passenger area of such vehicle and alcoholic consumption by the driver shall be prima facie evidence that such driver has disobeyed this section.
  - c. This section shall not apply to exclusive possession by a passenger on a bus or a similar motor vehicle licensed to transport passengers for hire; provided, however the driver of such vehicle is prohibited from consuming or having any alcoholic beverages within his reach.
3. **Penalty.** Any person who has violated this section shall be subject to a fine of \$70.00 for the first offense. The penalty upon conviction for violation of this section for the second offense or any subsequent offense shall be a fine of not less than \$100.00

DATE OF FIRST READING: FEBRUARY 9, 2009

DATE OF SECOND READING: FEBRUARY 9, 2009

PASSED AND APPROVED THIS 9 DAY OF FEBRUARY, 2009

Jody Niccum

Mayor

## **The City of Iron Mountain Lake, Missouri**

Attest:

Julie Bennett

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 3 – SEWER AND WATER DISPOSAL**  
Original Ordinance

Bill Number 1983-03

Ordinance Number 3

**A BILL ENTITLED AN ORDINANCE DESIGNATING THE CARE AND TREATMENT OF EXCESSIVE WATER AND SEWAGE DISPOSAL. IN THE CITY OF IRON MOUNTAIN LAKE, MISSOURI PROVIDING A PENALTY FOR VIOLATIONS, AND FIXING A TIME WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.**

**NOW THEREFORE. BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**Article I.** No property owner, resident, contractor or anyone shall run drain water or sewage in the streets or ditches or waterways in the City of Iron Mountain Lake, Missouri

**Article II.** This ordinance must be obeyed at once as there are government regulations the City must abide by. Anyone violating this ordinance is subject to a fine of \$25.00 minimum but not to exceed \$300.00.

**Article III.** This ordinance shall be in force and effective from and after its passage.

READ THREE TIMES AND PASSED THIS 6<sup>TH</sup> DAY OF JUNE, 1983

APPROVED THIS 6<sup>TH</sup> DAY OF JUNE 1983.

Pearl Pirtle

Mayor

Attest:

Joyce Pearl

City Clerk

## **The City of Iron Mountain Lake, Missouri**

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 4 – DERELICT, ABANDONED, OR JUNKED MOTOR VEHICLES**

Original Ordinance

Bill Number 1983-04

Ordinance Number 4

**A BILL ENTITLED “AN ORDINANCE PROHIBITING DERELICT, ABANDONED, OR JUNKED MOTOR VEHICLES ON THE STREETS, ROADS AND ALLEYS WITHIN THE CORPORATE LIMITS OF THE CITY OF IRON MOUNTAIN LAKE: PROVIDING A PENALTY FOR VIOLATIONS AND FIXING A TIME WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.”**

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**Article I.** No person shall permit a motor vehicle in which he owns an interest to become derelict, abandoned, or junked in the streets, roads or alleys within the corporate limits of the City of Iron Mountain Lake, Missouri.

**Article II.** A motor vehicle shall be deemed derelict, abandoned, or junked within the meaning of this ordinance whenever it shall be parked on the right of way or any street, road or alley within the corporate limits of the City of Iron Mountain Lake without a current valid Missouri State License Plate affixed to said motor vehicle.

**Article III.** Any person shall permit a motor vehicle in which he owns an interest to become derelict, abandoned, or junked on the streets, roads or alleys within the corporate limits of the City of Iron Mountain Lake, Missouri shall be subject to a fine not to exceed \$25.00 for each violation.

**Article IV.** This ordinance shall be in full force and effect from and after its passage.

READ THREE TIMES AND PASSED THIS 13<sup>TH</sup> DAY OF JUNE, 1983

APPROVED THIS 13<sup>TH</sup> DAY OF JUNE, 1983



## **The City of Iron Mountain Lake, Missouri**

Pearl Pirtle

Mayor

Attest:

Joyce Pearl

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 5 – PUBLIC NUISANCE**

### **Original Ordinance**

Bill Number 1983-05

Ordinance number 5

### **BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

#### **Article I. Public Nuisances, General Definition**

Public nuisances, within the meaning of these ordinances, or hereby defined, in general, as follows: (This general definition shall prevail in cases wherein the specific definitions, in Section 2 shall not include an act or become a thing of pursuit complaint of):

- A. Any act done, permitted, allowed, or continued by any person or corporation, or anything or substance kept, maintained, placed or thrown in or upon any public or private land within the City, which in the judgment of reasonable men results in the damage, injury, annoyance, inconvenience, detriment or danger to any member of the public, and not specifically described in this ordinance.
- B. All pursuits followed or acts done by any person or corporation to the hurt, injury, annoyance, inconvenience or danger of the public, or which is injurious to the public health.

#### **Article II. Nuisances, Specific Violations**

Public nuisances within the meaning of these ordinances shall include, but shall not be limited to the following:

- A. Privies or private vaults not connected to septic tanks or sewer systems.
- B. Slaughter houses.
- C. Pig pens.
- D. Dead animals or parts of dead animals, not slain for human food, and not removed by the owner or other responsible person within 12 hours after death.
- E. Animals or materials which emit odors offensive to the public.
- F. Pools, ponds or containers of water which may contribute to the breeding of mosquitos.
- G. Noisy animals.
- H. The operation of noisy machinery.

## **The City of Iron Mountain Lake, Missouri**

- I. Impoundments of water or other liquids which are in danger of escaping and causing danger or damage.
- J. Dead or dangerous tree limbs overhanging public or other private properties.
- K. Dead or dangerous tree limbs on private properties which are easily accessible to children, by being unguarded or unfenced.
- L. Open wells, cisterns, dangerous cellars, or holes, dangerous machinery, and other dangerous conditions upon premises which are accessible to children by being unguarded or unfenced.
- M. Music or other noises so loud as to constitute general peace disturbance.
- N. Any trash, garbage or other discarded substances which may contribute to the breeding of insects, pests, or which may contribute to the generation of obnoxious or dangerous fumes, gases, liquid or other substances.
- O. Any natural or man-made obstructions to the natural flow or passage of water so as to cause the water to flow upon the premises of other private persons, or upon any public street, alley or sidewalk.
- P. Garbage, trash, dirt or any other matter in ditches or drains on private or public property.
- Q. Objects placed on public sidewalks so as to obstruct free passage of pedestrians.
- R. Weeds, bushes, hedges, trees or shrubbery extending and encroaching from private land over and onto any street or sidewalk so as to interfere with or impede passage thereupon.
- S. Storage of any lumber, wood, coal, rock, rubble, explosives, flammable material, or other material in such a manner as to endanger public health or safety.

### **Article III. Violations Penalties.**

If any person or corporation shall violate the provisions of this chapter by causing or permitting any of the nuisances described herein, he shall be punished by a fine of not more than \$300.00. Each successive day of violation may be construed as a separate offense. The expenses of the Chief of Police in serving notices, abating or removing nuisances and cutting vegetation shall be taxed as cost.

### **Article IV. Abatement of Nuisances**

Police to abate nuisance. The Chief of Police, or any Police Officer of the City may enter and examine all premises within the City if they shall have reasonable cause to believe such premises may contain or be the cause of public nuisances described in this Ordinance. If such nuisances be found, the Chief of Police or any Police Officer may cause the same to be removed or abated at the expense of the owner or occupant of the property, unless such owner or occupant, upon notice, shall immediately cause the same to be removed or abated. Nothing in this

## **The City of Iron Mountain Lake, Missouri**

section shall be construed to prevent the filing of the complaint or information in Municipal Division Court for violations of this Ordinance.

READ THREE TIMES AND PASSED THIS 13<sup>TH</sup> DAY OF JUNE, 1983

APPROVED THIS 13<sup>TH</sup> DAY OF JUNE 1983.

Pearl Pirtle

Mayor

Attest:

Joyce Pearl

Clerk

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## Amendment to Section 2

### **AMENDMENT TO ORDINANCE 5, SECTION 2**

#### **Article II: Nuisances, Specific Violations**

Sub item e: Animals or materials which emit odors offensive to the public.

This amendment to be known as (e.) – 1 and does further define and /or qualify “animals” as in sub-item

Definition: Animal

A sentient creature inferior to man: a brute, beast, thus a horse is employed as a “beast” of draught and / or burden and especially for riding.

Also included are cows which is the female of domestic cattle and some other “animals.”

Further qualification of “animals” is not herein necessary, but to state that minimum requirements for “animals” of this type regarding this area. I.e. land, is two (2) acres of grass and water facilities per animal.

## **The City of Iron Mountain Lake, Missouri**

READ THREE TIMES AND PASSED THIS 5<sup>th</sup>, DAY OF OCTOBER, 1987

APPROVED THIS 5<sup>th</sup> DAY OF OCTOBER, 1987

Millburn L. Schrum

Mayor

Attest:

Martha Lance

City Clerk

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### **Amendment to Section 2**

#### **AN ORDINANCE TO AMEND SECTION TWO (2) OF ORDINANCE NUMBER FIVE (5) OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI PERTAINING TO PUBLIC NUISANCES.**

##### **Amended section number two (2) shall read:**

Public nuisances within this meaning of these ordinances shall include but shall not be limited to the following:

##### **Additions to Subsections A through S.**

Add:

- (t) Litter, including but not limited to paper, plastic, bottles, cans, glass, metal, etc. being placed or discarded within or upon public property, streets, parks, beaches, fishing jetties, boat ramps, and lake except in trash cans or barrels provided for such litter.
- (u) Discarding household trash or rubbish into containers provided for the use of recreation area patrons only.

ORD – IML – 1988

## **The City of Iron Mountain Lake, Missouri**

READ THREE TIMES AND PASSED THIS 5<sup>TH</sup> DAY OF DECEMBER, 1988.

APPROVED THIS 5<sup>TH</sup> DAY OF DECEMBER, 1988

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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### **Amendment to Section 5**

Bill Number 2008-005

Ordinance Number 5

#### **AN AMENDMENT TO ORDINANCE NO 5 PUBLIC NUISANCES**

NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, THAT ORDINANCE NO. 5 BE AMENDED AS FOLLOWS:

#### **Ordinance Number 5 Public Nuisances, Section (2) Nuisances.**

Specific, shall be amended to include the following:

- (v.) The burning of garbage, trash, household waste, or other materials shall be considered a public nuisance. Except that paper, cardboard, untreated wood, and organic yard waste such as limbs, sticks, and leaves may be burned in a manner that does not create a danger of uncontrolled fire at a time not after 9:00 PM and not before 7:00 AM. The burning of any items in a manner that creates a danger of

## **The City of Iron Mountain Lake, Missouri**

uncontrolled fire and/or burning at a time after 9:00 PM and before  
7:00 AM shall be considered a public nuisance.

THIS AMENDMENT TO ORDINANCE NO 5 SHALL BE IN FULL FORCE AND EFFECT  
UPON ITS PASSAGE AND APPROVAL.

DATE OF FIRST READING: JUNE 16, 2008

DATE OF SECOND READING: JUNE 16, 2008

PASSED AND APPROVED: THIS 16<sup>TH</sup> DAY OF JUNE 2008

Michael Juenger

Mayor

Attest:

Christina Lincoln

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 6 – DANGEROUS BUILDINGS**

### **Original Ordinance**

Bill Number 1983-06

Ordinance Number 6

#### **DANGEROUS BUILDING**

##### **Article I: Dangerous Building Defined**

All buildings or structures which have any or all of the following defects shall be deemed “dangerous buildings”

- A. Those whose interior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base.
- B. Those which, exclusive of the foundation, show thirty-three (33) percent or more, of damage or deterioration of the supporting member or members, of fifty (50) percent of damage or deterioration of the non-supporting enclosing or outside walls of covering.
- C. Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded, or which have insufficient strength to be reasonably safe for the purpose used.
- D. Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety, morals or the general health and welfare of the occupants or the people of the City of Iron Mountain Lake, MO.
- E. Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or likely to cause sickness or disease, so as to work injury to the health, morals, safety or general welfare of those living therein.
- F. Those having light, air, and sanitation facilities which are inadequate to protect the health, morals, or general welfare of human beings who live or may live therein.
- G. Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes, or other means of evacuation.
- H. Those which have parts thereof which are so attached that they may fall and injure members of the public or property.



## **The City of Iron Mountain Lake, Missouri**

- I. Those which because of their condition are unsafe, unsanitary, or dangerous to the health, morals, safety or general welfare of the people of this City.

### **Article II: Standards for Repair, Vacation or Demolition**

The following standards shall be followed in substance by the City Marshall in ordering repair, vacation or demolition:

- A. If the “dangerous building” can reasonably be repaired so that it will no longer exist in violation of the terms of this Chapter it shall be ordered repaired.
- B. If the dangerous building is in such condition as to make it dangerous to the health, morals, safety, or general welfare of the occupants it shall be ordered to be vacated.
- C. In any case where a “dangerous building” is fifty percent damaged or decayed, or deteriorated from its original value or structure, it shall be demolished, and in all cases where a building cannot be repaired so that it will no longer exist in violation of this chapter it shall be demolished. In all cases where a dangerous building is a fire hazard existing or erected in violation of the terms of this chapter or any ordinance of the City or State of Missouri, it shall be demolished.  
(ORD. IML – 1983)

### **Article III: Dangerous Building – Nuisances**

All dangerous buildings within the terms of Section 565.010 of this chapter are hereby declared to be public nuisances, and shall be repaired, vacated or demolished as hereinafter and hereinbefore provided. (Ord. 148 s – 3)

### **Article IV: Duties of City Marshall**

The Marshall shall:

- A. Inspect or cause to be inspected semi-annually, all public buildings, schools, halls, churches, theaters, hotels, tenements, commercial, manufacturing or loft buildings for the purpose of determining whether any condition exists which render such places a “a dangerous building” within the terms of Section 565.010 of this chapter.
- B. Inspect any buildings, wall or structure about which complaints are filed by any person to the effect that a building, wall or structure is or may be existing in violation of this chapter.
- C. Inspect any building, wall or structure reported (as hereinafter provided for) by the Fire Department of this City as probably existing in violation of the terms of this chapter.

## **The City of Iron Mountain Lake, Missouri**

- D. Inspect annually buildings in the following sections of this city, to determine whether they are “dangerous buildings” within the terms of Section 1 of this chapter.
- E. Notify in writing the owner, occupant, lessee, mortgagee, agent and all other persons having an interest in said building as shown by the land records of the Recorder of Deeds of the County of St. Francois, of any building found by him to be a dangerous building within the standards set forth in Section 1 of this chapter, that:
  - 1. The owner must vacate, or repair, or demolish said building in accordance with the terms of the notice and this chapter;
  - 2. The occupant or lessee must vacate said building or have it repaired in accordance with the notice and remain in possession;
  - 3. The mortgagee, agent or other persons having an interest in said building as shown by the land records of the Recorder of Deeds of the County of St. Francois may at his own risk repair, vacate, or demolish said building or have such work or act done, provided that any person notified under this subsection to repair, vacate or demolish any building shall be given such reasonable time, not exceeding 30 days, as may be necessary to give such reasonable time, as may be necessary to do, or have done, the work or act required by the notice provided for herein.
- F. Set forth in the notice provided for the subsections hereof, a description of the building, or structure deemed unsafe, a statement of the particulars which make the building or structure a “dangerous building” and an order requiring the same to be put in such condition as to comply with the terms of this chapter within such length of time, not exceeding 30 days, as is reasonable.
- G. Report to the Mayor any non-compliance with the “notice” provided for in subsections (e) and (f) hereof.
  - 1. Appear at all hearings conducted by the Mayor and testify as to the condition of dangerous buildings.
  - 2. Place a notice on all dangerous buildings reading as follows: “This building has been found to be a dangerous building by the City Marshall. This notice is to remain on this building until it is repaired, vacated or demolished in accordance with the notice which has been given the owner occupant, lessee, mortgagee or agent of this building, and all other persons having an interest in said building, as shown by the land records of the Recorder of Deeds of the County of St. Francois.

## **The City of Iron Mountain Lake, Missouri**

It is unlawful to remove this notice until such notice is complied with.”

### **Article V: Duties of Mayor**

The Mayor shall:

- A. Upon receipt of a report of the City Marshall as provided for in section 566.040, subsection six (6) hereof give written notice to the owner, occupant, mortgagee, lessee, agent and all other persons having an interest in said building as shown by the land records of the Recorder of Deeds of the County of St. Francois to appear before him on the date specified in the notice to show cause why the building or structure reported to be a “dangerous building” should not be repaired, vacated, or demolished in accordance with the Statement of Particulars set forth in the Building Inspector’s notice provided for herein in Section 4, Subsection (F)
- B. Hold a hearing and hear such testimony as the City Marshall or the owner, occupant, mortgagee, lessee, or any other person having an interest in the County of St. Francois shall offer relative to the dangerous building.
- C. Make written findings of fact from the testimony offered pursuant to subsection (B), as to whether or not the building in question is a dangerous building within the terms of Section 1 hereof.
- D. Issue an order based upon findings of fact made pursuant to Subsection (C) commanding the owner occupant, mortgagee, lessee, agent and all other persons having an interest in said building as shown by the land records of the Recorder of Deeds of the County of St. Francois, to repair vacate, or demolish any building found to be a “dangerous building” within the terms of this chapter and provided that any person so notified, except the owners, shall have the privilege of either vacating or repairing said dangerous building; or any person not the owner of said dangerous building but having an interest in said building as shown by the land records of the Recorder of Deeds of the County of St. Francois may demolish said dangerous building at his own risk to prevent the acquiring of a lien against the land upon which said “dangerous building” stands by the City as provided in Subsection (E) thereof.
- E. If the owner, occupant, mortgagee, or lessee fails to comply with the order provided for in Subsection (D) hereof, within 10 days, the Mayor shall cause such building or structure to be repaired, vacated, or demolished as the facts may warrant, under the standards hereinbefore provided for in section 565.020 of this chapter, and shall with the

## **The City of Iron Mountain Lake, Missouri**

assistance of the City Attorney cause the costs of such repair, vacation, or demolition to be charged against the land upon which the building existed as a Municipal Lien or cause such costs be added to the tax duplicate as an assessment, or to be levied as a special tax against the land upon which the building stands or did stand, or to be recovered in a suit against any delay thereby caused that will not be dangerous to the health, morals, safety, or general welfare of the people of this city, the Mayor shall notify the City Attorney to take legal action to fence the owner to make all necessary repairs or demolish the building.

- F. Report to the City Attorney the names of all persons not complying with the order provided for in Section 5, Subsection D hereof.

### **Article VI: Violations – Penalty for Disregarding Notices or Orders.**

The owner of any dangerous building who shall fail to comply with any notice or order to repair, vacate, or demolish said building given by any person authorized by this chapter to give such notice or order shall be guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding two hundred dollars (\$200.00) for each offense and a further sum of ten dollars (\$10.00) for each and every day such failure to comply continues beyond the date fixed for compliance.

The occupant or lessee in possession who fails to comply with any notice to vacate and who fails to repair said building in accordance with any notice given as provided for in this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding two hundred dollars (\$200.00) for each offense and further sum of ten dollars (\$10.00) for each and every day such failure to comply continues beyond the date fixed for compliance.

Any person removing the notice provided for in Section 565.040 subsection (I) hereof shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding two hundred dollars (\$200.00) for each offense.

### **Article VII: Duties of the City Attorney**

The City Attorney shall:

- A. Prosecute all persons failing to comply with the terms of the notices provided for herein Section 4 Subsection E and F and the other provided for in Section 5 Subsection D.
- B. Appear at all hearing before the Mayor in regard to dangerous buildings
- C. Bring suit to collect all municipal liens, assessments, or costs incurred by the Mayor in repairing or causing to be vacated or demolished said dangerous building.

## **The City of Iron Mountain Lake, Missouri**

D. Take such other legal action as is necessary to carry out the terms and provisions of this Chapter.

### **Article VIII: Emergency Cases**

In cases where it reasonably appears that there is immediate danger to the life or safety of any person unless a dangerous building, as defined, herein is immediately repaired, vacated, or demolished, the City Marshall shall report such facts to the Mayor and the Mayor shall cause the immediate repair, vacation or demolition of such dangerous building. The costs of such emergency repair, vacation or demolition of such dangerous building shall be collected in the same manner as provided in Section 5 Subsection E hereof.

### **Article IX: Where Owner Absent from the City**

In cases, except emergency cases, where the owner, occupant, lessee, or mortgagee is absent from the City all notices or orders provided for herein shall be sent by registered mail to the owner, occupant, mortgagee, lessee and all other persons having an interest in said building as shown by the land records of the Recorder of Deeds of the County of St. Francois to the last known address of each, and a copy of such notice shall be posted in a conspicuous place on the dangerous building to what it relates. Such mailing and posting shall be deemed adequate service.

### **Article X: Administrative Liability**

No officer, agent or employee of this city shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this chapter. Any suit brought against any officer, agent, or employee of this city as a result of any act required or permitted in the discharge of his duties under this chapter shall be defended by the City Attorney until the final determination of the proceedings therein.

### **Article XI: Duties of Fire Department**

The employees of the Fire department shall make a report in writing to the City Marshall of all buildings or structures which are, may be, or are suspected to be dangerous buildings with the terms of this chapter. Such reports must be delivered to the City Marshal within 24 hours of the discovery of such buildings by any employee of the Fire Department.

READ THREE TIMES AND PASSED THIS 13<sup>TH</sup> DAY OF JUNE, 1983

APPROVED THIS 13<sup>TH</sup> DAY OF JUNE, 1983

## **The City of Iron Mountain Lake, Missouri**

Pearl Pirtle

Mayor

Attest:

Joyce pearl

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 7 – UNLAWFUL USE OF WEAPONS**

### **Original Ordinance**

Bill number 1988-07

Ordinance number 7

### **AN ORDINANCE ENTITLED “UNLAWFUL USE OF WEAPONS” WITHIN THE CORPORATE LIMITS OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI.**

#### **Article I: Unlawful use of Weapons.**

A person commits the offense of unlawful use of weapons if he knowingly:

- A. Carries concealed on or about his or her person a knife, a firearm, a blackjack, or any other weapon capable of lethal use.
- B. Sets a spring gun
- C. Discharges any fire arms, air rifles and / or pellet guns, or hurl any missile with sling shots within the City. No parent or guardian of any child under seventeen years of age shall knowingly allow or permit such child to carry upon the streets of the City any firearm, air rifles and /or pellet guns regardless of how propelled, or sling shots, and no parent or guardian shall permit such child to discharge any fire arms, air rifles, pellet guns or sling shots.
- D. Possesses a firearm while intoxicated.

#### **Article II: Exceptions to Preceding Section.**

For the purpose of pest eradication or for other proper purpose, any person may make application to the Chief of Police of the City of Iron Mountain Lake, Missouri for a permit, which shall allow such person to discharge a firearm within said city.

The said Chief of Police upon being satisfied that the applicant has a proper purpose therefore, and that said applicant is a sober and reasonable person who possesses mature judgment may issue to such applicant a permit which shall authorize the discharge of a firearm within the limits of said city.

All such permits issued hereunder shall be recorded in the office of the Chief of Police, and shall specify the firearm or firearms to which it pertains, and the type of ammunition permitted to be used therein. No permit shall be issued for the use

## **The City of Iron Mountain Lake, Missouri**

of ammunition other .22 caliber birdshot or .410 gauge birdshot or .20 gauge birdshot, and no permit shall be valid for more than thirty (30) days from the date of issue thereof.

(ORD.IML – 1988)

READ THREE TIMES AND PASSED THIS 6<sup>TH</sup> DAY OF JUNE, 1988

APPROVED THIS 6<sup>TH</sup> DAY OF JUNE, 1988

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **Amendment to Section 3**

Bill Number 2009-007

Ordinance Number 7

### **AMENDMENT TO ORDINANCE 7 OF THE CITY CODE TO ADD TWO NEW SECTIONS PERTAINING TO FIREARMS IN CITY BUILDINGS; AND FIXING THE TIME WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.**

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, THAT ORDINANCE NO 7 BE AMENDED AS FOLLOWS:

ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, IS HEREBY AMENDED TO ADD TWO NEW SECTIONS READING AS FOLLOWS:

#### **Article I. Firearms in City Buildings.**

- A. No person who has been issued a concealed carry endorsement by the Missouri Director of Revenue under Sections 571.121 RSMO or who has been issued a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state shall, by authority of that endorsement or permit, be allowed to carry a concealed firearm or to openly carry a firearm in any building or portion of a building owned, leased or controlled by the City.
- B. Signs shall be posted at each entrance of a building entirely owned, leasing or controlled by the City stating that carrying of firearms is prohibited where the City owns, leases or controls; only a portion of a building, signs shall be posted at each entrance to that portion of the building stating that carrying of firearms is prohibited.
- C. This ordinance shall not apply to highways or private dwellings owned or leased by the City.
- D. Any person violating this section may be denied entrance to the building or ordered to leave the building. Any city employee violating this section may be disciplined. No other penalty shall be imposed for a violation of this section.

## **The City of Iron Mountain Lake, Missouri**

- E. No person who has been issued a certificate of qualification which allows the person to carry a concealed firearm before the Director of Revenue begins issuing Concealed Carry Endorsements in July, 2004, shall by authority of that certificate, be allowed to carry a concealed firearm or to openly carry a firearm in any building or portion of a building owned, leased or controlled by the City.

### **Section 4. Effective Date.**

This ordinance shall be in full force and effect from and after its passage.

FIRST READING: APRIL 22, 2009

SECOND READING: APRIL 22, 2009

PASSED THIS 22<sup>ND</sup> DAY OF APRIL, 2009

Eugene Henson

Mayor

Attest:

Angie Henson

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 8 – AN ORDINANCE TO ESTABLISH AN AUXILIARY POLICE UNIT**

Original Ordinance

Bill No 1988-08

Ordinance No. 8

### **Article I: Auxiliary Police Unit**

#### **A. Establishment, composition, appointment and removal:**

1. The City is hereby authorized to establish an Auxiliary Police unit of two (2) men, for the purpose of aiding the regular Municipal Police Department.
2. Candidates for Auxiliary Police Commissions must be recommended by the Chief of Police and approved by the Board of Councilmen. Prior to an applicant becoming an Auxiliary policeman, the Chief of Police shall determine that each applicant to become an Auxiliary Policeman is qualified to perform the duties of an Auxiliary Policeman and possesses a high degree of physical and moral fitness similar to the requirements for becoming a regular police officer, except for the upper age limitation.
3. All candidates for Auxiliary Police Commissioners must take and receive passing grades on a Police test as may be submitted by the City.
4. No candidates for Auxiliary Police Unit shall receive any compensation from the City for his services in the Unit, except that where extreme emergencies (as determined by the Board of Councilmen require continuous duty, then compensation at the rate not to exceed two (2) dollars per hour may be paid by the City, subject to the approval by the Board of Councilmen. The members of the Auxiliary Unit shall furnish their own uniforms and other necessary equipment without reimbursement from the City except where specifically provided for in the budget of the City.
5. All duly qualified Auxiliary policemen who become injured in the performance of duties for the City shall be subject and entitled to the benefits of a blanket insurance policy, (the same as provided for the regular Police Dept.) The City shall not be liable for any injuries occurring to members of the Auxiliary Police force whether said injuries occurring to members of the Auxiliary Police force whether said injuries occur while said

## **The City of Iron Mountain Lake, Missouri**

members are acting as Auxiliary Policemen or while they are off duty not covered by aforesaid Insurance Policy.

6. All Auxiliary Police must take the following oath of office and be sworn in by the City Clerk.
  - a. "I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support, defend and bear true faith and allegiance to the statutes of the state of Missouri, the Ordinances of the City of Iron Mountain Lake, Missouri: that I will take this obligation freely, without mental reservation or purpose of evasion and that I will well and faithfully discharge the duties upon which I am about to enter."
7. Failure to comply with any of the rules and regulations pertaining to regular Police Officer or any part of this Section will cause immediate to revocation of the Auxiliary Police commission.
8. No commissions of Auxiliary Police shall be issued for a period to exceed one (1) year duration, renewable on option of the Mayor or the Board of Councilmen.
9. All Auxiliary Police commissions must have signature of the Mayor, Chief of Police and Auxiliary Policeman to be valid.

### **B. Powers and Duties:**

1. The Auxiliary Police force shall be ready at all times to assist the Police Department and the Police Officers in periods of National Emergency, disaster, catastrophe or any occasion when additional Policemen may be necessary or desirable as determined by the Mayor and the Board of Councilmen.
2. Auxiliary Policemen shall have all the protection and privileges and Police powers so authorized by the City when performing the duties of Police officers in the City.
3. All Auxiliary Policemen shall attend regular municipal Police meetings as may be set by the Mayor or his appointed representative.
4. All Auxiliary Policemen shall spend a minimum of ten hours each month doing routine Police work or training under supervision of a regular Police Officer or qualified instructor.
5. All Auxiliary Policemen shall be subordinate to the regular Municipal Police Officer.
6. In no case shall an Auxiliary Policeman use his commission to his own advantage or as a threat to anyone not in violation of the law.

## **The City of Iron Mountain Lake, Missouri**

7. No Auxiliary Policeman shall apprehend or arrest anyone without first identifying himself either by displaying his commission or wearing the prescribed uniform of a Police Officer.
8. The Auxiliary Policeman shall familiarize himself with the City Ordinances and State Regulations and stand ready to assist or substitute for, as ordered, the regular Police Officer.

*Original Copy not signed or dated*

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### **Amendment changing Auxiliary Police to Reserve Officers**

#### **Amendment and addendum**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:

- A. For the purpose of amending ordinance #8
  1. The term “Auxiliary Police as referred to throughout Ordinance #8 shall be henceforth amended to read “Reserve Officer.”
  2. Sub item # 1, requiring a unit of two (2) officers, shall be amended to allow up to four Reserve officers.

READ TWO TIMES AND PASSED THIS 9<sup>TH</sup> DAY OF MAY, 1988

APPROVED THIS 9<sup>TH</sup> DAY OF MAY 1988

Doyle Lance

Mayor

Attest:

Martha L Lance

## The City of Iron Mountain Lake, Missouri

City Clerk

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Amendment requiring reserve officers to be approved by the Mayor

### Amendment and Addendum

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:

- A. For the purpose of amending Ordinance Number 8, and addendum dated October 2, 2000 was submitted.
  1. Sub Item Number 1 requiring a unit of six (6) officers, shall be amended to allow no set maximum number. The number of Reserve Police officers allowed will be on the advice and recommendation of the Police Chief to the Mayor.
  2. Sub Item Number 2 requiring approval of the Board of Alderman prior to an applicant becoming a Reserve Police Officer, shall be amended to. The approval of the Mayor and a quorum of available alderman is required prior to an applicant becoming a Reserve Police Officer. Notification to the full Board of Alderman must be made at the next regular meeting.

READ THREE TIMES AND PASSED 11<sup>TH</sup> DAY OF SEPTEMBER 2000

APPROVED THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 2000

Eugene Henson

Mayor

Attest:

Kelly Marcum

City Clerk

## **The City of Iron Mountain Lake, Missouri**

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### **Amendment to qualifications of reserve officers**

Bill Number 2008-025

Ordinance Number 8

NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:

- A. There is hereby established a Reserve Police Unit of not more than twenty-five (25) members to be appointed by the Chief of Police. Reserve Police Officers may be removed from the unit by the Chief of Police at any time. Prior to assuming their duties, reserve Police officers shall successfully complete a prescribed course of not less than four hundred seventy (470) hours of training.
- B. Prior to appointment, candidates for Reserve Police Officer the Police Chief shall cause to be conducted a thorough investigation of their background and qualifications.
- C. The members of the Police Reserve Unit shall be, at all times during the performance of their duties, subject to and act only under the direction and control of the Chief of Police.
- D. Members of the Police Reserve Unit shall receive no monetary compensation for their services from the City.
- E. Members of the Police Reserve Unit shall not be issued, nor shall they carry firearms until they have completed the firearms training mandated by the Chief.
- F. Reserve Police Officers, regardless of rank, shall at all times be subordinate to any and all sworn members of the Police Department.
- G. Members of the Police Reserve Unit shall be volunteers and shall have the following powers and duties:
  - 1. Members shall be conservators of the peace and shall arrest or cause to be arrested, without process, all persons who violate the peace or are violating any Municipal Ordinances or any Criminal Law of the State.
  - 2. Members may serve and execute all warrants for the violation of Municipal Ordinances or the State Criminal Laws within the City limits.

## **The City of Iron Mountain Lake, Missouri**

3. Members may direct motor vehicle traffic and assist in traffic control.
4. Members may be assigned to maintain order and crowd control at parades, athletic events and any other large public gatherings or functions in the City when so assigned by the Chief of Police.
5. Members shall assist the regular police force during times of national disasters, riots or other emergencies when such emergency is declared pursuant to Municipal Ordinance or State Statute.
6. Members shall perform such other duties as may be directed from time to time by the Chief of Police when circumstances render it impractical for sworn members of the Police Department to perform these duties.
7. Effective Date: This ordinance shall be in full force and effect from the date of its passage.

DATE OF FIRST READING: DECEMBER 8, 2008

DATE OF SECOND READING: DECEMBER 8, 2008

Jody W. Nicum

Mayor

Attest:

Angie Henson

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 9 – AN ORDINANCE PERTAINING TO**  
**MOBILE/MODULAR HOMES**  
Original Ordinance

Bill Number 9

Ordinance 9

**AN ORDINANCE REGULATING THE PLACEMENT AND MAINTENANCE OF  
SINGLE WIDE MOBILE HOMES, MULTI-SECTION, OR MODULAR HOMES AND  
ANY RECREATIONAL TRAILER OR VEHICLE, REPEALING THE PRESENT  
ORDINANCE.**

**BE IT ORDAINED BY THE IRON MOUNTAIN LAKE, MISSOURI BOARD OF  
ALDERMEN/WOMEN AS FOLLOWS:**

**PART 1: SINGLE WIDE MOBILE HOMES.**

**Article I: Application.**

Every person firm or corporation desiring to locate a single wide mobile home in the City of Iron Mountain Lake, Missouri shall make application to the City Clerk and shall make a payment to the City Clerk of one (1) time license fee of twenty five dollars (\$25.00) and shall comply with the terms and conditions of this ordinance.

**Article II: Definition:**

A factory built structure in one (1) section which includes the plumbing, heating and electrical systems, so it may be transported to its site via a public street and so to permit the occupancy thereof as a dwelling by one or more persons.

**Article III. Specifications:**

- A. No person shall bring into, or relocate from within the City, any single wide mobile home (or trailer) designed for occupancy that is three [\(3\) years old or more](#) and in good condition at the time of placement.
- B. The single wide mobile home must comply with all state and city codes.

## **The City of Iron Mountain Lake, Missouri**

- C. Within thirty (30) days after application for the license, compliance with all City Ordinances relevant to water and sewer hook-ups and all matters pertaining to sanitation and health. The license may be issued prior to the satisfaction of these requirements, but shall be automatically revoked in the case of non-compliance.

### **Article IV: Lot Size.**

The lot size for single mobile home placement shall be at a minimum of 7,000 square feet.

### **Article V: Set Back Lines**

The minimum distance for placing the single wide mobile home from property boundary lines shall be as follows:

- A. Front yard – 25 feet
- B. Side yard – 8 feet
- C. Back yard – 20 feet

### **Article VI: skirting Requirements:**

- A. Prior to the placement of a single wide mobile home, provisions shall be made for a concrete footing to be poured to a depth extending past the accepted freeze line of this area (Approximately 20 inches).
- B. All existing and newly placed single wide mobile homes shall install skirting around the bottom of the home. The color of the skirting shall match the color of the siding as near as possible. This must be accomplished within thirty (30) days of placement on site.
- C. Materials used for skirting shall be all the same type and specifically manufactured for such use, or any type of painted or stained plywood manufactured exclusively for use, or any type of painted or stained plywood manufactured exclusively for use as exterior siding with a minimum thickness of one-half (1/2) inch; or bricks, stones, or concrete blocks with properly mortared joints that are supported by the concrete footing poured to a depth extending past the freeze line.
- D. Construction of mobile home skirting shall be adequate to completely enclose all open crawl space between the natural terrain of the ground and the lower edge of the existing siding.

### **Article VII: Utility Entrance Cables:**

The electrical, telephone and cable lines shall be buried underground, if possible.

### **Article VIII: Tie Down:**

## **The City of Iron Mountain Lake, Missouri**

All existing and newly placed single wide mobile homes must be anchored, tied down and underpinned.

### **Article IX: Utilities:**

Provisions must be made for city-approved connections to existing city utilities such as sewers and waste. If no water or sewer, or septic system exists on the chosen premises, it is the responsibility of the owner of the single wide mobile home to provide such.

### **Article X: Inspection.**

The City of Iron Mountain Lake shall have the authority to inspect the single wide mobile home for the purpose of ensuring compliance with the State of Missouri Mobile Home and Health Requirements, for the purpose of ensuring that the health and welfare of the public is protected.

### **Article XI: Use as Storage:**

No trailer, mobile home, or truck body shall be converted for use as a storage shed or workshop.

## **PART II: MULTI-SECTION MOBILE HOMES:**

### **Article I: Application**

Every person, firm or corporation desiring to locate a multi-section mobile home or modular home in the City of Iron mountain Lake, Missouri, shall make application to the City Clerk and shall make a payment to the City Clerk of a one-time license fee of twenty five dollars (\$25.00) and shall comply with the terms and conditions of this ordinance.

### **Article II: Definition.**

A factory built structure in two or more sections which includes the plumbing, heating, and electrical systems, so it may be transported to the site on a public street and so to permit the occupancy thereof as a dwelling by one or more persons.

### **Article III: Specifications**

- A. The multi-section mobile home or modular home shall not be more than three (3) years old at the time of placement on the site.
- B. The multi-section mobile home or modular home shall comply with all state building codes.

## **PART III. CAMPING TRAILERS.**

## **The City of Iron Mountain Lake, Missouri**

No camping trailers, fifth wheel trailers or any other recreational vehicle shall be located on any lot (s) within the City of Iron Mountain Lake, Missouri with the intent to be used as a residence. Camping trailers, fifth wheels or any recreational vehicles shall be permitted for weekend and vacation periods only, and shall have all sanitary hook ups such as water, sewer, (or septic tank) and electric.

### **PART IV VIOLATIONS, PROVISIONS, VALIDITY**

#### **Article I: Violations:**

Any person violating any provision of this ordinance shall upon conviction be deemed guilty of a misdemeanor. Each day in which such violation shall continue shall be deemed a separate offense.

#### **Article II. Provision**

In any case where provision of this ordinance is found to be in conflict with a provision of any other ordinances of the City of Iron Mountain Lake City Code existing on this effective date of this ordinance, the provisions of this ordinance shall be deemed to prevail and such other ordinances or codes are hereby declared to be repealed to the extent that they may be found to be in conflict with the ordinance.

#### **Article III. Validity.**

If any section, subsection, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason whatsoever, such decision shall not effect that remaining portions of this ordinance which shall remain in full force and effect and to this end the provisions of this ordinance are hereby declared to be severable.

#### **Article IV: Lot Size**

The lot size shall be at a minimum of 7,000 square feet.

#### **Article V: Set back Lines.**

The minimum distance for placing the multi-section mobile home or modular from the property boundary lines shall be as follows:

- A. Front yard – 25 feet
- B. Side yard – 8 feet
- C. Back yard -20 feet.

#### **Article VI: Foundation:**

- A. The multi-section mobile home or modular home shall be permanently mounted and provision shall be made as to the proper placement on the

## **The City of Iron Mountain Lake, Missouri**

chosen site and a concrete footing shall be poured to a depth extending past the accepted freeze line of this area, approximately 20 inches.

- B. Upon the location of any multi section or modular home on any lot(s) within the City Limits of Iron Mountain Lake, Missouri, the connections to City approved utilities such as water and sewer must be completed and in working order within thirty (30) days.

### **Article VII: Tie Down:**

All existing and newly placed multi-section mobile home or modular such as wheels, axles, towing hitch and any other items shall be permanently removed from the unit.

### **Article VIII: Inspections.**

The City of Iron Mountain Lake, Missouri shall have the authority to inspect he multi-section or modular home for the purpose of ensuring compliance with the State of Missouri Mobile Home and Health Requirements and for the purpose of ensuring the health and welfare.

READ THREE TIMES AND PASSED THIS 9<sup>TH</sup> DAY OF AUGUST, 1993

ORD.IML – 1993

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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Amendment to section 5a

**The City of Iron Mountain Lake, Missouri**  
**AN ORDINANCE TO AMEND ORDINANCE NUMBER NINE (9) OF THE CITY OF**  
**IRON MOUNTAIN LAKE, MISSOURI, PERTAINING TO SINGLE MOBILE HOMES.**

AN ADDITIONAL SECTION TO BE ADDED TO THE ORDINANCE SHALL BE ENTITLED:

**Article V. Definition of materials required for skirting installation:**

- A. Skirting materials shall be restricted to aluminum, steel, galvanized metal, plywood, brick fiberglass, or concrete blocks.

ORD.IML – 1988

READ THREE TIMES AND PASSED THIS 5<sup>TH</sup> DAY OF DECEMBER 1988

APPROVED THIS 5<sup>TH</sup> DAY OF DECEMBER, 1988

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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Amendment to section 5a, b, and c

**ORDINANCE TO AMEND SECTION 5, ORDINANCE NUMBER 9**

**Article V: Construction and Materials for Skirting**

## **The City of Iron Mountain Lake, Missouri**

- A. Construction of mobile home skirting shall be adequate to completely enclose all open crawl space between the natural terrain of the ground and the lower edge of the existing mobile home siding.
- B. Materials used for skirting shall be all of the same type, and specifically manufactured for such use, or any type of painted or stained plywood manufactured exclusively for use as exterior siding with a minimum thickness of one-half inch, or bricks, stones, and concrete blocks with properly mortared joints that are supported by a concrete footing poured to a depth extending past the accepted freeze line of this area. (Approximately 20 inches).
- C. All other materials must be inspected prior to installation for durability and appearance with an expressed approval from an appointed official representing the option of the Board of Aldermen.

READ THREE TIMES AND PASSED THIS 7<sup>TH</sup> DAY OF AUGUST 1989.

ORD.IML – 1989

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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Amendment to Articles 6 and 7

### **AN ORDINANCE TO AMEND ORDINANCE NUMBER 9 OF THE CITY OF IRON MOUNTAIN LAKE PERTAINING TO THE MOBILE HOMES.**

NOW, BE IT ORDAINED BY THE BOARD OF ALDERMAN AS FOLLOWS:

## **The City of Iron Mountain Lake, Missouri**

ADDITIONAL ARTICLES TO BE ADDED TO THE AGE OF A MOBILE HOME:

### **Article VI. Specifications as to the Age of a Mobile Home:**

No person shall bring into or relocate from within the City of Iron Mountain Lake, any mobile home or trailer designed and manufactured for use as a mobile home unless it be ten years older less and in suitable condition to provide a safe and secure dwelling for one or more persons.

### **Article VII. Use as Storage:**

Any trailer or mobile home to be converted for use other than a dwelling such as a storage shed or workshop, shall be in good condition and comply with all sections of this ordinance except electric, water and septic or sewer hook-ups

ORD.IML – 1990

READ THREE TIMES AND PASSED THIS 6<sup>TH</sup> DAY OF AUGUST 1990.

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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Amendment to Part 1, Section 3a

**AN ORDINANCE TO AMEND THE LANGUAGE IN PART 1 SECTION 3 A, OF  
ORDINANCE NUMBER NINE PERTAINING TO SINGLE WIDE MOBILE HOMES**



## **The City of Iron Mountain Lake, Missouri**

BE IT ORDAINED BY THE CITY OF IRON MOUNTAIN LAKE, MISSOURI BOARD OF ALDERMAN AS FOLLOWS:

PART ONE, SECTION THREE A SHALL BE CHANGED TO READ;

### **Article III: Specifications:**

- A. No person shall bring into, or relocate from within the City, any single wide mobile home unless it is not more than three (3) years old and in good condition at the time of placement.

PASSED BY THE BOARD OF ALDERMEN ON THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, THIS 11 DAY OF SEPTEMBER, 1995

ORD.IML 1995

Eugene Henson

Mayor

Attest:

Martha Lance

City Clerk

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Amendment to Part 1, Section 3a and 3b

**AN ORDINANCE TO AMEND THE LANGUAGE IN PAR1, SECTION 3 A, OF  
ORDINANCE NUMBER NINE PERTAINING TO SINGLE WIDE MOBILE HOMES.**

## **The City of Iron Mountain Lake, Missouri**

BE IT ORDAINED BY THE CITY OF IRON MOUNTAIN LAKE, MISSOURI BOARD OF ALDERMEN AS FOLLOWS:

PART ONE, SECTION THREE A SHALL BE CHANGED TO READ;

### **Article III: Specifications:**

- A. No person shall bring into, or relocated from within the City, any single wide mobile home unless it is not more than five (5) years old and in good condition at the time of placement.
- B. Passed by the Board of Aldermen of the City of Iron Mountain Lake, Missouri, this 13<sup>th</sup> day of October, 1997.

ORD.IML 1997

Attest:

Angela G. Henson

City Clerk

Eugene Henson

Mayor

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## **Amendment to Part 2, Section 3**

**AN ORDINANCE TO AMEND THE LANGUAGE IN PART 2, SECTION 3 A, OF ORDINANCE NUMBER NINE PERTAINING TO MULTI SECTION MOBILE HOMES.**

BE IT ORDAINED BY THE CITY OF IRON MOUNTAIN LAKE, MISSOURI BOARD OF ALDERMAN AS FOLLOWS:

## **The City of Iron Mountain Lake, Missouri**

PART TWO, SECTION THREE (A) SHALL BE CHANGED TO READ,

### **Article III. Specifications:**

- A. The multi section mobile home or modular home shall not be more than five (5) years old at the time of placement on the site.

PASSED BY THE BOARD OF ALDERMAN OF THE CITY OF IRON MOUNTAIN LAKE,  
MISSOURI, THIS 13<sup>TH</sup> DAY OF OCTOBER, 1997

(ORD. IML 1997)

Attest:

Angela G. Henson

City Clerk

Eugene Henson

Mayor

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### **Amendment to Part 1, Section 3**

#### **AN ORDINANCE TO AMEND THE LANGUAGE IN PART 1. SECTION 3A OF ORDINANCE NUMBER NINE PERTAINING TO SINGLE WIDE MOBILE HOMES**

BE IT ORDAINED BY THE CITY OF IRON MOUNTAIN LAKE, MISSOURI BOARD OF  
ALDERMAN AS FOLLOWS:

PART ONE SECTION THREE A SHALL BE CHANGED TO READ

## **The City of Iron Mountain Lake, Missouri**

### **Article III. Specifications:**

- A. No person shall bring into, or relocate from within the City, any single wide or double-wide mobile home or manufactured home unless it is not more than three (3) years old and in good condition at the time of placement.

PASSED BY THE BOARD OF ALDERMAN OF THE CITY OF IRON MOUNTAIN LAKE,  
MISSOURI THIS 9<sup>TH</sup> DAY OF SEPTEMBER 2002

Richard W. Berry

Mayor

Attest:

Christina Lincoln

City Clerk

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### **Amendment to Part 1, Section 3**

#### **AN ORDINANCE TO AMEND PART 1, SECTION 3 A OF ORDINANCE NUMBER 9, CITY OF IRON MOUNTAIN LAKE, MISSOURI**

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF IRON  
MOUNTAIN LAKE, MISSOURI AS FOLLOWS:

ORDINANCE NUMBER 9, PART ONE, SECTION 3A, IS HEREBY AMENDED TO READ  
AS FOLLOWS:

### **Article III. Specifications:**

## **The City of Iron Mountain Lake, Missouri**

- A. No person shall bring into, or relocate from within the City, any single-wide or double-wide mobile home or manufactured home unless it is no more than eight (8) years old and in good condition at the time of placement.

DATE OF FIRST READING: MAY 19, 2003

DATE OF SECOND READING: MAY 19, 2003

PASSED BY THE BOARD OF ALDERMAN OF THE CITY OF IRON MOUNTAIN LAKE,  
MISSOURI THIS 19<sup>TH</sup> DAY OF MAY, 2003

Bill Skaggs

Mayor

Attest:

Christina Lincoln

City Clerk

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### **Amendment to Part 1, Section 3**

Bill number 11-009

Ordinance Number 9

### **AMENDMENT TO ORDINANCE 9 PART ONE, SECTION 3A**

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:

## **The City of Iron Mountain Lake, Missouri**

THAT ORDINANCE NUMBER 9, PART ONE, SECTION 3A, IS HEREBY AMENDED TO READ AS FOLLOWS:

- A. No person shall bring or relocate from within the City, any single-wide or double-wide mobile home or manufactured home unless it is no more than eight (8) years old and in good condition at the time of placement. However, a person wanting to bring into or relocate from within the City, a single-wide of double-wide mobile or manufactured home that is more than eight (8) years old and in good condition may request permission from the Board of Alderman to do so. The Mayor, Building inspector, or Chief of Police must first inspect the mobile or manufactured home which is more than eight (8) years old to determine if the mobile or manufactured home is in good condition on the exterior and interior and report those findings to the Board of Aldermen. The Mayor, Building Inspector or Chief of Police will also report to the Board of Alderman on the exterior appearance of the mobile or manufactured home. After the report of the Mayor, Building Inspector or Chief of Police, the Board of Aldermen may vote to determine whether the mobile or manufactured home which is more than eight (8) years old can be brought into or relocated from within the City. The Board of Aldermen may approve the request by a simple majority. Upon approval of the Board of Aldermen, the person may bring into or relocate from within the City a single-wide or double-wide mobile or manufactured home that is more than eight (8) years old and in good condition.

IN ALL OTHER RESPECTS ORDINANCE NUMBER 9 SHALL REMAIN THE SAME.

SAID AMENDMENT SHALL BE IN FULL FORCE AND EFFECT UPON PASSAGE.

DATE OF FIRST READING: AUGUST 18, 2011

DATE OF SECOND READING: AUGUST 18, 2011

PASSED AND APPROVED THIS 18<sup>TH</sup> DAY OF AUGUST 2011

Eugene Henson

Mayor

## **The City of Iron Mountain Lake, Missouri**

Attest:

Sarah Douglas

City Clerk

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### **Amendment to Part 1, Section 3**

Bill number 11-010

Ordinance Number 9

#### **AMENDMENT TO ORDINANCE 9 PART ONE ARTICLE 3A**

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:

THAT THE CHANGES TO ORDINANCE NUMBER 9 PART ONE, SECTION 3A ARE REPEALED AND ORDINANCE NUMBER 9 PART ONE SECTION 3A IS HEREBY AMENDED TO READ AS FOLLOWS:

#### **Article III. Specifications**

- A. No person shall bring into or relocate from within the City, any single-wide or double-wide mobile home or manufactured home unless it is no more than eight (8) years old and in good condition at the time of placement.

IN ALL OTHER RESPECTS ORDINANCE NUMBER 9 SHALL REMAIN THE SAME.

## **The City of Iron Mountain Lake, Missouri**

SAID AMENDMENT SHALL BE IN FULL FORCE AND EFFECT UPON PASSAGE.

DATE OF FIRST READING: NOV. 14, 2011

DATE OF SECOND READING NOV 14 2011

PASSED AND APPROVED THIS 14<sup>TH</sup> DAY OF NOVEMBER 2011

Eugene Henson

Mayor

Attest:

Sara Douglas

City Clerk

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### **Amendment 11 – Repeal of Part One, Section 3A**

#### **AMENDMENT TO ORDINANCE 9 PART ONE, SECTION 3A**

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:

THAT THE CHANGES TO ORDINANCE NUMBER 9, PART ONE, SECTION 3A, ARE REPEALED AND ORDINANCE NUMBER 9, PART ONE, SECTION 3A IS HEREBY AMENDED TO READ AS FOLLOWS:

#### **Article III. Specifications**

- A. No person shall bring into or relocate from within the City, any single-wide or double-wide mobile home or manufactured home unless it is no more than eight (8) years old and in good condition at the time of placement.



## The City of Iron Mountain Lake, Missouri

In all other respects, Ordinance Number 9 shall remain the same.

Said amendment shall be in full force and effect upon passage.

Date of First Reading: \_\_\_\_\_

Date of Second Reading: \_\_\_\_\_

Passed and Approved: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Clerk

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### Amendment 12 – Part One, Section 3A

Bill Number 11

Ordinance Number 9

#### AMENDMENT TO ORDINANCE 9 PART ONE, SECTION 3A

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:

## The City of Iron Mountain Lake, Missouri

THAT ORDINANCE NUMBER 9, PART ONE, SECTION 3A, IS HEREBY AMENDED TO READ AS FOLLOWS:

### Article III. Specifications

- A. No person shall bring into or relocate from within the City, any single-wide or double-wide mobile home or manufactured home unless it is no more than eight (8) years old and in good condition at the time of placement. **However, a person wanting to bring into or relocate from within the City, a single-wide or double-wide mobile or manufactured home that is more than eight (8) years old and in good condition may request permission from the Board of Alderman to do so. The Mayor, Building Inspector, or Chief of Police must first inspect the mobile or manufactured home which is more than eight (8) years old to determine if the mobile or manufactured home is in good condition on the exterior and interior and report those findings to the Board of Aldermen. The Mayor, Building Inspector or Chief of Police will also report to the Board of Alderman on the exterior appearance of the mobile or manufactured home. After the report of the Mayor, Building Inspector, or Chief of Police, the Board of Aldermen may vote to determine whether the mobile or manufactured home which is more than eight (8) years old can be brought into or relocated from within the City. The Board of Aldermen may approve the request by a simple majority. Upon approval of the Board of Aldermen, the person may bring into or relocate from within the City a single-wide or double-wide mobile or manufactured home that is more than eight (8) years old and in good condition.**

IN ALL OTHER RESPECTS, ORDINANCE NUMBER 9 SHALL REMAIN THE SAME.

SAID AMENDMENT SHALL BE IN FULL FORCE AND EFFECT UPON PASSAGE.

Date of First Reading: \_\_\_\_\_

## **The City of Iron Mountain Lake, Missouri**

Date of Second Reading: \_\_\_\_\_

Passed and Approved: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 10 – BUSINESS LICENSE**  
Original Ordinance

Bill Number 10

Ordinance Number 10

**A BILL ENTITLED, “AN ORDINANCE REQUIRING THE PURCHASE OF LICENSES AND OCCUPATION TAXES WITH THE CORPORATE LIMITS OF THE CITY OF IRON MOUNTAIN LAKE: PROVIDING A PENALTY FOR VIOLATIONS AND FIXING A TIME WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.**

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, IN THE AMOUNTS SET OUT AS FOLLOWS:**

- A. On any person, firm or corporation who shall carry on the business of selling insurance and for the purpose of the ordinance any person who solicits insurance business within the City Limits of the City of Iron mountain Lake; any person who takes application for insurance of any kind, within the City Limits of Iron Mountain Lake, Missouri; any person who writes insurance policies with the City Limits of the policies within the City of Iron Mountain Lake; any person who collects premiums on insurance policies within the City of Iron Mountain Lake, the general nature of which pertains to insurance business, an annual license tax of \$20.00 per year.
- B. On any person, firm or corporation who shall carry on a business of operating a service station and Minor repairs an annual license tax of \$25.00 per year
- C. Any person firm or corporation who shall operate a Garage an annual license tax of \$15.00 per year
- D. Any person, firm or corporation who shall operate a lumber shed, hardware and plumbing supplier, an annual license tax of \$35.00 per year.
- E. Any person, firm or corporation who shall operate a coin laundry shall first procure a license therefor and the fee for such business shall be \$20.00 per year
- F. Any person, firm or corporation who shall operate a barber shop shall first procure a license therefore and the fee for such business shall be fifteen dollars (\$15.00) per year.

## **The City of Iron Mountain Lake, Missouri**

- G. Any person, firm or corporation who shall operate a car lot shall first procure a license therefore and the fee for such business shall be \$20.00 per year.
- H. Any person, firm or corporation who shall operate a beauty shop shall first procure a license therefore the fee for such business shall be \$15.00 per year.
- I. Any person, firm or corporation who shall operate a bait shop shall first procure a license therefore and the fee for such business shall be \$10.00 per year.
- J. Any person, firm or corporation who shall operate an electrical repair, sales and service shop shall be \$25.00 per year.
- K. Any person, firm or corporation who shall operate a hardware store shall first procure a license therefore and the fee for such business shall be \$15.00 per year.
- L. Any person, firm, or corporation who shall operate a drug sundries store shall first procure a license therefore and the fee for such business shall be \$15.00 per year.
- M. Any person, firm or corporation who shall operate a sandwich shop shall first procure a license therefore and the fee for such business shall be \$10.00 per year.
- N. Any person, firm or corporation who shall operate a variety store shall first procure a license therefore and the fee for such business shall be \$25.00 per year.
- O. Any person, firm or corporation who shall operate a Grocery Store shall first procure a license therefore based on the following inventory schedule:
  - 1. Up to \$4,000.00 \$15.00 per year
  - 2. \$4,000.00 - \$10,000.00 \$30.00 per year
  - 3. \$10,000.00 - \$25,000.00 \$50.00 per year
  - 4. \$25,000.00 or over \$85.00 per year
- P. Any person, firm, or corporation who shall operate a package liquor store, shall first procure a license therefore and the fee for such business shall be thirty Dollars (\$30.00) per year
- Q. Any person, firm or corporation engaged in the buying and selling new and used motor vehicles, appliances and equipment, shall first procure a license therefore and the fee for such business shall be \$25.00
- R. Any person, firm or corporation who shall act as a real estate agent or broker and being defined as one, who, for commission or other compensation, sells or negotiates the sale of any interest in or to compensation, sells or negotiates the sale of any interest in or to real estate belonging to others, shall first procure a license therefore and the fee for such business shall be \$20.00 per year.
- S. Any person, firm or corporation who goes from place to place rendering plumbing service, shall first procure a license therefore and the fee for such business shall be \$20.00 per year.
- T. On each insurance company, an annual license tax of \$50.00 per year.

## **The City of Iron Mountain Lake, Missouri**

U. On each public garage, an annual license tax of \$25.00 per year.

V. On each auto repair shop. An annual license tax of \$15.00.

W. On first pin ball or video game machine, an annual license tax of \$15.00 per year and \$5.00 per year for each additional machine.

### **Article II. Operation Without License Prohibited.**

No person, or persons, firms or corporations shall engage in any of the businesses or occupations named and mentioned in this ordinance without first applying for and obtaining and having in his, their or its possession and publicly displayed in his, their or tis place of business, if any, the license or licenses required and provided for in this ordinance, which said license and licenses shall have been fully paid for and in effect for the time or period during which the business or occupation is being carried on and engaged in.

### **Article III. Change in Location.**

Every license shall state the location at which the business or occupation is to be established or engaged in and upon moving to a new location the licensee shall procure from the City Clerk a removal permit stating the new location, which permit shall be issued without any additional charge.

### **Article IV. Contents of License.**

Every license shall specifically state the name of the person, persons, firms or corporations to whom it is issued, the amount of the license tax, and the date of the issuance and the term for which it is issued. No license shall authorize any holder thereof to carry on business at more than one place at the same time.

### **Article V. Application, Issuance.**

All applications for licenses shall be made in writing to the City Clerk and the amount of the license shall be made in writing to the City Clerk and the amount of the license or licenses shall be paid to the City Clerk at the time such applications are made. All licenses required by this ordinance shall be prepared by the City Clerk.

### **Article VI. Penalty.**

Any person who shall violate any of the provisions of this ordinance, and the managing officer of any corporation which shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon such conviction shall be fined not less than \$1.00 nor more than \$100.00 and at the election of the Board of Councilmen of the City of Iron Mountain Lake, the license or licenses of any such person, persons, firms, or corporations, after any such conviction, may be revoked and no new or other license shall be issued to such person, persons,

## **The City of Iron Mountain Lake, Missouri**

firms or corporations unless the majority of the Board of Councilmen vote in favor thereof. Each day that any person, firms, or corporations, after any such conviction, may be revoked and no new or other license shall be issued to such person, persons, or firms or corporations unless the majority of the Board of Councilmen vote in favor thereof. Each day that any person, persons, firms or corporations shall continue to operate or engage in any business or occupation without a valid and current license shall be a separate offense.

### **Article VII. Merchant Defined.**

The term “merchant” as used in this ordinance shall include any and all persons who are now or shall be hereafter engaged in the retail selling of any and all articles of merchandise.

READ THREE TIMES AND PASSED THIS 1<sup>ST</sup> DAY OF AUGUST 1983

APPROVED THIS 1<sup>st</sup> DAY OF AUGUST 1983

Pearl Pirtle

Mayor

Attest:

Joyce Pearl

City Clerk

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## **Amendment to Article VIII, Subsections A, B, and C**

### **AN ORDINANCE TO AMEND ORDINANCE NUMBER 10 OF THE CITY OF IRON MOUNTAIN LAKE PERTAINING TO BUSINESS LICENSES.**

BE IT ORDAINED BY THE BOARD OF ALDERMEN/WOMEN OF IRON MOUNTAIN LAKE, AS FOLLOWS:

## The City of Iron Mountain Lake, Missouri

SECTION 8 AND SUBSECTIONS A, B, AND C SHALL BE ADDED TO ORDINANCE NUMBER 10 TO READ:

### **Article VIII: Revocation of License:**

The license of a merchant, manufacturer or business may be revoked by the Board of Aldermen/ women after notice and public hearing, for any one or more of the following reasons:

- A. Failure to comply with the provisions of this ordinance or any other ordinance pertaining to the operation of a business within the City of Iron Mountain Lake.
- B. Failure to operate the business as required by law.
- C. Creation of a public nuisance.

ORD.IML – 1983

READ TWO TIMES AND PASSED THIS 8<sup>TH</sup> DAY OF MARCH, 1993

APPROVED THIS 8<sup>TH</sup> DAY OF MARCH, 1983

Doyle Lance

Mayor

Attest:

Martha lance

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 11 – CABLE TV FRANCHISE**  
Original Ordinance

Bill Number 11

Ordinance Number 11

**A BILL ENTITLED “AN ORDINANCE FOR FRANCHISE TAXES TO BE PAID TO  
THE CITY OF IRON MOUNTAIN LAKE, MISSOURI”**

**Article I. Electric Franchise.**

Every person, firm or corporation engaged in the business of manufacturing, transmitting, distributing and selling electricity for lighting, heating, and power and for any and all purposes, shall pay to the City of Iron Mountain Lake as a license or occupation tax 5% of the gross revenue derived from the sale and distribution of such electrical energy to residential and commercial users and customers within the City limits, which sum shall be paid by such concerns unto the City monthly.

- A. The tax required to be paid by this section shall be in lieu of any other occupation or franchise tax required of any person, firm or corporation engaged in the business described above and nothing herein corporation from the payment to the City of the tax which the City may levy upon the real, or personal property belonging to such person, firm or corporation, nor the tax required of merchants or manufacturers for herein required exempt any such person, firm or corporation from the payment of any other tax which may be lawfully required other than an occupational or franchise tax on the business described in the first section of this ordinances.

**Article II. Cable Television.**

Every person, firm, or corporation engaged in a cable television distribution operation shall pay to the City of Iron Mountain Lake as a license or occupation tax 5% cable television service. To the residential and commercial users and customers within the City limits, such sum shall be paid by such concerns unto the City monthly. This payment shall be in addition to any other tax or payment owed to the City by the grantee, including any payment for ad valorem taxes, if any.

**Article III. Telephone.**

## **The City of Iron Mountain Lake, Missouri**

Every person, firm, or corporation engaged in the business of supplying telephone service under a franchise from the City, shall pay to the City of Iron Mountain Lake as a license or occupation tax 55 of the gross revenue derived from the sale and distribution of such telephone service to residential and commercial users concerns unto the City monthly. Same shall be in lieu of any general or special license tax, occupation tax, or any other such tax for the period during the term of his ordinance.

### **Article IV. Ordinance saved from repeal.**

No franchise ordinance of the City of Iron Mountain Lake shall be affected or repealed by reason of this codification of City Ordinance of a general and permanent nature.

READ THREE TIMES AND PASSED THIS 1<sup>ST</sup> DAY OF AUGUST, 1983

APPROVED THIS 1<sup>ST</sup> DAY OF AUGUST, 1983

Pearl Pirtle

Mayor

Attest:

Joyce Pearl

City Clerk

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## **Amendment to Propose 5% Franchise Tax**

Bill Number 11

Ordinance Number 11

**ADDENDUM**

**The City of Iron Mountain Lake, Missouri**  
**“AN ORDINANCE FOR FRANCHISE TAXES (GROSS RECEIPTS TO BE PAID TO**  
**THE CITY OF IRON MOUNTAIN LAKE, MISSOURI.”**

WHEREAS, the Board of Aldermen for the City of Iron Mountain Lake approved by putting before the voters a proposal to charge a 5% franchise tax on gross receipts for the April 7, 1987 election;

WHEREAS, Arthur J. Hulsey, Clerk of the County Commission, in and for the County of St. Francois, State of Missouri, certified that the franchise tax proposition passed and can be adopted now

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:

**Article I. Electric Franchise.**

Every person, firm, or corporation engaged in the business of manufacturing, transmitting, distributing and selling electricity for lighting, heating and power and for any and all purposes shall pay to the City of Iron Mountain Lake as a license or occupation tax 5% of the gross revenue derived from the sale and distribution of such electrical energy to residential and commercial users and customers within the City limits, which sum shall be paid by such concerns unto the City monthly.

- A. The tax required to be paid by this section shall be in lieu of any other occupation or franchise tax required of any person, firm or corporation engaged in the business described above and nothing herein contained shall be so construed as to exempt any such person, firm or corporation from the payment to the City of the tax which the City may levy upon the real, or personal property belonging to such person, firm or corporation, nor the tax required of merchants or manufacturers for the sale of anything other than electric service, nor shall the tax herein required exempt any such person, firm or corporation from the payment of any other tax which may be lawfully required other than an occupational or franchise tax on the business described in the first section of this ordinance.

**Article II. Cable Television.**

## **The City of Iron Mountain Lake, Missouri**

Every person, firm, or corporation engaged in a cable television distribution operation shall pay to the City of Iron Mountain Lake as a license or occupation tax 5% of the gross revenue derived from the sale and distribution of such cable television service to residential and commercial users and customers within the City limits, which sum shall be paid by such concerns unto the City monthly.

This payment shall be in addition to any other tax or payment owed to the City by the grantee, including any payment for ad valorem taxes, if any.

### **Article III. Telephone.**

Every person, firm, or corporation engaged in the business of supplying telephone service of local exchange service within the City shall pay to the City of Iron Mountain Lake as a license or occupation tax 5% of the gross revenue derived from the sale and distribution of such telephone service or local exchange service to residential and commercial users and customers within the City limits, which sum shall be paid by such concerns unto the City monthly. Same shall be in lieu of any general or special license tax, occupation tax, or any other such tax for the period during the term of this ordinance.

### **Article IV.**

If any section, sentence, phrase, or clause of this ordinance shall be held to be invalid for any reason by the board of competent jurisdiction, the invalid of such section, sentence, phrase or clause shall not impair the validity of the remaining sections, sentences, phrases or clauses of this ordinance; the Board of Aldermen hereby declare that it would have passed the remaining portions of this ordinance had it known that such section, sentence, phrase, or clause would be invalid.

### **Article V. Effective Date.**

This Ordinance shall be in effect and in force from and after its passage and approval and the first payment due for July 1st, is to be payable at the end of August, 1987.

READ THREE TIMES AND PASSED THIS 6<sup>TH</sup> DAY OF JULY 1987.

APPROVED THIS 6<sup>TH</sup> DAY OF JULY, 1987

## **The City of Iron Mountain Lake, Missouri**

Milburn Schrum

Mayor

Attest:

Martha Lance

City Clerk

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### **Amendment to Instate 5% Franchise Tax**

#### **AN ORDINANCE TO AMEND ORDINANCE NUMBER 11, ARTICLE NUMBER 2 PERTAINING TO THE CABLE TV FRANCHISE TAX IN THE CITY OF IRON MOUNTAIN LAKE, MISSOURI**

WHEREAS THE PRESENT ORDINANCE REGARDING CABLE TV STATES THE FRANCHISE SUM IS TO BE PAID MONTHLY, THE ORDINANCE SHALL BE AMENDED AS FOLLOWS:

#### **Article II. Cable Television.**

Every person, firm, or corporation engaged in a cable television distribution operation shall pay to the City of Iron Mountain Lake as a License or occupation tax 5 % of the gross revenue derived from the sale and distribution of such cable television service to residential commercial users and customers within the City limits, which sum shall be paid by such concerns unto the City annually. This payment owed to the City by the grantee, including any payment for ad valorem taxes, if any.

READ THREE TIMES AND PASSED THIS 2<sup>ND</sup> DAY OF OCTOBER 1989

Ord. IML 1989

Doyle Lance

Mayor

## **The City of Iron Mountain Lake, Missouri**

Attest:

Martha Lance

City Clerk

The Arkansas Power & Light Company, a corporation, hereby accepts Franchise Ordinance Number 11 attached hereto Iron Mountain Lake, Missouri, subject to the terms and conditions therein this 27<sup>th</sup> day of May, 1987

Arkansas Power and Light Company

By Louis N. Burgess

Vice President

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 12 – CUTTING, REMOVAL OF GRASS, WEEDS, ETC.**

Original Ordinance

Bill number 12

Ordinance number 12

### **AN ORDINANCE CALLED: “CUTTING AND REMOVAL OF GRASS, WEEDS, ETC.” WITHIN THE CORPORATE LIMITS OF THE CITY OF IRON MOUNTAIN LAKE, MO**

#### **Article I. Cutting and Removal of Grass, Weeds, Etc.**

It shall be unlawful for any owner, lessee or occupant, or any agent, servant representative or employee of any such owner, lessee, or occupant having control of any occupied lot or land or any part thereof in the City, or for any owner, lessee or occupant, or any agent, servant, representative or employee of any such owner, lessee or occupant having control of any unoccupied lot or land or any art thereof in the City which is surrounded on two or more sides by occupied land, to permit or maintain on any such lot or land or any part thereof in the City which Is surrounded on two or more sides by occupied land, to permit or maintained on any such lot or land, or on or along the side walk, streets or alley adjacent to the same between the property line and the curb, any growth of weeds, grass and poisonous or harmful vegetation to a greater height than eighteen (18) inches on the average, or any accumulation of dead weeds, grass or brush, and it shall also be unlawful for any person or persons to cause, suffer or allow poison ivy, ragweed or other poisonous plant, or plants detrimental to health to grow on any such lot or land in such manner that any part of such overhang or border any public place or allow seed, pollen or other the air into any public place, and the growth of such weeds, grass and poisons or harmful vegetation of a height of more than eighteen (18) inches be and hereby is declared to be a nuisance.

#### **Article II. Duty of Owner.**

Lessee or occupant. It shall be the duty of any owner, lessee, or occupant of any lot or land to cut and remove harmful vegetation as often as may be necessary to comply with the provisions of section 1 of this ordinance.

#### **Article III. When City To Do Work.**

## **The City of Iron Mountain Lake, Missouri**

If the provisions of this ordinance are not complied with, the City Marshal, or other official designated by the Mayor, shall hold a hearing, after thirty days' notice thereof given to the owner of the lot or his agent, the occupant if any, and the lessee if any. Following the hearing, the Marshal or other designated official may declare the weeds to be a nuisance and order the same to be abated within thirty days. In the event that the weeds are not cut down and removed within thirty days, the Marshal or other designated official shall have the weeds cut down and removed and designated official shall have the weeds cut down and removed and shall certify the cost of the same to the City Clerk. The City Clerk shall certify the cost of the same to the City Clerk. The City Clerk shall cause a special tax bill therefor against the property to be against the property. The tax bill from the date of its issuance shall be a first lien on the property until paid and shall be prima facie evidence of the recitals therein and of its validity and no more clerical error of informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Each special tax bill shall be issued by the City Clerk and delivered to the collector on or before the first day of June of each year. Such bills if not paid when due shall bear interest at the rate of eight percent per annum.

### **Article IV. Penalty.**

Each person who shall neglect to cut and remove weeds, grass or other vegetation as directed in this ordinance, or who shall fail, neglect or refuse to comply with the provisions of any notice herein provided or who shall resist or obstruct the City Marshal or other representative of the City in the cutting and removal of weeds, grass and other vegetation, shall upon conviction thereof, be guilty of a misdemeanor. The preparation of a tax bill, as authorized by section 3 shall no relieve any person of liability under this section.

- A. Each person convicted of a violation of this section shall be fined not more than \$25.00 per violation.

READ THREE TIMES AND PASSED THIS 7<sup>TH</sup> OF NOVEMBER, 1983.

APPROVED THIS 7<sup>TH</sup> DAY OF NOVEMBER, 1983.

Pearl Pirtle

Mayor



## **The City of Iron Mountain Lake, Missouri**

Attest:

Joyce Pearl

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 13 – PARKS BOARD**  
Original Ordinance

Bill Number 13

Ordinance Number 13

**AN ORDINANCE ENTITLED “PARK BOARD” FOR THE CITY OF IRON  
MOUNTAIN LAKE**

**Article I. Park Established.**

There is hereby established a Park Board composed of directors whose duty it shall be to supervise, manage, and control the park or parks of this city as provided under sections 90.500 through 90.570 revised statutes of the State of Missouri.

**Article II. Membership.**

The Directors of this board shall hold office one third for one (1) year, one third for two (2) years, and one third for three (3) years from the first of June following their appointment, and at their first regular meeting shall cast lots for their respective terms; and annually thereafter the Mayor shall before the first of June of each year appoint as before three (3) Directors who shall hold office for (3) years and until their successors are appointed. The Mayor may, be and with the consent of the Board of Councilmen, remove any Director for misconduct or neglect of duty. 90.030.

**Article III. Procedure.**

Said Directors shall immediately after their appointment, meet and organize by the election of one of their number as president, and by the election of such officers as they may deem necessary. They shall make and adopt such bylaws, rules and regulations for their guidance and for the Government of the Parks as may be expedient, not inconsistent with sections 90.500 to 90.570. They shall have the exclusive control of the expenditures of all money collected to the credit of the park fund and of the supervision, improvement, care and custody of said park. Monies received for such parks shall be deposited in the treasury of said city to the credit of the park fund and shall be kept separate and apart from the other moneys of such city and drawn upon by the proper officers of said city upon the properly authenticated vouchers of the park board. Said board shall have the

## **The City of Iron Mountain Lake, Missouri**

power to purchase or otherwise secure ground to be used for such parks, shall have power to appoint a suitable person to take care of said parks and necessary assistants for said person to fix their compensation, and shall have power to remove such appointees; and shall in general carry out the spirit and intent of sections 90.500 and 90.570 in establishing and maintaining public parks.

### **Article IV. Annual report.**

The said Board of Directors shall make, on or before the second Monday in June, an annual report to the City Council stating the condition of their trust on the first day of May of that year, the various sums of money received from the park fund and other sources, and how much monies have been expended and for what purposes, with such other statistics, information and suggestions as they may deem of general interest. All such portions of such report as related to the receipt and expenditure of money shall be verified by affidavit.

READY THREE TIMES AND APPROVED THIS 2<sup>ND</sup> DAY OF JUNE, 1984

Pearl Pirtle

Mayor

Attest:

Joyce Pearl

City Clerk

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Missouri Revised Statutes – Chapter 90 – Parks and Recreation

August 28, 2008

**PARKS ACQUISITION, FUNDS, HOW OBTAINED – TAX HOW LEVIED AND COLLECTED – AMOUNT OF TAX.**

## **The City of Iron Mountain Lake, Missouri**

90.010.

1. Whenever any city desires to establish a park or pleasure grounds, the common council or Mayor and Board of Aldermen of such city is hereby authorized and empowered to acquire property for such purposes by gift, purchase or condemnation of lands in such city or within one mile thereof, and for that purpose may borrow money and issue bonds in payment thereof, and shall by ordinance describe the metes and bounds of such lands to be purchased or condemned. Lands owned by such city may by ordinance be converted, set aside or appropriated for parks or pleasure grounds. Such city may levy an annual tax not to exceed two mills on the dollar for the maintenance of such parks or pleasure grounds, and such tax shall be levied and collected in like manner with other general taxes of such city, but the funds received therefrom shall be kept separate and apart from all other funds of the City and shall be deposited in the park fund.

2. Taxes levied and collected in accordance with the provisions of this section shall not be included in calculating any amount of taxes which may be levied and collected for general municipal purposes.

3. The annual tax for park and pleasure grounds may be set at any amount approved by the qualified voters of the City in the manner prescribed by the section 90.500 which amount if approved by the voters shall be in addition to the maximum amount authorized by this section or any other by the voters shall be in addition to the maximum amount authorized by this section or any other section for parks and pleasure purposes. The City Council may submit the tax to the voters of citizens may petition in accordance with the provisions of section 90.500. The ballot and the vote for the tax shall be in accordance with procedures set forth in section 90.500.

### **PARK LANDS CONDEMNATION**

90.020

The Common Council or Mayor and Board of Aldermen, in proceedings by ordinance to purchase or condemn lands for the purpose stated in section 90.010, shall proceed in the manner provided by law, or in the manner provided in the charter of such city for the condemnation of lands for the establishment of streets, avenues, alleys or market places, or public squares; and on such condemnation and the payments of the appraisalment as therein provided, the title of such land shall vest in such city for the uses and purposes for which it was taken.

## **The City of Iron Mountain Lake, Missouri**

### **PARKS – PETITION – TAX RATE – ELECTION – FORM OF BALLOT (CERTAIN CITIES).**

90.500.

When one hundred voters of any incorporated city or town having less than thirty thousand inhabitants, or any city of the third class, shall petition the Mayor and Common Council asking that an annual tax be levied for the establishment and maintenance of free public parks in the incorporated city or town, and providing for suitable entertainment therein, and shall specify in their petition a rate of taxation as provided in this section, the Mayor and Common Council shall submit the question to the voters.

#### **The question shall be submitted in substantially the following form:**

Shall a \_\_\_\_ cent tax per one hundred dollars assessed valuation be levied for public parks?

The tax specified in the notice shall be levied and collected in the same manner as other general taxes of the incorporated city or town and shall be deposited in the park fund. The rate of taxation authorized by this section shall be combined with any rate of tax imposed pursuant to the provisions of section 90.010, and any tax authorized pursuant to the provisions of this section shall cease in case the voters of such incorporated city or town shall so determine, by a majority vote after a petition for the submission is filed in accordance with the provisions of this section.

### **PUBLIC PARKS, MAINTENANCE.**

90.510.

In case of an increase in valuation in any year of the taxable property within any city, or whenever the Common Council of such city is satisfied that a lower rate will produce ample funds public parks which in the judgment of said Common Council shall be sufficient for the maintenance of said free public parks throughout the year.

### **PARK BOARD – APPOINTMENT.**

90.520.

## **The City of Iron Mountain Lake, Missouri**

When any incorporated city or town shall have decided to establish and maintain public parks under sections 90.500 to 90.570, the Mayor of such city shall, with the approval of the legislative branch of the Municipal Government, proceed to appoint a board of nine directors for the same, chosen from the citizens at large with reference to their fitness for such office, and no member of the Municipal Government shall be a member of the board.

### **PARK DIRECTORS – TERMS OF OFFICE.**

90.530.

The directors shall hold office, one-third for one year, one-third for two years and one-third for three years from the first of June following their appointment, and at their first regular meeting shall cast lots for their respective terms; and annually thereafter the Mayor shall, before the first of June of each year, appoint as before three directors, who shall hold office for three years and until their successors are appointed. The Mayor may, by and with the consent of the legislative branch of the Municipal Government, remove any director for misconduct or neglect of duty.

### **PARK BOARD – VACANCIES – NO COMPENSATION.**

90.540.

Vacancies in the board of directors, occasioned by removal, resignation or otherwise, shall be reported to the City Council and be filled in like manner as original appointments, and no director shall receive compensation as such.

### **PARK BOARD – ORGANIZATION – POWERS.**

90.550

Said directors shall immediately after their appointment, meet and organize by the election of one of their number president, and by the election of such other officers as they may deem necessary. They shall make and adopt such bylaws, rules and regulations for their guidance and for the government of the parks as may be expedient, not inconsistent with sections 90.500 to 90.570. They shall have the exclusive control of the expenditures of all money collected to the credit of the park fund and of the supervision, improvement, care and custody of said park. All monies received for such parks shall be deposited in the treasury of said city or town to the credit of the park fund and shall be kept separate and apart from the other monies of such city or town and drawn upon by proper officers of said city or town upon the properly authenticated vouchers of the park board.

## **The City of Iron Mountain Lake, Missouri**

Said board shall have power to purchase or otherwise secure ground to be used for such parks, shall have power to appoint a suitable person to take care of said parks and necessary assistants for said person and fix their compensation, and shall have power to remove such appointees; and shall in general carry out the spirit and intent of sections 90.500 to 90.570 in establishing and maintaining public parks.

### **PARK BOARD – ANNUAL REPORT.**

90.560.

The said board of directors shall make, on or before the second Monday in June, an annual report to the City Council stating the condition of their trust on the first day of May of that year, the various sums of money received from the park fund and other sources, and how much monies have been expended and for what purposes, with such other statistics, information and receipt and expenditure of money shall be verified by affidavit.

### **PUBLIC PARK – PRIVATE DONATIONS**

90.570

Any person desiring to make donations of money, personal property or real estate for the benefit of such park shall have a right to vest the title to the money or real estate so donated in the board of directors created under sections 90.500 to 90.570, to be held and controlled by such board when accepted according to the terms of the deed, gift, devise or bequest of such property; and as to such property, the said board shall be held and considered to be the special trustees.

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## **Amendment to Establish Park Board**

Bill Number 09-008

Ordinance number 13

### **AN AMENDMENT TO ORDINANCE 13, PARK BOARD**

## **The City of Iron Mountain Lake, Missouri**

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THAT ORDINANCE NUMBER 13 BE AMENDED AS FOLLOWS;

### **Article I: Park Board Established.**

There I hereby established a Park Board composed of nine (9) directors. Whose duty it shall be to supervise, manage and control the park or parks of this city as provided. Under section 90.500 through section 90.570 revised statutes of the State of Missouri.

IN ALL OTHER RESPECTS, ORDINANCE NUMBER 13 SHALL REMAIN THE SAME.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE AND APPROVAL

DATE OF FIRST READING: MAY 11, 2009

DATE OF SECOND READING: MAY 11, 2009

PASSED AND APPROVED THIS 11<sup>TH</sup> DAY OF MAY, 2009

Eugene Henson

Mayor

Attest:

Tina Blum

City Clerk

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Amendment to Revise Board to 9 members

**AN AMENDMENT TO ORDINANCE 13, PARK BOARD**



## The City of Iron Mountain Lake, Missouri

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THAT ORDINANCE NUMBER 13 BE AMENDED AS FOLLOWS:

### Article I. Park Board Established.

There is hereby established a Park Board composed of **nine (9) directors**, whose duty it shall be to supervise, manage and control the park or parks of this city as provided under Section 90.500 through Section 90.570, Revised Statutes of the State of Missouri.

IN ALL OTHER RESPECTS, ORDINANCE NUMBER 13 SHALL REMAIN THE SAME.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE AND APPROVAL.

DATE OF FIRST READING: \_\_\_\_\_

DATE OF SECOND READING: \_\_\_\_\_

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

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## **The City of Iron Mountain Lake, Missouri**

**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 14 – MUNICIPAL COURT**  
Original Ordinance

Bill Number 14

Ordinance Number 14

**AN ORDINANCE TO ESTABLISH A MUNICIPAL COURT IN THE CITY OF IRON MOUNTAIN LAKE, AND THE DUTIES OF SAID COURT AND ITS OFFICERS.**

**BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**72.010. Court Established.**

There is hereby established in this city a Municipal Court, to be known as the “Municipal Court, a Division of the 24<sup>th</sup> Judicial Circuit Court of the State of Missouri.” This court is a continuation of the police court of the City as previously established, and is termed herein “the Municipal Court.”

**72.020. Jurisdiction.**

The jurisdiction of the Municipal Court shall extend to all cases involving elected violations of the ordinances of the City.

**72.030. Selection of Judge.**

The judge of the City’s Municipal Court shall be known as a Municipal Judge of the 24<sup>th</sup> Judicial Circuit and shall be selected as follows:

1. He shall be appointed to his position by appointment, for a term as specified herein.

**72.040. Term of Office.**

The Municipal Judge shall hold his office for a period of one year. If for any reason a Municipal Judge vacates his office, his successor shall complete that term of office, even if the same be for less than one year.

**72.050. Vacation of Office.**

The Municipal Judge shall vacate office under the following circumstances.

## **The City of Iron Mountain Lake, Missouri**

1. Upon removal from office by the State Commission on the retirement, removal and discipline of judges, as provided in Missouri Supreme Court Rule 12, or
2. Upon attaining his 75<sup>th</sup> birthday, or
3. Should he fail within 6 months of his selection to satisfactorily complete a course of instruction of Municipal Judge as prescribed by the State Supreme Court.

### **72.060. Qualifications for Office.**

The Municipal Judge shall possess the following qualifications before he shall take office:

1. He need to be a licensed attorney, qualified to practice law within the State of Missouri.
2. He must reside within the City.
3. He must be a resident of the State of Missouri.
4. He must be between the ages of 21 and 75 years
5. He may not serve as Municipal Judge for any other municipality.
6. He may not hold any other office within the City Government.
7. He must within six months after his selection to the position satisfactorily complete a course of instruction for Municipal Judges as prescribed by the State Supreme Court.
8. The Municipal Judge shall be considered holding a part-time position, and such may accept other employment.

### **72.070. Superintending Authority.**

The Municipal Court of the City shall be subject to the rules of the Circuit Court of which it is a part, and the rules of the State Supreme court. The Municipal Court shall be subject to the general administrative authority of the Presiding Judge of the Circuit Court, and the judge and the court personnel of said court shall obey his directives.

### **72.080. Report to Board of Aldermen.**

The Municipal Judge shall cause to be prepared within the first ten days of every month a report indicating the following:

1. A list of all cases heard and tried before the court during the preceding month, giving in each case the name of the defendant, the fine imposed if any, the amount of cost, the names of the defendants respectively, the same shall be prepared under oath by the Municipal Court Clerk or the Municipal Judge. This report will be filed with the City Clerk, who shall thereafter forward the same to the Board of Aldermen of the

## **The City of Iron Mountain Lake, Missouri**

City for examination at its first session thereafter. The Municipal Court shall, within the ten days after the first of the month, pay to the Municipal Treasurer the full amount of all fines collected during the preceding months, if they have not previously been paid.

### **72.090. Docket and Court Records.**

The Municipal Judge shall be a conservator of the peace. He shall keep a docket in which he shall enter every case commenced before him and the proceedings therein and he shall keep such other records as may be required. Such docket and records shall be records of the Circuit Court of St. Francois County. The Municipal Judge shall deliver the docket and records of the Municipal Court, and all books and papers pertaining to his office, to his successor in office or to the Presiding Judge of the Circuit.

### **72.100. Municipal Judge, Powers and Duties Generally.**

The Municipal Judge shall be and is hereby authorized to:

### **72.200. Right of Appeal.**

The defendant shall have a right to trial de novo, even from a plea of guilty, before Circuit Judge or an Associate Circuit Judge. Such application for a trial de novo shall be filed within ten days after the judgment and shall be in the form as provided by Supreme Court rules.

### **72.210. Appeal from Jury Verdicts.**

In all cases in which a jury trial has been demanded, a record of the proceedings shall be made, and appeals may be had upon that record to the appropriate appellant court.

### **72.220. Breach of Recognizance.**

In the case of a breach of any recognizance entered into before a Municipal Judge or an Associate Circuit Judge hearing a Municipal Ordinance violation case, the same shall be deemed forfeited and the judge shall cause the same to be prosecuted against the principal and surety, or either of them, in the name of the municipality as plaintiff. Such action shall be prosecuted before a circuit judge or Associate Circuit Judge, and in the event of cases caused to be prosecuted by a Municipal Judge, all monies recovered in such actions shall be paid over to the Municipal Treasury to the general revenue funds of the Municipality.

### **72.230. Disqualification of Municipal Judge from Hearing Particular Case.**

A Municipal Judge shall be disqualified to hear any case in which he is in a anywise interested, or if before the trial is commenced, the defendant or the

## **The City of Iron Mountain Lake, Missouri**

prosecutor files an affidavit that the defendant or the municipality, as the case may be, cannot have a fair and impartial trial by reason of the interest or prejudice of the judge. Neither the defendant nor the municipality shall be entitled to file more than one affidavit or disqualification in the same case.

### **72.240. Temporary Municipal Judge.**

If a Municipal Judge be absent, sick or disqualified from acting, the Mayor may designate some competent, eligible person to act as Municipal Judge until such absence or disqualification shall cease; provided, however, that should a vacancy occur in the office of an elected Municipal Judge more than six months before a General Municipal Election, then a special election shall be held to fill such vacancy; and in case of a General Municipal Election, the office may be filled by a competent eligible person designated by the Mayor. The Board of Alderman shall provide by ordinance for the compensation of any person designated to act as Municipal Judge under the provisions of this section.

### **72.250. Clerk of Municipal Court.**

The City Collector is hereby designated as the clerk of the Municipal Court. The duties of said clerk shall be as follows:

1. To collect such fines for violations of such offenses as may be described, and the court costs thereof.
2. To take oaths and affirmations.
3. To accept signed complaints, and allow the same to be signed and sworn to or affirmed before him.
4. Sign and issue subpoenas requiring the attendance of witnesses and sign and issue subpoenas duces tecum.
5. Accept the appearance, waiver of trial and plea of guilty and payment of the fine and costs in traffic violation Bureau cases or as directed by the Municipal Judge; generally act as violation Clerk of the Traffic Violation Bureau.
6. Perform all other duties as provided for by ordinance, by rules of practice and procedure adopted by the Municipal Judge and by the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts and by statute.
7. Maintain, properly certified by the City Clerk, a complete copy of the ordinances of the City which shall constitute prima facie evidence of such ordinance before the court. Further, to maintain a similar certified copy on file with the clerk serving the Circuit Court of the County.

### **72.260. Court Costs.**

## **The City of Iron Mountain Lake, Missouri**

In addition to any fine that may be imposed by the Municipal Judge there shall be assessed as costs in all cases the following:

1. Costs of court in the amount of \$10.00
2. In all cases except those for non-moving traffic violations, costs for the training of police officers in the amount of \$2.00.
3. Other costs, such as for the issuance of a warrant, a commitment, or a summons, as provided before the Associate Circuit Judge in criminal prosecutions.
4. Actual costs assessed against the City by the County Sheriff for apprehension or confinement in the County Jail.
5. Mileage, in the same amount as provided to the Sheriff in criminal violations, for each mile and fraction thereof the officer must travel (both directions) in order to serve any warrant or commitment or order of this court.

### **72.270. Same, Assess Against Prosecuting Witness.**

The costs of any action may be assessed against the prosecuting witness and judgment be rendered against him that he pay the same and stand committed until paid in any case where it appears to the satisfaction of the Municipal Judge that the prosecution was commenced without probable cause and from malicious motives.

### **72.280. Installment Payment of Fine.**

When a fine is assessed for violating an ordinance it should be within the discretion of the judge assessing the fine to provide for the payment of a fine on an installment basis under such terms and conditions as he may deem appropriate.

1. Establish a Traffic Violations Bureau as provided for courts and Section 479.050 of the Revised Statutes of Missouri.
2. Administer oaths and enforce due obedience to all orders, rules and judgments made by him, and may fine and imprison for contempt committed before him while holding court, in the same manner and to the same extent as a Circuit Judge.
3. Commute the term of any sentence, stay execution of any fine or sentence, suspended any fine or sentence, and make such other orders as the Municipal Judge deems necessary relative to any matter that may be pending in the Municipal Court.
4. Make and adopt such rules of practice and procedure as are necessary to implement and carry out the provisions of this ordinance, and to make and adopt such rules of practice and procedure as are necessary to hear and decide matters pending before the Municipal Court and to

## **The City of Iron Mountain Lake, Missouri**

implement and carry out the provisions of the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts. Any and all rules made or adopted hereunder that such ordinance does not violate, or conflict with, the provisions of the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts, or State Statutes.

5. The Municipal Judge shall have such other power, duties and privileges as are or may be prescribed by the laws of this state, this code or other ordinances of this city.

### **72.110. Traffic Violations Bureau.**

Should the Municipal Judge determine that there shall be a Traffic Violations Bureau, the City shall provide all expenses incident to the operation of the same? The City Collector is hereby designated as the Traffic Violations Clerk for said Bureau, if established.

### **72.120. Issuance and execution of Warrants.**

All warrants issued by a Municipal Judge shall be directed to the City Marshall, Chief of Police, or any other Police Officer of the municipality or to the Sheriff of the County. The warrant shall be executed by the Marshall, Chief of Police, Police officer, or Sheriff any place within the limits of the county and not elsewhere unless the warrants are endorsed in the manner provided for warrants in criminal cases, and when endorsed, shall be served in other counties as provided for in warrants in criminal cases.

### **72.130. Arrests without warrants.**

The City Marshall, Chief of Police, or other Police Officer of the City may without a warrant, make arrest of any person who commits an offense in his presence, but such officer shall before the trial file a written complaint with the judge hearing violations of Municipal Ordinances.

### **72.140. Jury Trials.**

Any person charged with violation of a Municipal Ordinance of this city shall be entitled to a trial by jury, as in prosecutions for misdemeanors before an Associate Circuit Judge. Whenever a defendant accused of a violation of a Municipal Ordinance demands trial by jury the Municipal Court shall certify the case to the presiding judge of the Circuit Court for reassignment, as provided in Section 2 of Section 517.520 Revised Statutes of Missouri.

### **72.150. Duties of the City's Prosecuting Attorney.**

It shall be the duty of an attorney designated by the municipality to prosecute the violations of the City's ordinances before any Circuit Judge hearing violations of



## **The City of Iron Mountain Lake, Missouri**

the City's ordinances. The salary or fees of the attorney and his necessary expenses incurred in such prosecutions shall be paid by the City. The compensation of such attorney shall not be contingent upon the result in any case.

### **72.160. Summoning of witnesses.**

It shall be the duty of the Municipal Judge to summon all persons whose testimony maybe deemed essential as witnesses at the trial, and to enforce their attendance by attachment, if necessary. The fees of witnesses shall be the same as those fixed for witnesses in trials before a trial shall be continued by a Municipal Judge, it shall not be necessary to summon any witnesses who may be present at the continuance, but the Municipal Judge shall orally notify such witnesses as either party may require to attend before him on the day set for trial to testify in the case, and enter the names of such witnesses on his docket, which oral notice shall be valid as a summons.

### **72.170. Transfer of complaints to Associate Circuit Judge.**

If, in the progress of any trial before a Municipal Judge, it shall appear to the judge progress of any trial before a Municipal Judge, it shall appear to the judge that the accused ought to be put upon trial for an offense against the criminal laws of the state and not cognizable before him as Municipal Judge, he shall immediately stop all further proceedings before him as Municipal Judge and cause the complaint to be made before some Associate Circuit Judges within the county.

### **72.180. Jailing of Defendants.**

If in the opinion of the Municipal Judge, the City has no suitable and safe place of confinement, the Municipal Judge may commit the defendant to the County Jail, and it shall be the duty of the sheriff, if space for the prisoner is available in the County Jail, upon receipt of a Warrant of Commitment from the judge to receive and safely keep such prisoner until discharge by due process of law. The Municipality shall pay the board of such prisoner at the same rate as may not or hereafter be allowed to such Sheriff for the keeping of such prisoner in his custody. The same shall be taxed as costs.

### **72.190. Parole and Probation.**

Any judge hearing violations of Municipal Ordinances may, when in his judgment it may seem advisable, grant a parole or probation to any person who shall plead guilty or who shall be convicted after a trial before said judge.

READ THREE TIMES AND ACCEPTED THIS 4<sup>TH</sup> OF JUNE, 1984

## **The City of Iron Mountain Lake, Missouri**

APPROVED THIS 4<sup>TH</sup> DAY OF JUNE, 1984.

Pearl Pirtle

Mayor

Attest:

Joyce Pearl

City Clerk

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### **Amendment to Section 72.160**

#### **AN ORDINANCE TO AMEND ORDINANCE NUMBER 14, SECTION 72.160 ENTITLED COURT COSTS:**

In addition to any fine that may be imposed by the Municipal Judge there shall be assessed as costs in all cases the following;

1. Costs of court in the amount of \$12.00
2. In all cases except for non-moving traffic violations, costs for the training of Police Officers in the amount of \$2.00
3. Other costs, such as for the issuance of a warrant, a commitment or a summons, as provided before the Associate Circuit Judge in criminal prosecutions.
4. Actual costs assessed against the City by the County Sheriff for apprehension or confinement in the County Jail
5. Mileage, in the same amount as provided to the Sheriff in criminal violations, for each mile and fraction thereof the officer must travel both directions in order to serve any warrant or commitment or order of this court.

READ THREE TIMES AND PASSED THIS 2<sup>ND</sup> DAY OF APRIL, 1990.

# The City of Iron Mountain Lake, Missouri

ORD.IML – 1990

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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## Amendment to Sections 72.040 and 72.060

### **AN ORDINANCE TO AMEND ORDINANCE NUMBER 14 ENTITLED: AN ORDINANCE TO ESTABLISH A MUNICIPAL COURT IN THE CITY OF IRON MOUNTAIN LAKE AND THE DUTIES OF SAID COURT AND ITS OFFICERS.**

SECTIONS NUMBER 72.040 AND 72.060 SHALL BE CHANGED TO READ:

#### **72.040 Term of Office.**

The Municipal Judge shall hold his or her office for a period of two years if for any reason a Municipal Judge vacates his or her office, his or her successor shall complete that term of office, even if the same be for less than two year.

#### **72.060 Qualifications for Office.**

The Municipal Judge shall possess the following qualifications before he or she take office.

1. He or she need not be a licensed attorney, qualified to practice law within the State of Missouri
2. He or she need not be a resident of the City.
3. He or she must be a resident of the State of Missouri

## **The City of Iron Mountain Lake, Missouri**

4. He or she must be a resident of the State of Missouri. He or she must be between the ages of 21 and 75 years.
5. He or she may not hold any other office within the City Government.
6. Unless previously certified, he or she must, within six months after his/her selection to the position, satisfactorily complete a course of instruction for Municipal Judges as prescribed by the state Supreme Court.
7. The Municipal Judge shall be considered holding a part –time position, and as such may accept other employment.

(ORD.IML – 1991)

READ THREE TIMES AND PASSED THIS 7<sup>TH</sup> DAY OF JANUARY 1991

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

[Top](#)

Amendment to Section 14.290

### **AN ORDINANCE TO AMEND ORDINANCE NUMBER 14, CHANGING SECTION NUMBERS AND ADDING SECTION 14.290.**

BE IT ORDAINED BY THE CITY COUNCIL OF IRON MOUNTAIN LAKE AS FOLLOWS:

## **The City of Iron Mountain Lake, Missouri**

1. Change all section numbers beginning with seventy-two (72) to now be number fourteen (14)
2. Add section 14.290 to read:

### **Commute Fines to Confinement Upon Request.**

When a person shall be unable to pay any fine and costs assessed against him/her, the Municipal Judge shall have power, at the request of the defendant, to commute such fine and costs to imprisonment in the County Jail, which shall be credited at the rate of ten dollars (\$10.00) of such fine and costs for each day's imprisonment. (RSMO, 1986, Section 543.270

(ORD.IML – 1991)

READ THREE TIMES AND PASSED THIS 4<sup>TH</sup> DAY OF MARCH, 1991

Doyle Lance

Mayor

Attest:

Martha lance

City Clerk

[Top](#)

Amendment to Section 14.260

### **AN ORDINANCE TO AMEND NUMBER 14, SECTION 14.260.**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:

## **The City of Iron Mountain Lake, Missouri**

Item Number 2 of Section 14.260 to be deleted and the right to collect a fee for the training of Police Officers is hereby repealed.

READ THREE TIMES THIS 21 DAY OF SEPTEMBER 1991

APPROVED THIS 21<sup>ST</sup> DAY OF SEPTEMBER 1991

Doyle Lance

Mayor

Attest:

Martha lance

City Clerk

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Amendment to Section 72.260

Bill number 09-26

Ordinance number 14

### **ORDINANCE NUMBER 14: AN ORDINANCE AMENDING ORDINANCE 14 SECTION 72.260 BE AMENDED AS FOLLOWS:**

THAT ORDINANCE NUMBER 14 SECTION 72.260 BE AMENDED AS FOLLOWS:

In addition to any fine that may be imposed by the Municipal Judge there shall be assessed all costs in all cases the following:

1. Costs of court in the total amount of \$20.50:
  - a. \$12.00 as court costs
  - b. \$7.50 for the Crime Victim's Compensation Fund as mandated by the state.

## **The City of Iron Mountain Lake, Missouri**

- c. \$1.00 to the Peace officer's standards and Training Commission (P.O.S.T.) as mandated by the state.
2. Other costs, such as for the issuance of a warrant, a commitment, or a summons as provided before the Associate Circuit Judge in criminal proceedings.
3. Actual costs assessed against the City by the County Sheriff for apprehension or confinement in the County Jail.
4. Mileage, in the same amount as provided to the Sheriff in criminal violations for each mile and fraction thereof the officer must travel in both directions in order to serve any warrant or commitment or order of this court.

In all other respects, ordinance number 14 section 72.260 as amended shall be the same, except it should be noted that the April 2, 1990 amendment contains a typographical error identifying the Court Costs section as section 72.260. Said typographical error is recognized and corrected by this entry.

THIS ORDINANCE SHALL HAVE FULL EFFECT UPON DATE OF PASSAGE.

DATE OF FIRST READING: 9<sup>TH</sup> NOVEMBER 2009

DATE OF SECOND READING: 9<sup>TH</sup> NOVEMBER 2009

Eugene Henson

Mayor

Attest:

Tina Blum

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 15 – DOGS AND CATS**  
Original Ordinance

Bill Number 15

Ordinance Number 15

**AN ORDINANCE ENTITLED “ANIMAL CONTROL AND RESPONSIBILITIES OF OWNERS” EFFECTING ALL ANIMALS WITH THE CORPORATE CITY LIMITS OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI.**

**BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**Article I. Owners’ Responsibility; Penalty.**

The owner of any dog or cat shall be responsible for the actions of his dog or cat and shall exercise care to keep his dog or cat under such restraint as may be required to prevent the dog or cat from injuring life or property. Failure of the owner of any dog or cat to comply with this article shall render any such owner liable for any penalty imposed by law, this code or other ordinance.

**Article II. Vaccination – Required.**

All dogs and cats kept in the City shall be vaccinated at least once each year with anti-rabies vaccine.

**Article III. Same –Issuance of certificate; penalty for refusal to exhibit.**

- A. The veterinarian who shall vaccinate any dog or cat shall give the owner thereof a certificate over his signature certifying the date of the vaccination or inoculation and the length of immunization.
- B. Any person who fails or refuses to exhibit, upon the demand of the Animal Control Officer, a vaccination certificate for any dog or cat owned by him, shall be deemed guilty of an offense.

**Article IV. Fierce Dogs Or Cats; Female Dogs Or Cats In Heat To Be Confined.**

- A. The owner or custodian of any vicious dogs or cat shall be required to be restrain the dog or cat in heat shall be kept confined in a building or secure enclosure, or in a veterinary hospital or boarding kennel, in



## **The City of Iron Mountain Lake, Missouri**

such a manner that it cannot come in contact with another dog or cat, except for intentional breeding purposes.

- B. Any dog or cat described in this section found at large shall be impounded by the Animal Control Officer and may not be redeemed unless redemption is authorized by a court of competent jurisdiction.

### **Article V. Annoyances Prohibited.**

No person shall own, keep, or harbor upon his premises any dog or cat that by loud, frequent or habitual barking, yelping or howling, or by threat of attacking or biting, causes fear or annoyance to a person or neighborhood, or to persons passing upon the streets and sidewalks of the City.

### **Article VI. Abandonment.**

When any person willfully abandons an unwanted dog or cat, unmercifully leaving it to forage for itself in, or nearby the City, and such cast-off dog or cat enters the City, the owner of such cast-off and unprotected dog or cat shall be guilty of an offense.

### **Article VII. Violation; Penalty.**

Any person who violates the provisions of this article shall be deemed guilty of an offense.

### **Article VIII. Cruelty Generally.**

A person commits the offense of cruelty if he intentionally or knowingly tortures or seriously overworks an animal; fails un-reasonably to provide necessary feed, care or shelter for an animal in his custody; transports or confines an animal in a cruel manner; kills, injures or administers poison to an animal or causes one animal to fight with another.

### **Article IX. Cruel and Inhumane Treatment.**

It shall be unlawful for any person to subject any animal to cruel and inhumane treatment, or to drag any live or dead animal through the street behind any vehicle, or otherwise.

### **Article X. Impounding Without Food and Water, Overwork and Cruel Treatment.**

- A. Any person who shall impound or confine, or cause to be impounded or confined, in any pound or other place, any animal, and fails to supply the same during any such confinement with sufficient food and water, or shall cruelly overwork a domestic animal or shall cruelly drive or work the same when unfit for work, or shall unnecessarily fail to provide the same with proper care.

## The City of Iron Mountain Lake, Missouri

Any person who violates any provision of these articles shall be deemed guilty of an offense and fined up to \$75.00, depending on how serious the offense is.

The custodian of the animal will be summoned to court and made to appear before the judge to answer charges of these articles.

READ THREE TIMES AND APPROVED THIS 7<sup>TH</sup> DAY OF JANUARY 1985

Pearl Pirtle

Mayor

Attest:

Joyce Pearl

City Clerk

[Top](#)

Amendment to Ordinance 15 adding an additional subsection

**AN ORDINANCE TO AMEND ORDINANCE 15, ARTICLES ONE AND TWO, ADDING  
ADDITIONAL SUB SECTION.**

### **Article I. Definitions:**

As used in the Ordinance:

***Owner*** means any person, firm, or corporation owning, harboring or keeping a dog or cat.

***At large*** means off the premises of the owner and not under the control of the owner or members of the immediate family, either by leash or otherwise.

## **The City of Iron Mountain Lake, Missouri**

### **Article II: Vaccination and License Required:**

#### **A. Vaccinations:**

All dogs and cats kept in the City shall be vaccinated with anti-rabies vaccine within the previous thirty-six months if a three year type vaccine was administered, or during the previous twelve months for all other vaccines, and which the certificate shall bear thereon information as to the type of vaccine used.

#### **B. Licensing:**

No dog shall be permitted to run at large in the City of Iron Mountain Lake unless a license for the dog has first been secured from the City Clerk, who shall keep a record of all licenses issued and shall issue a license certificate and metal tag to all applicants who shall have correct papers showing current date and duration of rabies vaccination in compliance with this section.

#### **C. Fees; License and Tags:**

A fee of three dollars shall be paid by the owner on or before January 31 of each year for the succeeding twelve months. License fees may be adjusted each year as needed to defray cost. A late charge of five dollars shall be collected in addition to the regular fee for any license purchased after January 31 of each year.

#### **Lost or Stolen Tags:**

Lost or stolen tags shall be replaced upon request and a fee of one dollar shall be collected by the City Clerk from the owner bearing a proper and current license.

#### **E. Affixing tags:**

The owner shall cause said tag to be affixed by a permanent metal fastening to the collar of the dog so licensed in such a manner that the tag may be easily seen by the officers of the City. The owner shall see that the tag is constantly worn by the dog.

#### **F. Tags Not Transferable:**

Dog tags are not transferable and no refunds shall be made on any dog license fee because of leaving the City or the death of the dog before the expiration of the license period.

#### **G. Restrained or Fenced Dogs:**

Dogs prevented from running at large by means of an enclosed fence or pen or by securely fastening to a tree or post that provides sufficient anchorage with a chain, rope or other type of leashing with proper strength and length to prevent the dog from leaving the boundaries of the owners premises, shall be exempt from the City of the owners premises, shall be exempt from the City Licensing Requirements but must have been vaccinated in compliance with

## **The City of Iron Mountain Lake, Missouri**

this ordinance. Dogs escaping such restraints, pens or fencing will be subject to all penalties and licensing requirements as dogs running at large. Owners of fenced, penned or otherwise restrained dogs shall not be prohibited from purchasing a license to insure against having an escaped or freed dog running at large and unlicensed.

### **H. Penalty for Owners of Unlicensed Dogs:**

Persons who can be reasonably established as the owner of unlicensed dogs running at large will be subject to a penalty of ten dollars for the first offense, and twenty-five dollars for each offense thereafter until a license fee is paid. Violators of any part of this ordinance are guilty of a misdemeanor.

### **I. Impoundment and Notification:**

Unlicensed dogs running at large will be transported to the St. Francois County Humane Society for impounding. A notice of impoundment will be given to the owner of such a dog will be disposed of by the Humane Society in a humane way providing a new owner cannot be found.

### **J. Redemption:**

Any dog may be redeemed from the pound by owner within the time stated in the notice by payment to the City Clerk of the license fee for the current year plus any penalty imposed and all impounding expenses charged by the Humane Society.

### **K. Effective Date:**

Thirty days after the taking effect of this ordinance, the Police Officers appointed for this duty shall begin picking up the impoundment all unlicensed dogs found running at large within this city.

(ORD.IML – 1989)

READ THREE TIMES AND PASSED THIS 7<sup>TH</sup> DAY OF AUGUST, 1989

Doyle Lance

Mayor

Attest:

Martha Lance

# The City of Iron Mountain Lake, Missouri

City Clerk

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## Amendment 2

Bill Number

Ordinance Number 15

### AN ORDINANCE TO AMEND ORDINANCE NUMBER 15.

**IF ANY PORTION OF THIS AMENDMENT CONFLICTS WITH ANY PREVIOUS ORDINANCE, THIS AMENDED ORDINANCE SHALL SUPERSEDE ALL PREVIOUS ORDINANCES THIS AMENDED ORDINANCE SHALL BE IN FULL FORCE UPON APPROVAL OF THE BOARD OF ALDERMEN OF IRON MOUNTAIN LAKE.**

#### Article I. Definitions

The following words and phrases, when in this chapter shall have the meanings respectively ascribed to them:

**Cat:** Any member of the feline (genus felis) family.

**Cattery:** the keeping and maintaining by any person or organization of cats for the purpose of breeding for sale, within the City limits.

**Dog:** Any member of the canine (genus canis) family.

**Enclosure:** A fence or structure of at least four (4) feet in height forming or causing an enclosure suitable to prevent the entry of young children and suitable to confine a vicious dog in conjunction with other measures which may be taken by the owner, such as tethering of the vicious dog. Such enclosures shall be securely enclosed and locked designed with secure sides, top and bottom and shall be designed to prevent the animal from escaping the enclosure.

**Kennel:** the keeping and maintaining by any person or organization of dogs for the purpose of breeding for sale, within the City limits.

## **The City of Iron Mountain Lake, Missouri**

**Owner:** Any person owning, keeping or harboring any dog or cat within the City limits.

### **Vicious Dog:**

1. Any dog which, when unprovoked, in a vicious terrorizing manner approaches any person in an apparent attitude of attack upon any street, sidewalk or other area used by the public or dedicated to public use;
2. Any dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals.
3. Any dog which bites, inflicts injury, assaults or otherwise attacks a domestic animal or human being without provocation on any property;
4. Any dog owned or harbored primarily or in part for the purpose of dog fighting or any dog training for dog fighting.

A dog is not a vicious dog if an injury or damage is sustained by a person who, at the time such injury or damage was sustained, was committing a willful trespass or other tort upon premises occupied by the keeper or owner of the dog, or was teasing, tormenting, abusing, or assaulting the dog or was committing or attempting to commit a crime or violation of a municipal ordinance.

A dog is not a vicious dog if any injury or damage is sustained by a domestic animal which, at the time such injury or damage was sustained, was teasing, tormenting, abusing or assaulting the dog.

### **Article II. Leashing Requirement**

It shall be unlawful for any person owning, harboring, possessing, or having the management or care, in whole or in part, of any dog or cat to run at large. For the purposes of this Article, every dog or cat when on any street, alley or any other public place in the City of Iron Mountain Lake, which is not attached to a leash, the other end of which is securely held, or when on private property within said City, which is either not attached to a leash, the other end of which is securely held or which is not so confined to the owner's property by suitable means such as a leash, chain or fence so as to prevent its straying from the premises, shall be deemed running at large.

### **Article III. Number of Animals per residence**

## **The City of Iron Mountain Lake, Missouri**

It shall be unlawful for any person to own, keep or harbor more than five (5) dogs or cats over the age of six (6) months in a residential neighborhood. Six (6) or more will constitute a commercial kennel or cattery and require proper zoning and an occupational license by the City.

### **Article IV. Cattery or Kennel**

- A. No person shall establish a cattery or kennel within the City of Iron Mountain Lake, without first applying for in writing and receiving a special permit for such cattery or kennel from the Board of Aldermen.
- B. Any person within the City Limits, managing or maintaining a cat cattery or dog kennel shall pay a minimum annual license fee in the amount of two hundred fifty dollars (\$250.00), which license fee shall entitle the cattery or kennel owner to keep and maintain five (5) cats or five (5) dogs over six (6) months of age in such cattery or kennel, and two dollars (\$2.00) per each additional cat or dog over six (6) months of age under restraint and on the cattery or kennel owner's premises at all times. It is further provided that all cats or dogs covered by this license shall be vaccinated as provided in section 5.

### **Article V. Rabies vaccination – Required**

It shall be unlawful for any owner of any dog, cat or other domestic animal over three (3) months of age to keep or maintain any such animal unless it shall have been vaccinated with anti-rabies vaccine and such vaccination shall be renewed from time to time as may be necessary. The owner of any dog, cat or other domestic animal shall at all times, upon the request of any Police Officer, Animal Control Officer or Assistant Animal Control Officer, furnish proof that such animal has been vaccinated with anti-rabies vaccine and that the vaccination is still effective.

### **Article VI: Dog and Cats – Running At Large**

It shall be the duty of every Police officer and Animal Control Officer of the City of Iron Mountain Lake, to take up and impound, in a suitable place to be designated by the Board of Aldermen, any and all dogs and cats not restrained upon a leash as provided in Section 2 of this chapter. If the dog or cat wears a tag or if its owner can be identified by any reasonable means the owner of such animal shall be notified by a Police officer or Animal control officer as soon as possible after the animal has been impounded. It shall further be the duty of every Police Officer and Animal Control officer of the City of Iron Mountain Lake to kill any dog or cat acting in such a manner as to be dangerous to the public or which cannot be safely taken up and impounded without endangering the life or limb of the Officer attempting to capture and impound the same.

## **The City of Iron Mountain Lake, Missouri**

### **Article VII: Dogs and Cats My be redeemed by owner – How**

- A. Any dog or cat so taken and impounded as aforesaid, may be redeemed by the owner custodian thereof by paying to the City Clerk a sum of money in accordance with the following fee schedule:
1. For taking up and impounding such dog or cat.....\$40.00
  2. For feeding and caring for such dog and cat.....\$ 5.00
  3. For posting notices of impounded dog or cat.....\$ 2.00
- B. In the event that the dog or cat is not redeemed by the owner or custodian thereof within five (5) days after the date of taking up and impounding the same, any person may redeem such dog or cat by paying the fees set forth in subsection A of this section.

### **Article VIII: Dogs and Cats Shall Be Destroyed – When**

All dogs and cats remaining in the City animal pound five (5) days after the date of taking up and impounding the same, shall be killed by a City Police Officer, Animal Control Officer, or their duty authorized agent.

### **Article IX: Annoying, Barking Dogs, Complaints**

No person shall own, keep or harbor any dog that by loud, continual or frequent barking, howling or yelping shall annoy or disturb any neighborhood or person, or which habitually barks at or chases pedestrians, horses or any vehicle whatsoever, to the annoyance of such pedestrians or drivers or owners of horses or vehicles: provided however, that no violation under this section shall be prosecuted without their first being filed by an injured party a signed complaint formally charging said violator hereunder.

### **Article X: Failure of Owner to Redeem Animal:**

Whenever a dog or cat shall be impounded and shall not be redeemed by the owner, and the owner can be identified, such owner shall be deemed guilty of a misdemeanor and shall be subject to a reimbursement fee as set forth below:

For euthanasia of such dog or cat.....\$15.00

For disposing of such dog or cat..... \$15.00

### **Article XI: Failure to Vaccinate an Animal**

Every owner of a dog or cat and every person who shall suffer or permit a dog or cat to remain upon the premises under his/her immediate control without having caused such dog or cat to be vaccinated as provided under Section 5 of this



## **The City of Iron Mountain Lake, Missouri**

chapter, shall be deemed guilty of a misdemeanor, and subject to a fine as provided below:

Failure to vaccinate dog or cat.....\$25.00

### **Article XII: Interfering with Police officers or animal Control officer**

Any person or persons who shall interfere with, resist, hinder or obstruct any member of the Police Force, or any Animal Control officer, in the discharge of any duty imposed upon him/her by this Article, shall be deemed guilty of a misdemeanor, subject to a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00)

### **Article XIII: Requirements for keeping a vicious Dog**

- A. It shall be unlawful to keep a vicious dog within the City unless the owner of such vicious dog meets the following requirements:
  1. The owner shall display on his/her premises a warning that there is a vicious dog on the premises and reading, in letters not less than two (2) inches high, "Vicious Dog Here" The sign shall be conspicuously visible to the public. In case a minor is the owner or keeper of such vicious dog, the duty of posting this notice shall be upon the adult person in whose family the minor lives, or the adult person who is in charge of the premises where such vicious dog is kept.
  2. The owner shall have a locked enclosure for the vicious dog on the property where the vicious dog will be kept or maintained, and the vicious dog shall be confined in said enclosure, with the door locked. If the vicious dog is removed from the enclosure, it shall be securely muzzled and restrained with a chain having a minimum tensile strength of three hundred (300) pounds not exceeding three (3) feet in length.
  3. The owner shall have notify the Police Department or Animal Control Officer within ten (10) hours if a vicious dog is at large, is unconfined or has attacked another animal or human being.
- B. It shall be unlawful to own or harbor any dog for the purpose of fighting or to train, torment, or badger, bait or use any dog for the purpose of causing or encouraging said dog to commit unprovoked attacks upon any human beings or domestic animals. It shall be unlawful to possess with intent to sell, offer to sell, breed, buy or attempt to buy any vicious dog.

## **The City of Iron Mountain Lake, Missouri**

- C. The provisions of this Section concerning vicious dogs shall not apply to dogs owned any law enforcement agency or officer which are used in the performance of Police work.
- D. Any person convicted of violating this Section concerning vicious dogs shall be adjudged guilty of a misdemeanor and for the first (1<sup>st</sup>) offence shall be punished by a fine of not less than ten dollars (\$10.00) and not more than five hundred dollars (\$500.00). For each subsequent violation of this Section, the minimum fine shall be five hundred dollars (\$500.00). Each day any such violation shall continue shall constitute a separate offense.

### **Article XIV: Animal Neglect**

- A. A person is guilty of animal neglect when he/she has custody or ownership or both of an animal and fails to provide adequate care or adequate control, including, but not limited to, knowingly abandoning an animal in any place without making provisions for its adequate care which results in substantial harm to the animal.
- B. Animal neglect is a misdemeanor. All fines and penalties for a first (1<sup>st</sup>) conviction of animal neglect may be waived by the court provided that the person found guilty of animal neglect shows that adequate, permanent remedies for neglect have been made. Reasonable costs incurred for the care and maintenance of neglected animal may not be waived.

### **Article XV: Animal Abuse**

- A. A person is guilty of animal abuse when a person:
  - 1. Intentionally or purposely kills an animal in any manner not allowed by or expressly exempted from the provisions of Sections 578-005 to 578-023 and 273-030 RSMO.
  - 2. Purposely or intentionally causes injury or suffering to an animal; or
  - 3. Having ownership or custody of an animal knowingly fails to provide adequate care or adequate control

### **Article XVI: Violations not specifically provided for**

Any person violating, failing or refusing to comply with any of the provisions, regulations or requirements of this Chapter, shall, where a special penalty is not herein prescribed, be deemed guilty of a misdemeanor.

### **Article XVII: Fees**

## **The City of Iron Mountain Lake, Missouri**

Any and all fees, fines or costs in Section 1-16 may increase as the City deems necessary to cover any costs incurred by the City to enforce this ordinance.

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### Amendment to Section 2, Item 1

#### **ORDINANCE TO AMEND ORDINANCE NO 15 SECTION 2 ITEM I TO READ;**

##### **IMPOUNDMENT AND NOTIFICATION:**

Unlicensed dogs running at large will be transported to the Elvins police department Dog Pound for impounding. A notice of impoundment will be given to the owner of such a dog if known. In case the owner is unknown, a notice shall be posted at city hall that if the dog is notice shall be posted at city hall that if the dog is not claimed within five days of posting of said notice, the dog will be disposed of in a humane way by the City of Elvins police department.

(ORD.IML – 1990)

READ THREE TIMES AND PASSED THIS 5<sup>TH</sup> DAY OF FEBRUARY, 1990

Doyle Lance

Mayor

Attest:

Martha L. Lance

City Clerk

[Top](#)

# **The City of Iron Mountain Lake, Missouri**

## **Amendment to add Section 3**

### **AN ORDINANCE TO ADD ARTICLE 3 TO ORDINANCE 15 LIMITING NUMBER OF DOGS AND CATS KEPT ON PRIMACIES:**

#### **Article III: Number of Animals per Residence:**

It shall be unlawful for any person to own, keep or harbor more than five (5) dogs or cats over the age of six months in a residential neighborhood. Six (6) or more will constitute a commercial kennel and require proper zoning and an occupational license by the City.

(IML.ORD – 1998)

READ THREE TIMES AND PASSED THIS 13<sup>TH</sup> DAY OF JULY, 1998

Milton E. Bailey

Mayor

Attest:

Angela G. Henson

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 16 – PETTY OFFENSES**

### **Original Ordinance**

Bill Number 16

Ordinance Number 16

#### **PETTY OFFENSE ORDINANCE OF THE CITY OF IRON MOUNTAIN LAKE**

**BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

Designation of Ordinance: This ordinance shall be known as the “Petty Offense Ordinance of the City of Iron Mountain Lake;” it shall be designated as Bill Number 16 of the City Code.

#### **Article 1.**

Peace Disturbance by Fighting Words. No person shall disturb the peace of another person by communicating directly with a crime against that person such that the words used have a direct tendency to cause an immediate violent response by a reasonable recipient thereof.

#### **Article 2. Tampering.**

A person commits the offense of tampering if he:

1. Tamperers with the property of another for the purpose of causing substantial inconvenience to that person or to another; or
2. Unlawfully operates or rides in or upon another’s automobile, motorcycle, or other motor-propelled vehicle;
3. Tamperers or makes connection with property of a utility; or
4. Tamperers with the property or facilities of an institution providing health or safety protection.

#### **Article 3. Property Damage.**

A person commits the offense of property damage if he knowingly damages property of another, without license or privilege

#### **Article 4. Trespass.**

## **The City of Iron Mountain Lake, Missouri**

A person commits the offense of trespass if he enters unlawfully upon real property of another, without license or privilege.

### **Article 5. Obstructing Entry, Egress or Traffic.**

No person in a public place, or on the private property of another without consent, shall purposely cause inconvenience to another person or persons by unreasonably and physically obstructing vehicular or pedestrian traffic, or by obstructing the free ingress or egress to or from public or private places.

### **Article 6. Shoplifting, stealing.**

A person commits the offense of stealing if he appropriates property or services of another with the purpose to deprive him thereof, either without his consent or by means of deceit or coercion.

### **Article 7. Passing Bad Checks.**

A person commits the offense of passing a bad check when, with purpose to defraud, he or she issues or passes a check or other similar sight order for the payment of money, knowing that it will not be paid by the drawee, or that there is no such drawee.

1. If the issuer had no account with the drawee or if there were no such drawee at the time the check or order was issued, this fact shall be prima facie evidence of his purpose to defraud and of his or her knowledge that the check or order would not be paid.
2. If the issuer had an account with the drawee, failure to pay the check or order within ten days after notice in writing that pay the check or order within ten days after notice in writing that the drawee is prima facie evidence of his purpose to fraud and of his or her knowledge that the check or order would not be paid. Written notice as used in this subsection means notice deposited as first class mail in the United States Mail and addressed to the issuer at his address as it appears on the dishonored check or to his last known address.

### **Article 8. Possession of Marijuana.**

A person commits the offense of possession of marijuana if he shall be in possession of marijuana weighing less than 35 grams by metric weight.

### **Article 9. Supplying Alcohol to a Minor.**

No person nor his employee shall sell, give or supply any intoxicating liquor or non-intoxicating beer to any person under the age of 21 years; provided, however, that this section shall not apply to a parent or guardian who supplies intoxicating liquor or non-intoxicating beer to his child or ward under the age of 21 years

## **The City of Iron Mountain Lake, Missouri**

within the confines of a private dwelling, nor to a duly licensed physician who administers intoxicating liquor or non-intoxicating beer within the confines of a private dwelling, nor to a duly licensed physician who administers intoxicating liquor or non-intoxicating beer to a person under the age of 21 years, nor to any person who supplies intoxicating liquor or non-intoxicating beer to a person under 21 years solely for medical purposes.

### **Article 10. Attempt to Obtain Alcohol by a minor.**

No person under the age of 21 years shall represent that he has attained the age of 21 years in order to purchase, request, obtain or receive any intoxicating liquor or non-intoxicating beer.

### **Article 11. Minor in Possession of Alcohol.**

No person under the age of 21 years shall purchase, attempt to purchase, or possess any intoxicating liquor or non-intoxicating beer.

### **Article 12. Indecent Exposure.**

A person commits the offense of indecent exposure if he knowingly exposes his genitals under circumstances in which he knows that his conduct is likely to cause affront or alarm.

### **Article 13. Lewd and Lascivious Behavior.**

It shall be unlawful for any person to be guilty of any open, gross lewdness or lascivious behavior, or of any open notorious act of public indecency, grossly scandalous, or of any disorderly conduct against the public peace or public morals.

### **Article 14. Peeping Tom.**

No person shall, during the night time hours, except in the discharge or execution of an official duty, loiter about or upon the premises of a place where people reside; nor shall any person, during the night-time peep or gaze through windows, doors, or other openings of a place wherein people reside; no person shall, during the night-time engage in an indecent or perverted conduct commonly called that of a "peeping tom."

### **Article 15. Unlawful Use of a Weapon.**

A person commits the offense of unlawful use of weapons if he knowingly;

1. Shall carry concealed upon or about his person a dangerous or deadly weapon of any kind or description, including firearms, bowie knife, spring back knife, razor, metal knuckles, Billy sword cane, dirk, dagger, sling shot or other similar deadly weapons, or

## **The City of Iron Mountain Lake, Missouri**

2. Shall in the presence of one or more persons, exhibit any such weapons in a rude, angry, or threatening manner, or
3. Shall have any such weapons in his possession when intoxicated, or
4. Shall discharge or shoot a firearm within the City limits or
5. Shall possess a bomb, bombshell, explosive substance, explosive weapon, a machine gun, a short barreled rifle or shotgun, or a firearm silencer.

### **Article 16: Common Assault.**

It shall be unlawful for any person to assault or beat or wound another person without just cause.

### **Article 17. Striking a police officer.**

It shall be unlawful for any person to strike, beat or wound any Chief of Police, Police Officer, Auxiliary Officer, or any other Peace Officer of the City while such officer is actively engaged in the performance of duties imposed upon by law and every person who shall aid and assist in so doing shall be guilty of the same offense.

### **Article 18. Resisting or Interfering with Arrest.**

A person commits the offense of resisting or interfering with arrest if knowing that the law enforcement officer is making an arrest, he:

1. Resist the arrest of himself by using or threatening the use of violence or physical force or by fleeing from such officer; or
2. Interferes with the arrest of another person by using or threatening the use of violence, physical force or physical interference; or

This section applies to arrest with or without warrant and to arrests for any offense or ordinance violation.

### **Article 19. Interference with Legal Process.**

1. A person commits the crime of interference with legal process, if, knowing any person is authorized by law to serve process, for the purpose of preventing such persons from effecting the service, he interferes with or obstructs such person.
2. Process includes any writ, summons, subpoena, warrant other than arrest, warrant or other process or order of a court.

### **Article 20. False Reports.**

1. No person shall make a false report of a fire, or of a crime that supposedly has occurred or supposedly is about to occur. No person



## **The City of Iron Mountain Lake, Missouri**

shall make a false report to any law enforcement officer, security officer, fire department or other organization, official or volunteer, which deals with emergencies involving danger to life or property that a fire, a crime, a medical emergency or other incident calling for an emergency

### **Article 21. Abandoning Airtight Containers.**

No person shall abandon, discard or knowingly permit to remain on premises under his control, in place accessible to children, any abandoned, discarded icebox, refrigerator, or other airtight or semi-airtight container which has a capacity of one and one-half cubic feet or more and an opening of fifty square inches or more and which has a door or lid equipped with hinge, latches or other hardware which may cause a person to be confined therein. This ordinance does not apply to any icebox, refrigerator or other airtight or semi-airtight container located in that part of a building occupied by a dealer, warehouseman or repairman.

### **Article 22. Blasting.**

No person shall blast or cause to be blasted any rock or other substance without first giving twenty-four hours' notice and covering all sides of the place to be blasted with protective material so placed as to effectively prevent fragments of said rock or other substances from ascending into the air.

### **Article 23. Leaving the Scene of a Motor Vehicle Accident.**

A person commits the offense of leaving the scene of a motor vehicle accident when being the operator or driver of a vehicle on a public street and knowing that an injury has been caused to a person or damage has been caused to property, he leaves the place of said injury, damage, or accident without stopping and giving his name, residence (including city and street name and number), motor vehicle number and chauffer's or registered operator's number, if any to the injured party or to a police officer; or if no injured party or police officer is in the vicinity, then he shall go to the nearest police station or judicial officer for purposes of providing the information required herein.

### **Article 24. Assembly for the Purpose to Violate the Law.**

It shall be unlawful for any two or more persons to assemble together in a public or private place within the City for the purpose of violating any ordinance of this city, or any law of this State of the United States.

### **Article 25. Refusal to Disburse and Assembly for the Purpose to Violate the Law.**

## **The City of Iron Mountain Lake, Missouri**

No person who is present at the scene of an assembly for the purpose to violate the law as described herein shall knowingly fail or refuse to obey the lawful command of a law enforcement officer to depart from the scene.

### **Article 26. Attempt to Commit Offense.**

No person shall attempt to commit any offense as described herein when, with the purpose of committing the offense, he does any act which is substantial step towards the commission of the offense. A “substantial step” is conduct which is strongly corroborative of the firmness of the actor’s purpose to complete the commission of the offense.

### **Article 27. Responsibility for Conduct of Another.**

No person either before or during the commission of an offense herein described, with the purpose of promoting the commission of said offense, shall aid or agree to aid such other person in planning or attempting to commit the offense. Whosoever shall aid or agree to aid such other person shall also be guilty of any offense committed by the principal actor.

### **Article 28. Penalty for Violation of this Ordinance.**

Every person convicted of a violation of any provision of this ordinance shall be punished by fine of not less than Five Dollars (\$5.00) and not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than thirty (30) days or by both such fine and imprisonment.

### **Article 29. Repeal of Conflicting Ordinances.**

All existing ordinances or parts of ordinances in conflict with this ordinance are hereby repealed on the effective date hereof.

### **Article 30. Validity of Remainder.**

If any section, sentence, or phrase or clause of this ordinance shall be held to be invalid for any reason by a court of competent jurisdiction, the invalidity of such section, sentence, phrase or clause, shall not impair the validity of the remainder; the Board of Aldermen hereby declare that they would have passed the remaining portions of this ordinance had they known that such sections, sentence, phrase or clause, would be held invalid.

*Addendum; wherein the masculine gender is stated it is intended to mean the feminine gender also, i.e., he/she or his/her.*

## **The City of Iron Mountain Lake, Missouri**

READ THREE TIMES AND PASSED THIS 11<sup>TH</sup> DAY OF NOVEMBER, 1985

APPROVED THIS 11<sup>TH</sup> DAY OF NOVEMBER, 1985.

John M. Rogers

Mayor

Attest:

Sharon Jordan

City Clerk

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Amendment, Resolution, and Addendum to Section 2

### **AMENDMENT RESOLUTION AND ADDENDUM**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN (COUNCILMEN) OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**For purposes of clarification of the City of Iron Mountain Lake, Missouri, Ordinance Number 16, Article Number 2.**

Sub Item #1 “tampering, etc.” and Article 3, “Property damage, etc.” shall henceforth be all inclusive to embody the new term of Burglary II, i.e. Breaking and Entering.

“Breaking and Entering” is defined as relating to a building and/or a dwelling primarily at night, but not necessarily at night, with felonious intent to steal and/or damage the premises and/or the contents of the said premises.

## **The City of Iron Mountain Lake, Missouri**

This amendment to ordinance number 16, when passed, does not supersede any of the above mentioned sections but rather further defines those sections and should be known as Article 3-A.

READ THREE TIMES AND PASSED THIS 15<sup>TH</sup> DAY OF JULY, 1987.

APPROVED THIS 15TH DAY OF JULY, 1987

Milburn L. Schrum

Mayor

Attest:

Martha Lance

City Clerk

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### **Amendment to Section 19**

#### **AN ORDINANCE TO AMEND ORDINANCE 16, SECTION 19 PERTAINING TO INTERFERENCE WITH LEGAL PROCESS BY ADDING PART THREE (3)**

##### **Article 19. Interference with Legal Process.**

1. A person commits the crime of interference with legal process, if, knowing any person is authorized by law to serve process, for the purpose of preventing such persons from effecting the service, he interferes with or obstructs such person.
2. Process includes any writ, summons, subpoena, warrant other than arrest, warrant or other process or order of a court.
3. A person commits the offense of failure to appear before the Municipal Court of the City of Iron Mountain Lake if he/she fails to

## **The City of Iron Mountain Lake, Missouri**

appear before said court at the time and on the date directed to do so,  
in response to a lawful summons issued to him/her.

(ORD.IML – 1991)

READ THREE TIMES AND PASSED THIS 4<sup>TH</sup> DAY OF MARCH, 1991

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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Amendment to Section 2

**AN ORDINANCE TO AMEND BILL NUMBER 16, ORDINANCE NUMBER 16  
ENTITLED “PETTY OFFENCES ORDINANCE” OF THE CITY OF IRON MOUNTAIN  
LAKE, MISSOURI.**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON  
MOUNTAIN LAKE AS FOLLOWS:**

**Ordinance Number 16, Section Two Entitled “Property Damage” Shall Be Changed To  
Read:**

## **The City of Iron Mountain Lake, Missouri**

### **Article 3:**

A person commits the offense of property damage if he or she knowingly damages, destroys, defaces, or otherwise vandalizes the property of another, either public or private without license or privilege.

(ORD.IML – 1991)

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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## **Amendment to Section 8**

Bill Number 2009-001

Ordinance Number 16

### **AMENDMENT TO ORDINANCE 16 ARTICLE 8 TO INCLUDE THE FOLLOWING:**

**BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF IRON MOUNTAIN LAKE AS FOLLOWS:**

#### **Article 8.1 Drug Paraphernalia**

As used in this division, drug paraphernalia means all equipment, products and materials of any kind which are used, intended for use, or designed for use, in

## **The City of Iron Mountain Lake, Missouri**

planting propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance or an imitation controlled substance in violation of RSMO 195.005 – 104.425. It includes, but is not limited to:

1. Kits, used, intended for use, or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance from which a controlled substance can be derived;
2. Kits, used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances or imitation controlled substances;
3. Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substances or imitation controlled substance;
4. Testing equipment used, intended for use or designed for use in identifying, or in analyzing the strength, effectiveness or purity of controlled substances or imitation controlled substances;
5. Scales and balances used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness or purity of controlled substances or imitation controlled substances;
6. Dilutant and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use, or designed for use in cutting controlled substances or imitation controlled substances;
7. Separation gins, and sifter used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;
8. Blenders, bowls, containers, spoons and mixing devices used, intended for use, or designed for use in compounding controlled substances or imitation controlled substances;
9. Capsules, balloons, envelopes and other containers used, intended for use or designed for use in packaging small quantities of controlled substances or imitation controlled substances;
10. Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances or imitation controlled substances;
11. Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injecting controlled substances or imitation controlled substances into the human body;

## The City of Iron Mountain Lake, Missouri

12. Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish or hashish oil into the human body such as:
  - a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
  - b. Water pipes;
  - c. Carburetor tubes and devices;
  - d. Smoking and carburation masks;
  - e. Roach, meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
  - f. Miniature cocaine spoons and cocaine vials;
  - g. Chamber pipes;
  - h. Carburetor pipes;
  - i. Electric pipes;
  - j. Air-driven pipes;
  - k. Chillums;
  - l. Bongs;
  - m. Ice Pipes or chillers.
    - i. In determining whether an object is drug paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:
    - ii. Prior convictions, if any, of an owner, or of anyone in control of the object, under any State or Federal Law relating to any controlled substance or imitation controlled substance;
    - iii. The proximity of the object, in time and space, to a direct violation of RSMO 195.005 – 195.425
    - iv. The proximity of the object to controlled substances or imitation controlled substances;
    - v. The existence of any residue of controlled substances or imitation controlled substances on the object.

### Section 8.2 Use or Possession.

It is unlawful for any person to use or to possess with intent to use, drug paraphernalia.

### Section 8.3 Controlled Substances.

1. It shall be unlawful for any person to have possession of any controlled substances as defined by RSMO 195.017 as 195.017, unless the substance has been prescribed to that person or for that



## **The City of Iron Mountain Lake, Missouri**

person's use by a physician, dentist, apothecary or other person authorized under Missouri State Law.

2. It shall be unlawful for a person to whom or for whose use a prescription drug has been prescribed, sold or dispensed, by a physician, dentist, apothecary or other person authorized under Missouri State Law, to possess the prescribed drug except in the container in which it was delivered to him by the person selling or dispensing the same.
3. It shall be unlawful for any person to possess any paraphernalia for the use of any controlled substance as defined under RSMO 195.010 (18).

DATE OF FIRST READING: FEBRUARY 9, 2009

DATE OF SECOND READING: FEBRUARY 9, 2009

PASSED AND APPROVED THIS 9<sup>TH</sup> DAY OF FEBRAURY, 2009

Jody Niccum

Mayor

Attest:

Julie Bennett

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 17 – COOPERATIVE AGREEMENT FOR WATER**  
**WITH PILOT KNOB**

Original Ordinance

Bill Number 17

Ordinance Number 17

**AN ORDINANCE RATIFYING A COOPERATIVE AGREEMENT WITH THE PILOT  
KNOB RURAL WATER SUPPLY DISTRICT, NUMBER 1**

WHEREAS, a cooperative agreement with the pilot knob rural water supply district, number 1, was entered into on December 2, 1985 by the City of Iron Mountain Lake, a Municipal Corporation, and

WHEREAS, Section 70.230 RSMO requires that such cooperative agreements be approved by ordinance.

**THEREFORE, THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN  
LAKE, STATE OF MISSOURI, DOES ORDAIN AS FOLLOWS:**

**Article I:**

The Cooperative Agreement Dated December 2, 1985 attached hereto between the City of Iron Mountain Lake, a Municipal Corporation, and the Pilot Knob Rural Water Supply District, Number 1, a Missouri Political Subdivision, be and the same is hereby approved; and the Mayor is hereby authorized and directed to execute the same for and on behalf of the City, and that the City Clerk is authorized and directed to attest his signature thereto.

**Article II:**

The Ordinance shall take effect retroactively to December 2, 1985 upon its passage.

## **The City of Iron Mountain Lake, Missouri**

READ THREE (3) TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, A MUNICIPAL CORPORATION, ON THIS 3<sup>RD</sup> DAY OF MARCH, 1986.

John M. Rogers

Mayor

Attest:

Sharon Jordan

City Clerk

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### **Amendment 1**

#### **Article I: Application for Community Development Block Grant Funds**

City agrees to file and sponsor an application on behalf of the Water District for funds through the Missouri Community Development Block Grant Program for the 1986 fiscal year.

#### **Article II: Administration of Community Development Block Grant Funds**

City agrees to contract with the Southeast Missouri Regional Planning Commission, or another equally qualified organization subject to Water District approval, to administer the Community Development Block Grant Funds that may be received by reason of this application, to include but not to be limited to, the receipt and expenditure of such funds, the filing of necessary reports, and the compliance with other Missouri Community Development Block Grant Program administrative rules and regulations. The parties agree that all expenses of administration be paid for from the Community Development Block Grant Funds.

#### **Article III: Decision Making Authority**

City desires to retain only that decision making authority necessary to insure that Community Development Block Grant Funds are properly administered by a competent organization and that there is substantial compliance with all Missouri

## **The City of Iron Mountain Lake, Missouri**

Community Development Block Grant Program Rules and Regulations. The City further agrees that all other decision making authority be delegated to the Water District, to include but not to be limited to, the hiring of professional services (i.e. engineer, attorney, etc.), advertising and awarding of construction contracts, and all other matters relating to the installation, location, construction, and operation of the proposed water distribution system.

### **AGREEMENT OF COOPERATION BETWEEN CITY AND WATER DISTRICT**

**This agreement made on the 2<sup>nd</sup> day of December, 1985 by and between the City of Iron Mountain Lake, a Municipal Corporation in the County of St. Francois, Missouri, hereinafter referred to as “City,” and the Pilot Knob Rural Water Supply District, Number 1, a political subdivision located in the County of Iron and the County of St. Francois, Missouri, hereinafter referred to as “Water District.”**

WITNESSETH:

WHEREAS, THE WATER DISTRICT PROPOSES THE CONSTRUCTION OF A WATER DISTRIBUTION SYSTEM BOTH WITHIN THE LIMITS OF THE CITY, AND THE ADJOINING AREA OF ST. FRANCOIS COUNTY AND IRON COUNTY, MISSOURI, AND

WHEREAS, THE WATER DISTRICT PROPOSES TO FINANCE THE CONSTRUCTION OF SAID WATER DISTRIBUTION SYSTEM THROUGH FUNDS FROM THE MISSOURI COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND OTHER FUNDS, AND

WHEREAS, THE WATER DISTRICT DESIRES THE CITY TO FILE ON ITS BEHALF AN APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, AND CITY DESIRES TO FILE SUCH AN APPLICATION ON BEHALF OF WATER DISTRICT, AND

## **The City of Iron Mountain Lake, Missouri**

WHEREAS, THE CITY ACKNOWLEDGES THE NEED FOR,  
AND THE DIRECT BENEFIT OF, A WATER DISTRIBUTION  
SYSTEM AVAILABLE TO SERVE ITS RESIDENTS AS WELL  
AS RESIDENTS OUTSIDE OF ITS CITY LIMITS, AND

WHEREAS, CITY AND WATER DISTRICT DESIRE TO  
ENTER INTO A COOPERATIVE AGREEMENT PURSUANT  
TO ARTICLE VI, SECTION 16 OF THE MISSOURI  
CONSTITUTION AND SECTION 70.220 RSMO FOR THE  
PURPOSES SET FORTH HEREIN.

**NOW, THEREFOR, IN CONSIDERATION OF THESE  
PREMISES, THE PARTIES MUTUALLY PROMISE,  
COVENANT AND AGREE AS FOLLOWS:**

### **Article IV: Liability**

The parties hereby undertake the duties and obligations of this Cooperative Agreement for themselves and their successors, and by this Agreement intend to create a joint obligation hereunder as to the administration and expenditure of Community Development Block Grant Funds. As to any other duties or obligations hereunder, each of the parties are several and distinct, and any action arising out of this agreement may be brought against any one of the parties without joining the other party.

### **Article V: Modification**

This instrument contains the entire agreement between the parties and no statements made by either party or agent of either party that is not contained herein shall be valid or binding. This contract shall not be modified, except in writing and executed by the parties.

### **Article VI: Duration**

It is hereby agreed by the parties that this agreement shall continue in force from the effective date hereof until either Community Development Block Grant Funds applied for hereunder are denied, or if Community Development Block Grant Funds are approved, then until receipt of a release of all liability and obligation from the Missouri Community Development Block obligation from the Missouri Community Development block Grant Program stating satisfactory administration of such funds.

## **The City of Iron Mountain Lake, Missouri**

IN WITNESS WHEREOF, THE CITY AND WATER DISTRICT HAVE EXECUTED THIS COOPERATIVE AGREEMENT FOR APPLICATION AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AS OF THE 2<sup>ND</sup> DAY OF DECEMBER, 1985.

**City of Iron Mountain Lake, a Municipal Corporation, State of Missouri by:**

John Rogers

Mayor

**Pilot Knob Rural Water Supply District, Number 1, a Political Subdivision, State of Missouri by:**

Edward Hennessey

President

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Amended Agreement between Pilot Knob Rural Water and the City

### **AMENDED AGREEMENT OF COOPERATION BETWEEN CITY AND WATER DISTRICT.**

**This amended agreement made on the 2<sup>nd</sup> day of August, 1991, by and between the City of Iron Mountain Lake, a municipal corporation in the County of St. Francois Missouri, hereinafter referred to as “City,” and the Pilot Knob Rural Water Supply District, Number One, a political subdivision located in the County of Iron and the County of St. Francois, Missouri, hereinafter referred to as “Water District.”**

WITNESSETH:

## **The City of Iron Mountain Lake, Missouri**

WHEREAS, THE WATER DISTRICT PROPOSES THE CONSTRUCTION OF A WATER DISTRIBUTION SYSTEM BOTH WITHIN THE LIMITS OF THE CITY AND THE ADJOINING AREAS OF ST. FRANCOIS COUNTY AND IRON COUNTY, MISSOURI, AND

WHEREAS, THE WATER DISTRICT PROPOSES TO FINANCE THE CONSTRUCTION OF SAID WATER DISTRIBUTION SYSTEM THROUGH FUNDS FROM MISSOURI COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND OTHER FUNDS, AND

WHEREAS, THE WATER DISTRICT DESIRES THE CITY TO FILE ON ITS BEHALF AND APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, AND CITY DESIRES TO FILE SUCH AN APPLICATION ON BEHALF OF WATER DISTRICT, AND

WHEREAS, THE CITY ACKNOWLEDGES THE NEED FOR, AND THE DIRECT BENEFIT OF, A WATER DISTRIBUTION SYSTEM AVAILABLE TO SERVICE ITS RESIDENTS AS WELL AS RESIDENTS OUTSIDE OF ITS CITY LIMITS, AND

WHEREAS, CITY AND WATER DISTRICT DESIRE TO ENTER INTO A COOPERATIVE AGREEMENT PURSUANT TO ARTICLE VI, SECTION 16 OF THE MISSOURI CONSTITUTION AND SECTION 70.220 RSMO. FOR THE PURPOSES SET FORTH HEREIN.

**NOW THEREFORE, IN THE CONSIDERATION OF THESE PREMISES, THE PARTIES MUTUALLY PROMISE, COVENANT AND AGREE AS FOLLOWS:**

# **The City of Iron Mountain Lake, Missouri**

## **Article I: Application for community Development Block Grant Funds**

City agrees to file and sponsor an application on behalf of the City for funds through the Missouri Community Development Block Grant Program for the 1986 Fiscal year to aid in the financing of the water system serving the City.

## **Article II: Administration of Community Development Block Grant Funds.**

City agrees to contract with the Southeast Missouri Regional Planning Commission to administer the Community Development Block Grant Funds that may be received by reason of this application to include but not be limited to, the receipt and expenditure of such funds, the filing of necessary reports, and the compliance with other Missouri Community Development Block Grant Program administrative rules and regulations, and all other administrative work. The payment of the administrative costs shall be a part of that portion of the work that is eligible for Block Grant payments shall be done by the following basic steps. Invoices for construction will be submitted to the engineer. The engineer will approve the invoice and then forward it on to the City, the Water District, and to Southeast Missouri Regional Planning and Economic Development commission. If the water District finds a discrepancy in the invoice, they should notify the administrator and the engineer at that point. Southeast Missouri Regional planning and Economic Development Commission will not prepare the paperwork to draw down money from the State until any questions have been resolved. If no objections to the invoice are received, Southeast Missouri Regional Planning and Economic Development Commission will prepare a request for funds (RFF) form to draw down funds needed and forward four (4) copies of the RFF to the City. The City will sign the RFF and forward one (1) copy to the Block Grant Office, retain one (1) copy for the City's files, forward one (1) copy to the Water District, and return one (1) copy to Southeast Missouri Regional Planning Commission. In approximately two to three weeks funds will be deposited by the State in the City's checking account. The City must notify the Water District of their intent to disburse funds before writing any checks for the payment to the contractor, etc., thereby advising the Water District of the payment of a particular invoice. The City must disburse these funds within five (5) days from the date they are received in their checking account.

## **Article III: Decision Making Authority**

City desires to retain only that decision making authority necessary to insure that Community Development Block Grant funds are properly administered by a competent organization that there is substantial compliance with all Missouri Community Development Block Grant Program Rules and Regulations. The City



## **The City of Iron Mountain Lake, Missouri**

further agrees that all other decision making authority be delegated to the Water District, to include but not to be limited to, the hiring of professional services (i.e. engineer, attorney, etc.), advertising and awarding of construction contracts, and all other matters relating to the installation, location, construction, and operation of the proposed water distribution system.

### **Article IV: Liability**

The parties hereby undertake the duties and obligations of this Amended Cooperative Agreement for themselves and their successors, and by this Amended Agreement intend to create a joint obligation hereunder as to the administration and expenditure of Community Development Block Grant Funds. As to any other duties or obligations hereunder, each of the parties are several and distinct, and any action arising out of this amended agreement may be brought against any one of the parties without joining the other party.

### **Article V: Modification**

This instrument contains the entire Amended Agreement between the parties and no statements made by either party or agent of either party that is not contained herein shall be valid or binding. This contract shall not be modified, except in writing and executed by the parties.

### **Article VI: Duration**

It is hereby agreed by the parties that the duration of this amended agreement shall extend from this date until the completion and acceptance of the project between the City of Iron Mountain Lake, a Municipal Corporation, Pilot knob Rural Water Supply District, number one, a political subdivision, the project engineer, and all other agencies that are concerned.

IN WITNESS WHEREOF, THE CITY AND WATER DISTRICT HAVE EXECUTED THIS AMENDED COOPERATIVE AGREEMENT FOR APPLICATION AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AS THE 2<sup>ND</sup> DAY OF AUGUST, 1991.

**City of Iron Mountain Lake, a Municipal Corporation, State of Missouri, by:**

Doyle Lance

Mayor

## **The City of Iron Mountain Lake, Missouri**

Attest:

Martha Lance

City Clerk

**Pilot Knob rural Water supply District, Number One, a Political subdivision, State of Missouri by:**

Edward w. Hennessey

President

Attest:

T. June Miller

Board Clerk

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Amendment to section 1

**AN ORDINANCE TO AMEND SECTION ONE OF ORDINANCE NUMBER 17  
RATIFYING A COOPERATIVE AGREEMENT WITH THE PILOT KNOB RURAL  
WATER SUPPLY DISTRICT, NUMBER 1.**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON  
MOUNTAIN LAKE, MISSOURI, THE AMENDMENT SHALL READ AS FOLLOWS:**

### **Article I.**

The cooperative agreement dated December 2, 1985 attached hereto and the amended agreement dated August 2, 1991 also attached hereto, between the City of Iron Mountain Lake, a Municipal Corporation, and the Pilot Knob Rural Water

## **The City of Iron Mountain Lake, Missouri**

Supply District, Number 1, a Missouri Political subdivision, be and the same is hereby approved; and the Mayor is hereby authorized and directed to execute the same for and on behalf of the City, and that the City Clerk is authorized and directed to attest his signature thereto.

(ORD.IML – 1991)

READ THREE TIMES AND PASSED THIS 12<sup>TH</sup> DAY OF AUGUST, 1991

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 18 – PARK RULES AND REGULATIONS**  
Original Ordinance

**AN ORDINANCE TO RATIFY THE IRON MOUNTAIN LAKE CITY PARK RULES  
AND REGULATIONS.**

**The Iron Mountain Lake Park Board approves the following rules and regulations  
for the use of the City Park and park areas:**

1. Hours for park and swimming area:
  - a. 6am to 10pm, May 30 to October 30
  - b. 6am to 9pm, October 30 to May 30
  - c. Friday and Saturday until 11pm in swimming area only.
2. All boats shall be equipped with Marine Safety Life Jackets. Children and non-swimmers are required to wear lifejackets or flotation cushions while in boats.
3. Speeding or reckless handling, harassment of swimmers or fishermen, with boats or pontoons is prohibited. No towing or skiing will be allowed at this time.
4. Motors for boats and pontoons shall be limited to 10 HP.
5. Children under 12 years of age will be allowed to play on floating swimming dock or fishing piers unless under supervision.
6. No glass bottles allowed in park or swimming area.
7. The throwing of bottles allowed in park or swimming area.
8. Walking on or across the spillway is strictly prohibited. It is recommended that parents do not allow children to play near the dam.
9. Parking shall be permitted in parking lots and designated areas only.
10. No loitering in parking areas or park after posted closing time.
11. Read three (3) times and passed by the Board of Aldermen of the City of Iron Mountain Lake, a municipal Corporation, on this 5<sup>th</sup> day of May, 1986.

(IML.ORD – 1986)

John M Rogers

Mayor

## The City of Iron Mountain Lake, Missouri

Attest:

Martha Lance

City Clerk

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### Addendum:

1. All rules shall be subject to fine. Referral to Ordinance Number 16
2. No boats shall be left on lake area banks.

## Amendment to Sections 1 and 11

Bill Number

Ordinance Number 18

### **AN ORDINANCE AMENDING ORDINANCE NUMBER 18, SECTION 1, AND “REVISION” AND “ADDENDUM” SECTION 11 CONCERNING HOURS OF OPERATION; ENFORCEMENT**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS  
FOLLOWS:**

**THAT ORDINANCE NUMBER 18, SECTION 1 OF THE CITY OF IRON MOUNTAIN  
LAKE READ THREE TIMES AND PASSED ON MAY 5, 1986 AND THE “REVISION”  
AND “ADDENDUM” SECTION 11 BE AMENDED AND THAT ORDINANCE NUMBER  
18 SHALL READ AS FOLLOWS:**

#### **Article 1. Hours of Operation.**

The City Park and Swimming Area, including the parking lots and designated parking areas, shall open at sunrise. The City Park and Swimming Area,

## **The City of Iron Mountain Lake, Missouri**

including the parking lots and designated parking areas shall close thirty minutes after sunset.

- A. For purposes of this ordinance, sunrise and sunset shall be established by a printed table adopted by the Board of Alderman of the City of Iron Mountain Lake.
- B. The hours of operation shall be posted. However, and unauthorized removal of, or any vandalism to the posting of the hours of operation has no effect on the hours of operation.
- C. Those persons entering or remaining in or on the City Park and Swimming Area, including the parking lots or designated areas at any time not within the hours of operation shall be deemed to be on or in the real property constituting the City Park and Swimming Area, including the parking lots or designated parking areas unlawfully, without license or privilege.

### **Article II. Enforcement of Rules.**

Violations of the Rules and regulations stated in this Ordinance 18 shall be enforced as violations of the applicable sections and/or amendments of the Ordinances of the City of Iron Mountain Lake, including, but not limited to, Ordinances Numbers 1,2,3,4,5,7,16,21 of the City of Iron Mountain Lake.

SAID AMENDMENTS SHALL BE EFFECTIVE ON DATE OF PASSAGE.

DATE OF FIRST READING: OCTOBER 10<sup>TH</sup>, 2005

DATE OF SECOND READING: OCTOBER 10<sup>TH</sup>, 2005

PASSED AND APPROVED: OCTOBER 10<sup>TH</sup>, 2005

Bill Skaggs

Mayor

Attest:

Christina Lincoln

City Clerk

## **The City of Iron Mountain Lake, Missouri**

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 19 – SEMO**  
Original Ordinance

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND THE SOUTHEAST MISSOURI REGIONAL PLANNING AND ECONOMIC DEVELOPMENT COMMISSION RELATIVE TO ADMINISTRATION OF THE 1986 COMMUNITY DEVELOPMENT BLOCK GRANT; FURTHER, SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

WHEREAS, the Mayor and Board of Aldermen have heretofore reviewed a contract, marked exhibit a and attached hereto and incorporated herein as in fully set forth; and,

WHEREAS, the Mayor and Board of Aldermen of the City of Iron Mountain Lake, Missouri, deem it advisable to enter into said contract;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

- A. That the Mayor and Board of Aldermen of the City of Iron Mountain Lake approve the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Iron Mountain Lake, a Municipal Corporation, and the Southeast Missouri Regional Planning and Economic Development Commission. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Iron Mountain Lake that the City enter into said contract.
- B. That the Mayor be and is hereby authorized and directed to execute said contract for and on behalf of the City of Iron Mountain Lake, Missouri.
- C. That the City Clerk of the City of Iron Mountain Lake is hereby authorized and directed to attest to the signature of the Mayor on the attached contract.



## **The City of Iron Mountain Lake, Missouri**

- D. If any section, subsection, sentence, clause phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion hereof.
- E. The Mayor and Board of Aldermen hereby declare this ordinance to be an emergency ordinance in order to protect the health, safety, and welfare of the citizens of the City of Iron Mountain Lake.
- F. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: SEPTEMBER 8<sup>TH</sup>, 1986

SECOND AND THIRD READING: OCTOBER 6<sup>TH</sup>, 1986

PASSED AND APPROVED THIS 6<sup>TH</sup> DAY OF OCTOBER, 1986 BY A VOTE OF 3 AYES, 0 NAYS, AND 1 ABSENT.

(ORD.IML – 1986)

### **City of Iron Mountain Lake, Missouri**

John Rogers

Mayor

Attest:

Martha Lance

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 20 – FAIR HOUSING**  
Original Ordinance

Bill Number 20

Ordinance Number 20

**AN ORDINANCE PROVIDING “FAIR HOUSING” FOR THE CITY OF IRON  
MOUNTAIN LAKE, MISSOURI, DEFINING DISCRIMINATORY HOUSING  
PRACTICES AND CREATING A FAIR HOUSING COMMITTEE.**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON  
MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**Article I: Declaration of Policy**

The Board of Aldermen of the City of Iron Mountain Lake hereby declares it to be the public policy of the City to eliminate discrimination and safeguard the right of any person to sell, purchase, lease, rent or obtain real property without regard to race, sex, color, religion, national origin or ancestry. This ordinance shall be deemed an exercise of the police powers of the City of Iron Mountain Lake, Missouri, for the protection of the public welfare, prosperity, health and peace of the people of Iron Mountain Lake.

**Article II: Definitions**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein unless the context otherwise indicates.

- A. Person shall include any individual, firm, partnership or corporation.
- B. Aggrieved person shall include any person who is attempting to provide housing for himself and/or his family in the City of Iron Mountain Lake, Missouri
- C. Discriminate shall mean distinctions in treatment because of race, sex, color, religion or national origin of any person.

**Article III. Discriminatory Practices**

## **The City of Iron Mountain Lake, Missouri**

It shall be a discriminatory practice and a violation of this ordinance for any person to:

- A. Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, sex, color, religion or national origin.
- B. Discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, sex, color, religion, or national origin.
- C. Make, print or publish, or cause to be made, printed or published, any notice, statement or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, sex, color, religion, or national origin, or an intention to make any such preference, limitation, or discrimination.
- D. Represent to any person because of race, sex, color, religion, or national origin, that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.
- E. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, sex, color religion, or national origin.

### **Article IV. Discrimination in the Financing of a House**

It shall be unlawful for any bank, building or loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan to a person applying therefor a dwelling, or to discriminate against him in the fixing of the amount or conditions of such loan, because of the race, sex, color, religion, or national origin of such person or any person associated with him in connection with such financing.

### **Article V.**

The provisions of this ordinance, and particularly Section 3 hereof, shall not apply to the following:

- A. A rental or leasing of a dwelling unit in a building which contains housing accommodations for not more than two (2) families living independently of each other, if the owner or members of his family resident in such dwelling.

## **The City of Iron Mountain Lake, Missouri**

- B. A rental or leasing to less than five (5) persons living in a dwelling unit by the owner if the owner or members of his family reside therein.
- C. Any single-family house sold or rented by an owner provided that such house is sold or rented;
  - 1. Without the use of sale or rental facilities or services of real estate brokers, agents, salesmen, or persons in the business of selling or renting dwellings; and,
  - 2. Without the publication, posting or mailing of any advertisement in violation of section 3 (c) of this ordinance;

Provided however, that:

- a. Nothing in this provision shall prohibit the use of attorneys, escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer title; and,
  - b. That any such private individual owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of more than three (3) such single-family houses at any one time.
- D. For the purposes of subsection (d), a person shall be in the business of selling or renting dwellings if:
  - 1. He has, within the preceding twelve (12) months, participated as principal in three (3) or more transactions involving the sale or rental of any dwelling or any interest therein; or,
  - 2. He has, within the preceding twelve (12) months, participated as agent, other than in the sale of his own personal residence, in providing sales or rental facilities or sales or rental services in two (2) or more transactions involving the sale or rental of any dwelling or any interest therein; or,
  - 3. He is the owner of any dwelling designed or intended for occupancy by or occupied by five (5) or more families.

### **Article VI. Administration**

- A. There is hereby created a Fair Housing Committee whose membership shall consist of five (5) members, who shall be appointed by the Mayor of the City with the approval of the Board of Aldermen.
- B. Every complaint of a violation of this ordinance shall be referred to the Fair Housing Committee. The Fair Housing Committee shall forthwith notify the person against whom the complaint is made. The identity of the aggrieved person shall be made known to the person

## **The City of Iron Mountain Lake, Missouri**

against whom the complaint is made at that time. If the Fair Housing Committee, after investigation, finds there is no merit to the complaint, the same shall be dismissed. If the Fair Housing Committee finds that there is merit in the complaint, in their opinion, then and in that event, the Fair Housing Committee will endeavor to eliminate the alleged discriminatory practice by conference and conciliation.

- C. If the Fair Housing Committee is unable to eliminate the alleged discriminatory practice by a conference and conciliation, then and in that event, the Fair Housing committee shall forward said complaint to the City Attorney for handling. The final determination of whether or not to prosecute on said complaint shall be left to the City Attorney.

### **Article VII. Enforcement**

- A. Any person convicted of a violation of this ordinance shall be punished by a fine of not more than two hundred dollars (\$200.00) or by confinement in the City Jail for not more than thirty (30) days, or by both such fine and imprisonment.
- B. The City Attorney, instead of filing a complaint in Municipal Court of said City, may, as an alternative remedy, seek to have the alleged discriminatory practices abated by an action for an injunction to be maintained in the appropriate Circuit Court of the State of Missouri.

### **Article VIII. Severability**

If any section, subsection, paragraph, sentence, clause, or phrase of these standards shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance which shall continue in full force and effect. To this end, the provisions of this ordinance are hereby declared to be severable.

### **Article IX. Savings Clause**

This ordinance shall not affect violations of any other ordinance, code or regulation of the City of Iron Mountain Lake existing prior to the effective date hereof. Any such violations shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

READ THE THIRD TIME AND PASSED, APPROVED AND ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, THIS 6<sup>TH</sup> DAY OF OCTOBER, 1986.

# The City of Iron Mountain Lake, Missouri

(ORD.IML – 1986)

John Rogers

Mayor

Attest:

Martha Lance

City Clerk

## Amendment 1

Bill Number 20

Ordinance number 20

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### **AN ORDINANCE PROVIDING FAIR HOUSING FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI DEFINES DISCRIMINATORY HOUSING PRACTICES AND CREATES A FAIR HOUSING COMMITTEE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

#### **Article I: Declaration of Policy**

The City Council of the City of Iron Mountain Lake hereby declares it to be the public policy of the City to eliminate discrimination and safeguard the right of any person to sell, purchase, lease, rent or obtain real property without regard to race, sex, color, national origin, religion, religious affiliation, disability and familial status. This ordinance shall be deemed an exercise of the police powers of the City of Iron Mountain Lake, Missouri, for the protection of the public

## **The City of Iron Mountain Lake, Missouri**

welfare, prosperity, health and peace of the people of the City of Iron Mountain Lake, Missouri.

### **Article II: Definitions**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein unless the context otherwise indicates.

- A. Person shall include any individual, form, partnership or corporation.
- B. Aggrieved person shall include any person who is attempting to provide housing for himself and/or his family in the City of Iron Mountain Lake, Missouri.
- C. Discriminate shall mean distinctions in treatment because of race, sex, color, religion, religious affiliation, national origin, disability or familial status of any person.

### **Article IV: Discriminatory Practices**

It shall be a discriminatory practice and a violation of his ordinance for any person to:

- A. Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rent of, or otherwise make unavailable or deny, a dwelling to any person because of race, sex, color, religion, religious affiliation, disability, familial status or national origin of any person.
- B. Discriminate against any person in the terms, conditions, or privileges or sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, sex, color, religion, religious affiliation, disability, familial status or national origin.
- C. Make, print or publish, or cause to be made, printed or published, any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on race, sex, color, disability, familial status, religion, religious affiliation or national origin, or an intention to make any such preference, limitation or discrimination.
- D. Represent to any person because of race, sex color, religion religious affiliation, disability, familial status or national origin that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.
- E. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, sex,

## **The City of Iron Mountain Lake, Missouri**

color, religion, religious affiliation, disability, familial status or national origin.

- F. Discriminate in the sale or rental of housing on the basis of a disability of that buyer or renter; a person residing in or intending to reside in that dwelling after it is so sold, rented or made available; or any person associated with that buyer or renter. The design and construction of new multi-family dwellings containing four (4) or more units is required to meet certain adaptability and accessibility requirements in accordance with Section 804 of the 1988 Fair Housing Amendments Act.
- G. Discriminate in the sale or rental of housing on the basis of familial status or because a family has children, exempting certain types of buildings that house older persons (e.g. Section 202 housing) in accordance with Section 807 of the Fair Housing Amendments Act.

### **Article IV: Discrimination in the Financing of a House**

It shall be unlawful for any bank, building and loan association, insurance company or other corporation association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan to a person applying therefore for the purpose of purchasing, constructing, repairing or maintaining a dwelling, or to discriminate against any person in the fixing of the amount or conditions of such loan, because of the race, sex, color, disability, familial status, religion, religious affiliation or national origin of such person or of any person therein associated in connection with such financing.

### **Article V: Administration**

- A. There is hereby created a Fair Housing Committee whose membership shall consist of three (3) members who shall be appointed by the Mayor of the City with the approval of the City Council
- B. Every complaint of a violation of this ordinance shall be referred to the Fair Housing Committee. The Fair Housing Committee shall forthwith notify the person against whom the complaint is made. The identity of the aggrieved person against whom the complaint is made. The identity of the aggrieved person shall be made known to the person against whom the complaint is made at that time. If the Fair Housing Committee, after investigation, finds there is no merit to the complaint, the same shall be dismissed. If the Fair Housing Committee finds that there is merit in the complaint, in their opinion, then and in that event, the Fair Housing Committee will endeavor to eliminate the alleged discriminatory practice by conference and conciliation.



## **The City of Iron Mountain Lake, Missouri**

- C. If the Fair Housing Committee is unable to eliminate the alleged discriminatory practice by a conference and conciliation, then and in that event, the Fair Housing Committee shall forward said complaint to the City Attorney for handling. The final determination of whether or not to prosecute on said complaint shall be left to the City Attorney.
- D. Nothing in this ordinance shall be construed in such manner as to limit administrative enforcement mechanisms and recourse against alleged discriminatory housing practices through the U.S. Department of Housing and Urban Development, as specified under Section 810 of the Fair Housing Act as amended effective March 12, 1989, or through the Missouri Commission on Human Rights, as specified in applicable State Statutes.

### **Article VI: Enforcement**

- A. Any person convicted of a violation of this ordinance shall be punished by a fine of not more than two hundred dollars (\$200.00) or by confinement in the County Jail for not more than thirty (30) days, or by both such fine and imprisonment.
- B. The City Attorney, instead of filing a complaint in Municipal Court, may, as an alternative remedy, seek to have the alleged discriminatory practices abated by an action for an injunction to be maintained in the appropriate Circuit Court of the State of Missouri.

### **Article VII: Severability**

If any section, subsection, paragraph, sentence, clause or phrase of these standards shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance which shall continue in full force and effect. To this end, the provisions of this ordinance are hereby declared to be severable.

### **Article VIII: Savings Clause**

This ordinance shall not affect violations of any other ordinance, code or regulation of the City of Iron Mountain Lake existing prior to the effective date hereof extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

### **Article IX: Previous Fair Housing Ordinances Repealed**

All Fair Housing ordinances approved by the Aldermen of the City of Iron Mountain Lake Prior to this date are hereby repealed upon the passage of this current version.

## **The City of Iron Mountain Lake, Missouri**

READ THE THIRD TIME AND PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THIS 9<sup>TH</sup> DAY OF SEPTEMBER 1996.

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 21 – DERELICT, ABANDONED, OR JUNKED MOTOR VEHICLES**

### **Original Ordinance**

Bill number 21

Ordinance number 21

**NOW COMES A BILL ENTITLED: ‘AN ORDINANCE PROHIBITING DERELICT, ABANDONED, JUNKED, DISMANTLED OR DAMAGED MOTOR VEHICLES” ON THE STREETS, ROADS AND/OR ALLEYS WITHIN THE CORPORATE LIMITS OF THE CITY OF IRON MOUNTAIN LAKE MISSOURI.**

THIS ORDINANCE SHALL ALSO BE INTERPRETED TO INCLUDE SUCH VEHICLES MENTIONED ABOVE THOUGH THEY BE SEQUESTERED ON PRIVATE REAL PROPERTY, BUT NOT CONFINED TO A CLOSED GARAGE, SHED, OR UNDER A COVER.

THIS ORDINANCE WILL PROVIDE DEFINITIONS, PENALTIES AND/OR FINES AND A DATE AND TIME WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

#### **Article I:**

No person shall permit a motor vehicle in which they have an interest to become derelict, abandoned, junked or damaged on the streets, roads and/ or alleys including private property within the corporate limits of the aforementioned city, (i.e. first paragraph).

#### **Article II: Definitions**

Derelict, deserted (abandoned), junked or damaged motor vehicles are those vehicles which fall into the following categories:

1. Any vehicle which is not properly registered, or improperly registered within the state in which they are contained. I.e. Missouri.
2. Any vehicle which cannot be moved under its own power.

## **The City of Iron Mountain Lake, Missouri**

3. Any vehicle, if not moved under its own power, not certified within the state inspection requirements, now or in the future.
4. Any vehicle is deemed to be junked where-in motors, transmissions, drive trains and/or wheels have been removed i.e., cannibalized, and represents a hazard to children, or affords a breeding place for mosquitoes, flies, rodents, rats or other vermin, and is tantamount to a public nuisance.
5. It shall be unlawful for any person to create or maintain a nuisance as defined in section 4 above, or as laid out in ordinance #5.

### **Article III: Penalties and/or fines.**

Penalties and/or fines shall be assessed in accordance with the limits prescribed in Ordinance Number 16 Section 28 and Section 30, and/ or at the discretion of the presiding Municipal Judge.

### **Article IV: Exception**

Any motor vehicles that are in the process of restoration, customizing; and/or being rebuilt or repaired to particular specifications, as in the case of Dune Buggies, shall be exempt, but this must be by special request to the Board of Councilmen, and proof of such work must be evident within an agreed-upon, reasonable period of time, (i.e. 30, 60 or 90 days).

Further, the above mentioned for vehicles in the process of restoration, customizing, rebuilding and/or repairing are to be confined to a closed garage or shed, and being involved in the above processes. This should be done, so as not to misconstrue the above mentioned vehicles with derelict, abandoned, junked or cannibalized vehicles.

### **Article V:**

Any person found to be in violation of this ordinance will be given proper notice either by the Board of Councilmen and/or the Chief of Police, shall have a period of sixty (60) days in which to comply, to either remove or repair said vehicle.

### **Article VI: Penalty for Non-Compliance:**

Non-compliance will necessitate the interested party of the vehicle to appear in the municipal Court to answer said charges of violation of the City ordinance, at which time a fine will be assessed and a time limit will also be assessed to remove the offending vehicle.

### **Article VII:**

## **The City of Iron Mountain Lake, Missouri**

This Ordinance Number 21, when passed via the usual reading and procedure, shall supersede and make “null and void” ordinance #4 of the City of Iron Mountain Lake, Missouri.

### **Article VIII: Entry onto Private Property:**

The Chief of Police or his duly authorized representative may enter upon private property for inspection or for the purpose of removing or having removed any vehicle in accordance with this ordinance. If any person refuses to allow entry onto his private property, the Chief of Police may obtain a warrant from the proper officials and proceed in accordance therewith.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI FOR THE ABOVE.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER THREE READINGS AND PASSED THIS 4<sup>TH</sup> DAY OF MAY, 1987.

Milburn L Schrum

Mayor

Attest:

Martha Lance

City Clerk

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Amendment to Paragraph 1 and Section 2 – 1992

**AN ORDINANCE TO AMEND PARAGRAPH TWO ON PAGE ONE AND SECTION FIVE ON PAGE TWO OF ORDINANCE NUMBER 21, CITY OF IRON MOUNTAIN LAKE PERTAINING TO DERELICT, ABANDONED, JUNKED, DISMANTLED OR DAMAGED MOTOR VEHICLES.**

## **The City of Iron Mountain Lake, Missouri**

**THE SECOND PARAGRAPH ON PAGE ONE SHALL BE AMENDED AS FOLLOWS:**

This ordinance shall also be interpreted to include such vehicles mentioned above though they be sequestered on private or real property, but not confined to a closed garage, shed, or under an appropriate cover in good condition that completely covers and is properly secured to the vehicle.

**Section Five shall be amended as follows:**

Any person found to be in violation of this ordinance shall be given ten (10) day notice in which to comply, by the Chief of Police or his duly authorized representative.

READ BY TITLE TWO TIMES AND PASSED THIS 9<sup>TH</sup> DAY OF NOVEMBER, 1992

ORD.IML – 1992

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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Amendment to Paragraph 1 – 1993

**AN ORDINANCE TO AMEND THE FIRST PARAGRAPH OF THE ORIGINAL  
ORDINANCE NUMBER 21 PROHIBITING DERELICT, ABANDONED, JUNKED,**

**The City of Iron Mountain Lake, Missouri**  
**DISMANTLED OR DAMAGED MOTOR VEHICLES ON THE STREETS, ROADS**  
**AND/OR ALLEYS WITHIN THE CORPORATE LIMITS OF THE CITY OF IRON**  
**MOUNTAIN LAKE, AND TO AMEND THE PREVIOUSLY AMENDED SECOND**  
**PARAGRAPH ON PAGE ONE TO READ AS FOLLOWS:**

**Paragraph 1:**

This ordinance shall also be interpreted to include such vehicles mentioned above though they be sequestered on private real property but not confined to a closed garage or shed.

**Previously amended paragraph 1:**

This ordinance shall also be interpreted to include such vehicles mentioned above though they be sequestered on private or real property but not confined to a closed garage or shed or under a manufactured cover made for the sole purpose as an automobile cover.

READ IN FULL ONCE AND CALLED BY NAME AND NUMBER TWO TIMES THIS 13<sup>TH</sup> DAY OF SEPTEMBER 1993.

PASSED AND IN EFFECT THIS 13<sup>TH</sup> DAY OF SEPTEMBER 1993

APPROVED BY THE MAYOR THIS 13<sup>TH</sup> DAY OF SEPTEMBER 1993

(ORD.IML – 1993)

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **Amendment to Paragraph 1 – 1999**

Bill Number 21

Ordinance Number 21

### **AN ORDINANCE AMENDING ORDINANCE 21, PARAGRAPH 1, OF THE ORDINANCE OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, RELATIVE TO DAMAGED OR DISABLED VEHICLES; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.**

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

#### **Article I.**

That paragraph 1 of the Ordinances of the City of Iron Mountain Lake, Missouri, is hereby amended to read as follows:

This ordinance shall also be interpreted to include such vehicles mentioned above though they be sequestered on private real property but not confined to a closed garage or shed.

#### **Article II.**

It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Ordinances of the City of Iron Mountain Lake, Missouri.

#### **Article III.**

If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

#### **Article IV.**



## **The City of Iron Mountain Lake, Missouri**

That this ordinance shall take effect and be in force from and after its passage and approval.

### **Article V.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THIS ORDINANCE HAVING BEEN DULY READ TWO TIMES AND PASSED ON THIS 11<sup>TH</sup> DAY OF JANUARY 1999.

APPROVED THIS 11<sup>TH</sup> DAY OF JANUARY, 1999.

Milton E Bartley

Mayor

Attest:

Marline G. Cummings

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### **Amendment to Paragraph 1 – 1999**

#### **AMENDMENT TO ORDINANCE NUMBER 21 DERELICT, ABANDONED, JUNKED AUTOMOBILES**

**BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF IRON  
MOUNTAIN LAKE, MISSOURI**

#### **Paragraph 1 disabled vehicles is amended to read:**

They have to be inside of a fully enclosed building. Cars will be towed at owner's expense by outside vendors.

## **The City of Iron Mountain Lake, Missouri**

THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FULL FORCE AFTER  
FEBRUARY 11, 1999

Richard Berry

Mayor

Attest:

Christina Lincoln

City Clerk

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### **Amendment to Paragraph 1 - 2006**

Bill Number

Ordinance number 21

#### **AN ORDINANCE TO AMEND: ORDINANCE NUMBER 21 PARAGRAPH 1**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS  
FOLLOWS:**

##### **Paragraph 1:**

This ordinance shall also be interpreted to include such vehicles mentioned above though they be sequestered on private real property. However, this ordinance shall not apply to vehicles confined to a closed garage or shed. This ordinance shall not apply to no more than two (2) vehicles under a manufactured care cover designed for the sole purpose of use as an automobile cover.

## **The City of Iron Mountain Lake, Missouri**

SAID AMENDMENT SHALL BE EFFECTIVE ON DATE OF PASSAGE

DATE OF PUBLIC HEARING: JANUARY 9, 2006

DATE OF FIRST READING: JANUARY 9, 2006

DATE OF SECOND READING: JANUARY 9, 2006

PASSED AND APPROVED: JANUARY 9, 2006

Bill Skaggs

Mayor

Attest:

Christina Lincoln

City Clerk

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### **Amendment to Section 3**

Bill Number 11-007

Ordinance Number 21

### **AMENDMENT TO ORDINANCE NUMBER 4: DERELICT VEHICLES**

**NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**The City of Iron Mountain Lake, Missouri**  
**That Ordinances number 4, section 3 be amended as follows:**

Thirty (30) days

**Effective Date:**

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

DATE OF FIRST READING: JULY 18<sup>TH</sup> 2011

DATE OF SECOND READING: JULY 18<sup>TH</sup> 2011

PASSED AND APPROVED THIS 18<sup>TH</sup> DAY OF JULY 2011

Eugene Henson

Mayor

Attest:

Sarah Douglas

City Clerk

[Top](#)

**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 22 – FLOOD INSURANCE**  
Ordinance 22-81

Bill Number 11-005

Ordinance Number 22-81

**ORDINANCE NUMBER 81: FLOODPLAIN MANAGEMENT ORDINANCE**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS  
FOLLOWS:**

**Article 1. Statutory Authorization, findings of fact, and purposes**

**Section A. Statutory Authorization**

The legislature of the State of Missouri has in RSMO 79.110 delegated the responsibility to local governmental units to adopt flood plain management regulations designed to protect the health, safety, and general welfare. Therefore, the Board of Aldermen of the City of Iron Mountain Lake, Missouri ordains as follows:

**Section B. Findings of Fact**

*1. Flood Losses Resulting from Periodic Inundation*

The Special flood hazard areas of the City of Iron Mountain Lake, Missouri are subject to inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare.

*2. General Causes of the Flood Losses*

These flood losses are caused by (1) the cumulative effect of development in any delineated floodplain causing increases in flood heights and velocities; and (2) the occupancy of flood hazard areas by uses vulnerable to floods, hazardous to others,

## **The City of Iron Mountain Lake, Missouri**

inadequately elevated, or otherwise unprotected from flood damages.

### **Section C. Statement of Purpose**

It is the purpose of this ordinance to promote the public health, safety, and general welfare; to minimize those losses described in Article 1, Section B (1); to establish or maintain the community's eligibility for participation in the National Flood Insurance Program (NFIP) as defined in 44 Code of Federal Regulations (CFR) 59.22 (a) (3); and to meet the requirements of 44 CFR 60.3 (b) by applying the provisions of this ordinance to;

1. Restrict or prohibit uses that are dangerous to health, safety , or property in times of flooding or cause undue increases in flood heights or velocities;
2. Require uses vulnerable to floods, including public facilities that serve such uses, be provided with flood protection at the time of initial construction; and
3. Protect individuals from buying lands that are unsuited from the intended development purposes due to the flood hazard.

## **Article 2. General Provisions**

### **Section A. Lands to which ordinance applies**

This ordinance shall apply to all lands within the jurisdiction of the City of Iron mountain Lake, Missouri identified as unnumbered A zones on the Flood Insurance Rate Map (FIRM) for St. Francois County dated June 16, 2011 on map panels 29187C0320D, 29187C0325D, 29187C0330D, and 29187C0340D as amended, and any future revisions thereto. In all areas covered by this ordinance, no development shall be permitted except through the issuance of a floodplain development permit, granted by the Board of Aldermen or its duly designated representative under such safeguards and restrictions as the Board of Aldermen or the designated representative may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community, and as specifically noted in Article 4.

### **Section B. Floodplain administration**

The Mayor is hereby designated as the Floodplain Administrator under this ordinance.

### **Section C. Compliance**

## **The City of Iron Mountain Lake, Missouri**

No development located within the special flood hazard areas of this community shall be located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

### **Section D. Abrogation and Greater restrictions**

It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

### **Section E. Interpretation**

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, shall be liberally construed in favor of the governing body, and shall not be deemed a limitation or repeal of any other powers granted by State statutes.

### **Section F. Warning and disclaimer of liability**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that areas outside unnumbered a zones or land uses permitted within such areas will be free from flooding or flood damage. This ordinance shall not create a liability on the part of the City of Iron Mountain Lake, any officer or employee thereof, for any flood damages that may result from reliance on this ordinance or any administrative decision lawfully made thereunder.

### **Section G. Severability**

If any section, clause, provision of this ordinance is adjudged unconstitutional or invalid by a court of appropriate jurisdiction the remainder of this ordinance shall not be affected thereby.

## **Article 3. Administration**

### **Section A. Floodplain Development Permit (Required)**

A floodplain development permit shall be required for all proposed construction or other development, including the placement of manufactured homes, in the areas described in Article 2, Section A. No person, firm, corporation, or unit of government shall initiate any development or

## **The City of Iron Mountain Lake, Missouri**

substantial improvement or cause the same to be done without first obtaining a separate floodplain development permit for each structure or other event.

### **Section B. Designation of Floodplain Administrator**

The Mayor is hereby appointed to administer and implement the provisions of this ordinance.

### **Section C. Duties and Responsibilities of Floodplain Administrator**

Duties of the Mayor shall include, but not be limited to:

1. Review of all applications for floodplain development permits to assure that sites are reasonably safe from flooding and that the flood plain development permit requirements of this ordinance have been satisfied;
2. Review of all applications for floodplain development permits for proposed development to assure that all necessary permits have been obtained from Federal, State, or Local Governmental Agencies from which prior approval is required by Federal, State or Local Law;
3. Review all subdivision proposals and other proposed new development, including manufactured home parks, or subdivisions, to determine whether such proposals will be reasonably safe from flooding;
4. Issue floodplain development permits for all approved applications;
5. Notify adjacent communities and the Missouri State Emergency Management Agency (MOSEMA) prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
6. Assure that the flood carrying capacity is not diminished and shall be maintained within the altered or relocated portion of any watercourse.
7. Where base flood elevation from other sources is utilized within unnumbered A zones;
  - a. Verify and maintain a record of the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures;
  - b. Verify and maintain a record of the actual elevation (in relation to mean sea level) that the new or substantially improved non-residential structures have been flood proofed;
  - c. When flood proofing techniques are utilized for a particular non-residential professional engineer or architect.

### **Section D. Application for Flood Plain Development permit**



## **The City of Iron Mountain Lake, Missouri**

To obtain a floodplain development permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every floodplain development permit application shall;

1. Describe the land on which the proposed work is to be done by lot, block and tract, house and street address, or similar description that will readily identify and specifically locate the proposed building or work;
2. Identify and describe the work to be covered by the flood plain development permit;
3. Indicate the use or occupancy for which the proposed work is intended;
4. Indicate the assessed value of the structure and the fair market value of the improvement;
5. Identify the existing base flood elevation and the elevation of the proposed development;
6. Give such other information as reasonably may be required by the Mayor;
7. Be accompanied by plans and specifications for proposed construction; and
8. Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.

### **Article 4. Provisions for Flood Hazard Reduction**

#### **Section A. General Standards**

1. No permit for floodplain development shall be granted for new construction, substantial improvements, and other improvements, including the placement of manufactured homes, within any unnumbered A zone unless the conditions of this section are satisfied.
2. All areas identified as unnumbered A zones on the FIRM are subject to inundation of the 100-year flood; however, the base flood elevation is not provided. Development within unnumbered A zones is subject to all provisions of this ordinance. If flood \Insurance Study data is not available, the community shall obtain, review, and reasonably utilize any base flood elevation or floodway data currently available from federal state, or other sources.
3. All new construction, subdivision proposals, substantial-improvements, prefabricated buildings, placement of manufactured homes, and other developments shall require:

## The City of Iron Mountain Lake, Missouri

- a. Design or adequate anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
  - b. Construction with materials resistant to flood damage;
  - c. Utilization of methods and practices that minimize flood damages;
  - d. All electrical, heating, ventilation, plumbing, air-conditioning equipment and other service facilities be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
  - e. New or replacement water supply systems and or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on site waste disposal systems be located so as to avoid impairment or contamination; and
  - f. Subdivision proposals and other proposed new development including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that;
    - i. All such proposals are consistent with the need to minimize flood damage;
    - ii. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
    - iii. Adequate drainage is providing so as to reduce exposure to flood hazards; and
    - iv. All proposals for development, including proposals for manufactured home parks and subdivisions, of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals base flood elevation data.
4. **Agricultural Structures**
- Structures used solely for agricultural purposes in connection with the production, harvesting, storage, drying or raising of agricultural commodities, including the raising of livestock, may be constructed at-grade and wet-flood proofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; there is no permanent retail, wholesale, or manufacturing use included in the structure; a variance has been granted from the flood plain management requirements of this ordinance; and a flood plain development permit has been issued.
5. **Storage Material and Equipment**

## The City of Iron Mountain Lake, Missouri

- a. The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal or plant life is prohibited.
- b. Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning.

### 6. Accessory Structures

Structures used solely for parking and limited storage purposes, not attached to any other structure on the site, of limited investment value, and not larger than 400 square feet, may be constructed at-grade and wet-flood proofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; a variance has been granted from the standard floodplain management requirements of this ordinance; and a flood plan development permit has been issued.

### Section B. Specific Standards

1. In all areas of special flood hazard, once **base flood elevation** data is obtained, as set forth in Article 4, Section A (2), the following provisions are required:
  - a. Residential Construction
 

New Construction or substantial-improvement on any residential structure, including manufactured homes, shall have the lowest floor, including basement, elevated to one (1) foot above base flood level.

*[\*The FEMA, Region VII office recommends elevating to one foot above the base flood elevation to accommodate floodway conditions when the floodplain is fully developed.\*]*

- b. Non-Residential Construction
 

New construction or substantial-improvement of any commercial, industrial, or other non-residential structure, including manufactured homes, shall have the lowest floor, including basement, elevated to one (1) foot above the base flood level or, together with attendant utility and sanitary facilities, be flood proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural

## The City of Iron Mountain Lake, Missouri

components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy,. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in Article 3. Section C (7) (c).

*[\*The FEMA, Region VII office recommends elevating to one foot above the base flood elevation to qualify for flood insurance rates based upon flood proofing.\*]*

- c. Require, for all new construction and substantial-improvements that fully enclosed areas below lowest floor used solely for parking of vehicles, building access, or storage in an area other than a basement and that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
  - i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided; and
  - ii. The bottom of all opening shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
2. In all areas of special flood hazard once floodway data is obtained, as set forth in article 4, Section A(2), the following provisions are required:
  - a. The designated floodway shall be based on the standard that the area chosen for the floodway must be designed to carry the waters on the base flood, without increasing the water surface elevation more than one foot at any point; and
  - b. The community shall prohibit any encroachments including fill, new construction, substantial – improvements, and other development within the designated regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

# The City of Iron Mountain Lake, Missouri

## Section C. Manufactured Homes

- A. All manufactured homes to be placed within special flood hazard areas shall be required to be installed using methods and practices that minimize flood damage. For the purposes of this requirement manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over the top or frame ties to ground anchors.
- B. Require manufactured homes that are placed or substantially improved within unnumbered A zones on the community's FIRM on sites;
  - a. Outside of manufactured home park or subdivision;
  - b. In a new manufactured home park or subdivision;
  - c. In an expansion to an existing manufactured home park or subdivision; or
  - d. In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood,  
Be elevated on a permanent foundation such that the lowest floor for the manufactured home is elevated to one (1) foot above the base flood level and be securely attached to an adequately anchored foundation system to resist floatation, collapse, and lateral movement
- C. Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within unnumbered A zones on the community's FIRM. That are not subject to the provisions of Article 4. Section C (2) of this ordinance, be elevated so that either:
  - a. The lowest floor of the manufactured home is at one (1) foot above the base flood level; or
  - b. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and can be securely attached to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

## Section D. Recreational Vehicles

- 1. Require that recreational vehicles placed on sites within unnumbered A zones on the community's FHBM or FIRM either:
  - a. Be on site for fewer than 180 consecutive days, or
  - b. Be fully licensed and ready for highway use\*; or

## **The City of Iron Mountain Lake, Missouri**

- c. Meet the permitting, elevation, and the anchoring requirements for manufactured homes of this ordinance.

\*\*\*A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.\*\*\*

### **Article 5. Floodplain Management Variance Procedures**

#### **Sections A. Establishment of appeal board**

The Board of Aldermen as established by the City of Iron Mountain Lake shall hear and decide appeals and requests for variances from the floodplain management requirements of this ordinance.

#### **Section B. Responsibility of Appeal Board**

Where an application for a floodplain development permit or request for a variance from the flood plain management regulations is denied by the Mayor, the applicant may apply for such floodplain development permit or variance directly to the Appeal Board, as defined in article 5, Section A.

The Board of Aldermen shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the Mayor in the enforcement or administration of this ordinance.

#### **Section C. Further Appeals**

Any person aggrieved by the decision of the Board of Aldermen or any taxpayer may appeal such decision to the St. Francois County Circuit Court as provided in RSMO 89.110.

#### **Section D. Floodplain Management Variance criteria**

In passing upon such application for variances, the Board of Aldermen shall consider all technical data and evaluations, all relevant factors, standards specified in other sections of this ordinance, and the following criteria:

1. The danger to life and property due to flood damage;
2. The danger that materials may be swept onto other lands to the injury of others;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

## **The City of Iron Mountain Lake, Missouri**

4. The importance of the services provided by the proposed facility to the community;
5. The necessity to the facility of a waterfront location, where applicable
6. The availability of alternative locations, not subject to flood damage, for the proposed use;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters, if applicable, expected at the site; and,
11. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems; streets; and bridges.

### **Section E. Conditions for approving floodplain management variances**

1. Generally, variances may be issued for new construction and substantial-improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items 2 through 6 below have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
2. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or local inventory of historic places upon determination provided the proposed activity will not preclude the structures continued historic designation.
3. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
5. Variances shall only be issued upon (a) a showing of good and sufficient cause, (b) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (c) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or

## The City of Iron Mountain Lake, Missouri

victimization of the public, or conflict with existing local laws ordinances.

6. A community shall notify the applicant in writing over the signature of a community official that (1) the issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage and (2) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.

### Section F. Conditions for approving variances for agricultural structures

Any variance granted for an agricultural structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in Article 5, Sections D and E of this ordinance.

In order to minimize flood damages during the 100-year flood and the threat of public health and safety, the following conditions shall be included for any variance issued for agricultural structures that are constructed at grade and wet-flood proofed.

1. All agricultural structures considered for a variance from the flood plain management regulations of this ordinance shall demonstrate that the varied structure is located in wide, expansive floodplain areas and no other alternate location outside of the special flood hazard area exists for the agricultural structure. Residential structures, such as farm houses, cannot be considered agricultural structures.
2. Use of the varied structures must be limited to agricultural purposes in Zone A only as identified on the community's Flood Insurance Rate Map (FIRM).
3. For any new or substantially damaged agricultural structures, the exterior and interior building components and elements (i.e. foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
4. The agricultural structures must be adequately anchored to prevent flotation, collapse, or lateral movement on the structures in accordance with Article 4, Section A (3) (a) of this ordinance. All of the building's structural components must be capable of resisting specific



## **The City of Iron Mountain Lake, Missouri**

flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.

5. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or flood proofed so that they are contained within a watertight, flood proofed enclosure that is capable of resisting damage during flood conditions within a watertight, flood proofed enclosure that is capable of resisting damage during flood conditions in accordance with Article 4, Section A (3) (d) of this ordinance.
6. The agricultural structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure or foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of floodwaters in accordance with Article 4, Section B (1) (c). Of this ordinance.
7. The agricultural structures must comply with the floodplain management floodway encroachment provisions of Article 4, Section B (2) (b) of this ordinance. No variances may be issued for agricultural structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.
8. Major equipment, machinery, or other contents must be protected from any flood damage.
9. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the agricultural structures.
10. A community shall notify the applicant in writing over the signature of a community official that (1) the issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance coverage and (2) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.
11. Wet-flood proofing construction techniques must be reviewed and approved by the community and a registered professional engineer or architect prior to the issuance of any floodplain development permit for construction.

### **Section G. Conditions for approving variances for accessory structures**

Any variance granted for an accessory structure shall be decided individually based on a case by case analysis of the building's unique circumstances.

Variances granted shall meet the following conditions as well as those criteria and conditions set forth in Article 5 Sections D and E of this ordinance.

## The City of Iron Mountain Lake, Missouri

In order to minimize flood damages during the 100-year flood and the threat to public health and safety the following conditions shall be included for any variance issued for accessory structures that are constructed at-grade and wet-flood proofed.

1. Use of the accessory structures must be solely for parking and limited storage purposes in zone A only as identified on the community's Flood Insurance Rate Map (FIRM).
2. For any new or substantially damaged accessory structures, the exterior and interior building components and elements (i.e. foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with Article 4, Section A (3)(b) of this ordinance.
3. The accessory structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure in accordance with Article 4, Section A (3)(a) of this ordinance. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
4. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or flood proofed so that they are contained within a watertight, flood proofed enclosure that is capable of resisting damage during flood conditions in accordance with Article 4, Section A (3) (d) of this ordinance.
5. The accessory structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure of foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of flood waters in accordance with Article 4, Section B (1) (c). Of this ordinance.
6. The accessory structures must comply with the flood plain management floodway encroachment provisions of Article 4, Section B (2) (b) of this ordinance. No variances may be issued for accessory structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.
7. Equipment, machinery, or other contents must be protected from any flood damage.
8. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the accessory structures.
9. A community shall notify the applicant in writing over the signature of a community official that (1) the issuance of a variance to construct a

## **The City of Iron Mountain Lake, Missouri**

structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage and (2) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.

10. Wet-flood proofing construction techniques must be reviewed and approved by the community and registered professional engineer or architect prior to the issuance of any floodplain development permit for construction.

### **Article 6. Penalties for violation**

Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with granting of variances) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof be fined not more than \$100, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

Nothing herein contained shall prevent the City of Iron Mountain Lake or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

### **Article 7. Amendments**

The regulations, restrictions and boundaries set forth in this ordinance may from time to time be amended, supplemented, changed, or appealed to reflect and all changes in the National Flood Disaster Protection Act of 1973, provided, however that no such action may be taken until after a public hearing in relation thereto, at which parties of interest and citizens shall have an opportunity to be heard.

Notice for the time and place of such hearing shall be published in a newspaper of general circulation in the City of Iron Mountain Lake. At least 20 days shall elapse between the date of this publication and the public hearing. A copy of such amendments will be provided to the Region VII office of the Federal Emergency Management Agency (FEMA). The regulations of this ordinance are in compliance with the National Flood Insurance Program (NFIP) regulations.

# The City of Iron Mountain Lake, Missouri

## Article 8. Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the same meaning they have in common usage and to give this ordinance it's most reasonable application.

**100-year flood** *see base flood.*

**Accessory Structure** means the same as *appurtenant structure*.

**Actuarial Rates** *see risk premium rates.*

**Administrator** means the Federal Insurance Administrator.

**Agency** means the Federal Emergency Management Agency (FEMA).

**Agricultural Commodities** means agricultural products and livestock.

**Agricultural Structure** means any structure used exclusively in connection with the production, harvesting, storage, drying or raising of agricultural commodities.

**Appeal** means a request for review of the Floodplain Administrator's interpretation of any provision of this ordinance or a request for a variance.

**Appurtenant Structure** means a structure that is on the same parcel property as the principle structure to be insured and the use of which is incidental to the use of the principal structure.

**Area of Special Flood Hazard** is the land in the floodplain within a community subject to a one percent or greater chance flooding in any given year.

**Base Flood** means the flood having a one percent chance of being equaled or exceeded in any given year.

**Basement** means any area of the building having its floor subgrade (below ground level) on all sides.

**Building** *see structure.*

**Chief Executive Officer or Chief of Elected Official** means the official of the community who is charged with the authority to implement and administer laws, ordinances, and regulations for that community.

**Community** means any state or area or political subdivision thereof, which has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

## The City of Iron Mountain Lake, Missouri

**Development** means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, levees, levee systems, mining, degrading filling, grade, paving, excavating or drilling operations, or storage of equipment or materials.

**Elevated Building** means for insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts. Piers, pilings, or columns.

**Eligible Community or Participating Community** means a community for which the administrator has authorized the sale of flood insurance under the National Flood Insurance Program (NFIP).

**Existing Construction** means for the purposes of determining rates, structures for which the start of construction commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. “Existing construction” may also be referred to as existing structures.

**Existing Manufactured Home Park Or Subdivision** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

**Expansion to an Existing Manufactured Home Park or Subdivision** means that preparation of additional sites by the construction of facilities for serving the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**Flood or flooding** means a general and temporary condition of partial or complete inundation of normally dry land areas from (1) the overflow of inland and/or (2) the unusual rapid accumulation or runoff of surface waters from any source.

**Flood Hazard Boundary Map (FHBM)** means an official map of a community, issued by the administrator, where the boundaries of the flood areas having special flood hazards have been designated (as unnumbered or numbered) A zones.

**Flood Insurance Rate Map (FIRM)** means an official map of a community, on which the administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

## The City of Iron Mountain Lake, Missouri

**Floodplain or Flood Prone Area** means any land area susceptible to being inundated by water from any source (see flooding) Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including, but not limited to emergency preparedness plans, flood control works, and flood plain management regulations.

**Floodplain Management Regulations** means zoning ordinances, subdivisions regulations, building codes, health regulations, special purpose ordinances (such as floodplain and grading ordinances) and other applications of police power. This term describes such state or local regulations, in any combination thereof that provide standards for the purpose of flood damage prevention and reduction.

**Flood proofing** means any combination of structural and non-structural additions, changes or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, or structures and their contents.

**Functionally dependent Use** means a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities and facilities that are necessary for the loading and unloading of cargo or passengers, but does not include long-term storage or related manufacturing facilities.

**Historic Structure** means any structure that is (a) listed individually in the National Register of Historic Places (a listing maintained by the department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary to qualify as a contribution to the historical significance of a registered historic district or a registered historic district; (c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either (1) by an approved state program as determined by the Secretary of the Interior or (2) directly by the Secretary of the Interior in states without approved programs.

**Lowest Floor** means the lowest floor of the lowest enclosed area including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such

## The City of Iron Mountain Lake, Missouri

enclosure is built so as to render the structure in violation of the applicable flood proofing design requirements of this ordinance.

**Manufactured Home** means a structure, transportable in one or more sections, that is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home does not include a recreational vehicle

**Manufactured Home Park or Subdivision** means a parcel or contiguous parcels of land divided into two or more manufactured home lots for rent or sale.

**Map** means the flood hazard boundary map FHBM or the flood insurance rate map FIRM for a community issued by the federal Emergency Management Agency FEMA.

**Market Value or Fair Market Value** means an estimate of what is fair, economic, just and equitable value under normal market conditions.

**Mean Sea Level** means for purposes of the National flood insurance Program NFIP, the National Geodetic Vertical Datum (NGVD of 1929 or other datum, to which base flood elevations shown on a community’s flood insurance Rate Map (FIRM are referenced.

**New Construction** means for the purposes of determining insurance rates structures for with the “start of construction” commenced on or after the effective date of an initial FIRM after December 31, 1974 whichever is later, and includes any subsequent improvements to such structures for floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of the floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.

**New Manufactured Home Park or Subdivision** means a manufactured home park or subdivision for which the construction of facilities for servicing the lot on which the manufactured homes are to be affixed including at a minimum, the installation of utilities, the construction of the streets, and either final site grading or the pouring of concrete pads” is completed on or after the effective date of flood plain management regulations adopted by the community.

**NIFP** means the National Flood Insurance Program.

**Participating Community Also Known As an Eligible Community** Means a community in which the Administrator has authorized the sale of flood insurance.

## The City of Iron Mountain Lake, Missouri

**Person** includes any individual or group of individuals, corporation, partnership, association, or any other entity, including Federal, State and local governments and agencies.

**Principally above Ground** means that at least 51 percent of the actual cash value of the structure, less land value, is above ground.

**Recreational Vehicle** means a vehicle which is (a) built on a single Chassis; (b) 400 square feet or less when measured at the largest horizontal projections; (c) designed to be self-propelled or permanently towable by a light-duty truck; and (d) designed primarily not for use as a permanent dwelling but a temporary living quarters for recreational, camping, travel, or seasonal use. Remedy A violation means to bring the structure or if this is not possible, to reduce the impacts of its noncompliance.

**Repetitive Loss** means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, equals or exceeds twenty-five percent of the market value of the structure before the damage occurred.

**Risk Premium Rates** means those rates established by the administrator pursuant to individual community studies and investigations which are undertaken to provide flood insurance in accordance with Section 1307 of the National flood disaster protection Act of 1973 and the accepted actuarial principles. "Risk premium rates" include provisions for operating costs and allowances.

**Special Flood Hazard Area** *see area of special flood hazard.*

**Special Hazard Area** means an area having special flood hazards and shown on an FHBM or FIRM as zones unnumbered or numbered) A, AO, AE, or AII.

**Start of Construction** includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvements were within 180 days of the permit date. That actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, the installation of streets and/or walkways, excavation for a basement, footing, piers foundations, the erection of temporary forms, nor installation on the property of accessory buildings, such as garages or



## The City of Iron Mountain Lake, Missouri

sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not the alteration affects the external dimensions of the building.

**State Coordinating Agency** means that agency of the State Government, or other office designated by the governor of the state or by State Statute at the request of the Administrator to assist in the implementation of the National Flood Insurance Program (NFIP in that state.

**Structure** means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. “Structure” for insurance purposes, means a walled and roofed building, other than gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

**Substantial Damage** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term includes Repetitive Loss buildings (see definition).

For purposes of this definition, “**repair**” is considered to occur with the first repair or reconstruction of any wall, ceiling floor, or thither structural part of the building commences.

The term does not apply to:

- a. Any project for improvement of a building required to comply with existing health, sanitary or safety code specification which have been identified by the Code enforcement official and which are solely necessary to assure safe living conditions, or
- b. Any alteration of a historic structure provided that the alteration will not preclude the structure’s continued designations a historic structure, or
- c. Any improvement to a building

## The City of Iron Mountain Lake, Missouri

**Substantial Improvement** means any combination of reconstruction, alteration, or improvement to a building, taking place during the life of the building, in which the cumulative percentage of improvement equals or exceeds fifty percent of the current market value of the building. For the purposes of this definition, and improvement occurs when the first alteration of any wall, ceiling, floor or other structural part of the building commences. Whether or not that alteration affects the external dimensions of the building. This term includes structures, which have incurred repetitive loss or substantial damage, regardless of the actual repair work done.

The term does not apply to:

- a. Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions, or
- b. Any alteration of a historic structure provided that the alteration will not preclude the structures continued designation as a historic structure, or
- c. Any building that has been damaged from any source or is categorized as repetitive loss.

### **Substantially Improved Existing Manufactured Home Parks or Subdivision**

is where the repair reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets utilities and pads before the repair, reconstruction or improvement commenced.

**Variance** means a grant of relief by the community from the terms of a flood plain management regulation. Flood insurance requirements remain in place for any varied use of structure cannot be varied by the community.

**Violation** means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by this ordinance is presumed to be in violation until such time as that documentation is provided.

## Article 9. Certificate of Adoption

## **The City of Iron Mountain Lake, Missouri**

This flood plain management ordinance for the community of the City of Iron Mountain Lake, Missouri shall be in full force and effect from the date of its adoption

DATE OF PUBLIC HEARING: MAY 16, 2011

DATE OF FIRST READING MAY 16, 2011

DATE OF SECOND READING: MAY 16, 2011

PASSED AND APPROVED THIS 16<sup>TH</sup> DAY OF MAY, 2011

Eugene Henson

Mayor

Attest:

Sarah Douglas

City Clerk

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Amendment to Repeal Ordinance 22 and Replace with Ordinance 81

Bill Number 22

Ordinance Number 22

### **Amendment to ordinance Number 22: Repeal of Ordinance 22**

**WHEREAS, the City of Iron Mountain Lake, Missouri is still participating in the National Flood Insurance Program; and**

## **The City of Iron Mountain Lake, Missouri**

**WHEREAS, the requirements for participation in the national flood insurance program are set forth in Ordinance 81, which supersedes the provisions of Ordinance 22.**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**Repeal: Ordinance Number 22 of the City of Iron Mountain Lake, Missouri is hereby repealed.**

Ordinance 81 of the City of Iron Mountain Lake, Missouri is the ordinance covering the requirements for the City of Iron Mountain Lake's continued participation in the National Flood Insurance Program.

**EFFECTIVE DATE: THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM THE DATE OF ITS PASSAGE.**

DATE OF FIRST READING: JUNE 13, 2011

DATE OF SECOND READING: JUNE 13, 2011

PASSED AND APPROVED: THIS 13<sup>TH</sup> DAY OF JUNE 2011

Eugene Henson

Mayor

Attest:

Sarah Douglas

City Clerk

## **The City of Iron Mountain Lake, Missouri**

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 23 – CABLE TV FRANCHISE**  
Original Ordinance

Bill Number 23

Ordinance Number 23

**AN ORDINANCE TO LICENSE AND REGULATE THE OPERATION OF JUNK DEALERS AND THE MAINTENANCE OF JUNK YARDS WITHIN THE CORPORATE LIMITS OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI.**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE AS FOLLOWS:**

**Section One: License Required.**

It shall be unlawful for any person to act as a junk dealer or itinerant junk dealer in the City, whether business or enterprise, without first having obtained a license therefore from the City Clerk in accordance with the provisions of this ordinance and the applicable portion of ordinance number ten (10) regulating fees.

- A. Application: An applicant for license under this ordinance shall file with the City Clerk a written application upon forms provided by the City Clerk, and pay a fee as hereinafter prescribed

A-1. Said application shall include the junk dealer or itinerant junk dealer's name, residence address, and location of the place where the business is or is proposed to be carried on; and such other information as the City Clerk may be reasonably required.

- B. Investigation: Approval and Issuance of License. Upon receipt of an application for a junk dealer's license as provided for herein the Chief of Police shall cause an investigation to be made of the applicant's business responsibility and accuracy of the application form submitted.

B-1. If the findings of said investigation are favorable to the applicant, the City Clerk shall within thirty (30) after the filing of the application and payment of the fee, issue a junk dealer's license to the applicant.

## The City of Iron Mountain Lake, Missouri

- C. License not transferable: No license issued under this ordinance shall be transferred or assigned or used in any way by any person other than the one to whom it was issued.
- D. License Fees: The fees for licenses required under this ordinance shall be established from time to time by ordinance of the Board of Aldermen and on file in the office of the City Clerk. (Ordinance number ten (10))
- E. Duration and Refund of Fees: All licenses issued under the provisions of this ordinance shall expire one year from the date of issue. No license fee shall be returned to the holder upon sale, transfer or dissolution of the business for which the license was issued.

### Section Two: Definitions:

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the same meanings as they have in common usage and so as to give this ordinance its most reasonable application.

- a. **Junk** means old or scrap copper, brass, rope rags, batteries, paper, trash, rubber, debris waste, iron, steel, junked or wrecked automobiles whether intact, dismantled or in any state of disassembly and other old or scrap ferrous or non-ferrous material.
- b. **Junkyard** means an establishment, area, or place of business maintained, operated, or used for the storing, keeping, buying or selling of junk or for the operation of an auto-mobile graveyard.
- c. **Automobile Graveyard:** means any establishment, area, or place of business maintained, used or operated for storing, keeping, buying or selling wrecked, scrapped, ruined, or dismantled motor vehicles.
- d. **Junk Dealer** Shall mean a person who operates a junkyard as defined above, within the City.
- e. **Itinerant Junk Dealer** shall mean an individual who buys, sells, collects, or delivers junk within the City as a business or employment within the City, but who is not an operator of a junkyard within the City or an employee of such an operator.
- f. **“Business Premises” Or “Premises”** Shall mean the area of a junkyard as described in a junk dealer’s license or application for a license, as provided for in this ordinance.

### Section Three: General operating instructions:

## The City of Iron Mountain Lake, Missouri

The following general operating requirements shall apply to all junk dealers licensed in accordance with the provisions of this ordinance:

- a. The license issued pursuant to this ordinance shall be plainly displayed on the business premises or be readily available upon request.
- b. The junkyard, together with things kept therein, shall at all times be maintained in a sanitary condition.
- c. No space not covered by the license shall be used in the licensed business.
- d. No garbage or other waste liable to give off a foul odor or attract vermin shall be kept on the premises nor shall any refuse of any kind be allowed accumulate on the premises, unless such refuse is junk as described herein and is in use in the licensed business.
- e. No junk shall be allowed to rest upon or protrude over any public property, street, alley, walkway, or curb, or become scattered or blown off the business premises.
- f. Junk shall be stored in piles not exceeding eight (8) feet in height and shall be arranged so as to permit easy access to all such junk for firefighting purposes.
- g. Gasoline and oil shall be removed from any scrapped engines or vehicles on the premises.
- h. No noisy processing of junk or other noisy activity shall be carried on in connection with the licensed business on Sunday, or at any time between the hours of one hour before dark, or six (6) P.M. whichever is later and seven (7) A.M.
- i. The area on the premises where junk is kept (other than indoors) shall be enclosed except for entrances, and property lines that offer no visual observation from residents of nearby property or traffic from any nearby street, with a solid vertical wall or fence of a minimum height of eight (8) feet measured from ground level entrances shall not be wider or more numerous than reasonably necessary for the conduct of the licensed business.

### Section Four: Penalties for non-compliance:

Violation of the provisions of this ordinance or failure to comply with any of its conviction thereof be fined not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00) or be imprisoned for not more than thirty (30) days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

(ORD.IML – 1989)



## **The City of Iron Mountain Lake, Missouri**

ADOPTED AND PASSED THIS 13<sup>TH</sup> DAY OF MARCH, 1989

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 24 – CABLE TV FRANCHISE**

### **Original Ordinance**

Bill number 24

Ordinance Number

## **CABLE FRANCHISE ORDINANCE**

### **Article I. Title and Purpose of this Ordinance**

#### **Section A. Title**

1. This ordinance shall be known as the City of Iron Mountain Lake Cable Television Franchise Ordinance.

#### **Section B. Purpose**

1. The purposes of this ordinance are to:
  - a. Provide for the franchising and regulation of cable television systems within the City;
  - b. Provide for the payment of a franchise fee and other valuable consideration to the City for the use of City streets and other public ways in the construction and operation of cable television systems and to compensate the City for costs associated therewith;
  - c. Provide for the regulation by the City of the operation and maintenance of any system providing cable television service.
  - d. Grant a cable television franchise to the Grantee named herein.

### **Article II. Definitions**

#### **Section A.**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein, unless the context clearly indicates that another meaning is intended. When not inconsistent with future, words in plural number include the singular number, and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

1. **Auxiliary Services** means any communications services in addition to “regular subscriber services” including, but not limited to: services for which a per-program or per-channel charge is made; pay TV; data or other electronic

## The City of Iron Mountain Lake, Missouri

transmission services; facsimile reproduction services; meter reading services and home shopping services; interactive two –way services and any other service utilizing any facility or equipment of a cable television system operating pursuant to a franchise granted under this ordinance.

2. **Basic Subscriber Service** means the distribution to subscribers of signals over the cable television system on all channels except those for which a per-program or per-channel charge is made, two-way services and those intended for reception by equipment other than a television broadcast receiver.
3. **Cable Television System (or “Cable TV System”)** means any non-broadcast facility consisting of a set of transmission paths and associated signal generation, reception and control equipment that is designed to distribute to subscribers audio, video and other forms of electronic or electrical signals.
4. **Channel (“Video Channel”)** is a band of frequencies, six megahertz wide in the electromagnetic spectrum, capable of carrying one audio-visual television signal.
5. **City** means the City of Iron Mountain Lake, a municipal corporation of the State of Missouri in its present incorporated form or in any later reorganized, consolidated, enlarged or reincorporated form. The City may perform any act pursuant to this ordinance by means of any lawful delegation of power or authority to a city official, board, committee or other properly authorized body.
6. **City Aldermen** means the City Aldermen of the City of Iron Mountain Lake.
7. **Converter** means an electronic device which converts signals to a frequency not susceptible to interference within the television receiver of a subscriber, and by subscriber to view all signals delivered at designated channel selector locations.
8. **Franchise** means the non-exclusive rights granted hereunder to construct and operate a cable television system along the public ways in the City, or within specified areas in the City.
9. **Franchise Area** means that portion of the City for which a franchise is granted under the authority of this ordinance. If not otherwise stated in the franchise, the franchise area shall be the corporate limits of the City including all territory thereafter annexed to the City.
10. **Grantee** means the person, partnership, domestic or foreign corporation, association, joint venture, or organization of any kind granted a franchise by the City Aldermen under this ordinance or its lawful and approved successor, transferee or assignee.
11. **Gross Revenues** means all revenue derived from the operation of a cable television system franchised pursuant to this ordinance by the Grantee. Provided, however that this shall not include any taxes on services furnished by the Grantee which are imposed upon other governmental unit and collected by the Grantee on behalf of said governmental unit.

## **The City of Iron Mountain Lake, Missouri**

12. **Public Way or Rights-of-Way** means the surface, the airspace above the surface and the area below the surface of any public street, highway, lane, path, alley sidewalk, boulevard, drive, bridge, tunnel, park, parkways, waterways, or other public right-of-ways including public utility easements or rights-of-way and any temporary or permanent fixtures or improvements located thereon now or hereafter held by the City which shall entitle the City and the Grantee to the use thereof for the purpose of installing and maintaining the grantee's cable television system.
13. **Schools** means all public or private tax-exempt educational institutions, including elementary and secondary schools, junior colleges, colleges and universities.
14. **Subscriber** means any person who receives the regular subscriber service and/or any one or more of such other services as may be provided by the Grantee's cable television system.

### **Article III Grant of Authority**

#### **Section A. Requirement of a Franchise**

1. The City may grant one or more franchises to construct, install, maintain or operate a cable television system within the City to a person, firm, company corporation or association which the City deems qualified to operate such system pursuant to the terms and conditions of this ordinance. A cable television system may not be operated in the City unless a franchise has first been obtained pursuant to the provisions of this ordinance and unless such franchise is in full force and effect. No provision of this ordinance shall be deemed or construed to require the City to grant additional franchises if, after considering any application for such additional franchise(s), it is determined the City that it is in the public interest to restrict the number of grantees.
2. A franchise granted to provide service within the City shall authorize and permit the Grantee to solicit, sell, distribute and make a charge to subscribers within the City for connection to the Cable television system of Grantee, and shall also authorize and permit the grantee to traverse any portion of the City in order to provide service outside the City.
3. A franchise, easement, license or other permit granted to anyone other than the grantee to traverse any portion of the City in order to provide service outside the City shall not authorize not permit said person to solicit, sell, distribute or make any charge to subscribers within the City, nor to render any service or Connect any subscriber within the City to the cable television system of Grantee.

#### **Section B. Franchise Applications**

## **The City of Iron Mountain Lake, Missouri**

1. The City may specify the form of the application for a cable television franchise and the information required to be provided therein. After receiving an application for a franchise, the City shall consider the legal, financial, technical and character qualifications of the applicant.
2. An application for a new cable television franchise or a renewal of an existing franchise shall be submitted to the City in a form specified by or acceptable to the City, and in accordance with procedures and schedules established by the City.

### **Section C. Competing or Overlapping Franchises**

1. Any franchise granted by the City is non-exclusive in nature. However, since competing or overlapping franchises may have an adverse impact on the public rights of way and on the overall quality, cost and availability of communications services to the public the City may issue additional competing or overlapping franchises only after a public hearing (s) at which the following factors are considered:
  - a. The ability of the applicant to provide service to the entire franchise area which is served by the existing cable operator.
  - b. The amount of time it will take the applicant to complete construction on the proposed system and activate service in the entire franchise area.
  - c. The financial capabilities of the applicant and its assured commitment to make the necessary investment to erect, maintain and operate the proposed CATV system for the duration of the franchise.
  - d. The quality and technical reliability of the proposed system, based upon the applicant's plan of construction and the method of distribution of signals, and the applicant's technical qualifications to construct and operate such system.
  - e. The experience of the applicant in the erection, maintenance and operation of a cable television system.
  - f. The capacity of the public rights-of-way to accommodate one or more additional cable systems and the potential disruption of those public rights-of-ways that may occur if one or more additional franchises is granted.
  - g. The potential disruption of existing cable television service and the potential for impact the residents of the City, based upon the number of potential subscribers in the proposed service area.
  - h. The likelihood and ability of an applicant to continue to provide competing cable television service to subscribers within the entire franchise area for the duration of the franchise.
  - i. Such other information that should be considered by the City prior to granting competing or overlapping franchises.

# **The City of Iron Mountain Lake, Missouri**

## **Article IV. Franchise Conditions**

### **Section A. Franchise term renewal**

1. The term of this franchise shall be fifteen (15) years. The Grantee shall have the option to renew this franchise, subject to renegotiation of the agreement, for additional five (5) year periods.

### **Section B.**

1. Except as otherwise provided in this ordinance the City Aldermen shall not meet to take any final action involving the grantee's franchise unless the City has (a) advised the Grantee in writing, as to its time, place and purpose and (b) published a notice at least once, seven (7) days before the meeting in a newspaper of general circulation within the City. The notice provided for in this section shall be in addition to and not in lieu of, the notice to grantee and opportunity to cure any default provided in this ordinance.

### **Section C. Franchise Review and Modification**

1. It shall be the policy of the City to amend a franchise, upon application of the Grantee, when necessary to enable the Grantee to take advantage of the advancements in the state-of-the-art, which will afford it an opportunity to more effectively, efficiently, or economically serve its subscribers.

### **Section D. Franchise Fees**

1. The grantee, in consideration of the privilege granted under the franchise for the operation of a cable television system within the public ways of the City and the expense of regulation of the franchise incurred by the City, shall pay to the City a franchise fee. That fee shall be set at five percent (5%) of gross revenues if such fee would detrimentally impact the economic viability of the Grantee's cable communication system. Provided further, Grantee shall be entitled to adjust its rates to recover from subscribers and users any increase in the franchise fee adopted by the City pursuant to this section.
2. Grantee shall pay its franchise fee on an annual basis. The grantee shall file with the City, within one hundred twenty (120) days following the conclusion of the calendar year, an annual report showing its total gross revenues for the calendar year and the amount of franchise fee due to the City.
3. The City shall have the right to inspect the Grantee's income records, the right of audit, and the recuperation of any amounts determined to be payable under this ordinance. Any additional amount due the City as a result of the audit or re-computation shall be paid within sixty (60) days following written notice to the Grantee by the City which notice shall include a copy of the audit or re-computation report. The cost of said audit shall be borne by the Grantee only

## **The City of Iron Mountain Lake, Missouri**

if it is properly determined that the Grantee's annual payment due to the City for the preceding year was at least twenty percent (20%) less than it properly should have been. Otherwise the City shall bear the cost of any such audit.

4. In the event that any franchise payment or recomputed amount is not paid on or before the applicable dates heretofore specified, interest shall be charged from such due date at the non-compounded interest rate of one percent (1%) per month.
5. In the event the franchise is terminated prior to its expiration date the Grantee shall file with the City within sixty (60) days of the date that ownership and control passes to an assignee, a financial statement showing the gross revenues received by Grantee since the end of the previous calendar year. The Grantee shall pay the franchise fee due at the time such statement is filed or within thirty (30) days thereafter.

### **Section E. Insurance and Bonds.**

1. Upon the granting of a franchise and within sixty (60) days following the filing of the acceptance required and at all times during the term of the franchise the Grantee shall obtain, pay all premiums for and file with the City executed duplicate copies of the following;
  - a. A general comprehensive liability policy indemnifying, defending and saving harmless the City, its officers, boards, commissions, agents or employees from any and all claims by any person whatsoever on account of injury to or death of a person or persons occasioned by the operations of the Grantee under the franchise herein granted, or alleged to have been so caused or occurred, with a minimum liability of five hundred thousand dollars (\$500,000) per personal injury or death of any one person and one million dollars (\$1,000,000) for personal injury or death of any two or more persons in any one occurrence.
  - b. Property damage insurance indemnifying, defending, and saving harmless the City, its officers, boards, commissions, agents and employees from and against all claims by any person whatsoever for property damage occasioned by the operation of property damage occasioned by the operation of Grantee under the franchise herein granted, or alleged to have been so caused or occurred, with a minimum liability of Five Hundred thousand Dollars (\$500,000) for property damage to the property of any one person and One Million Dollars (\$1,000,000) for property damage to the property of two or more persons in any one occurrence.
2. All insurance policies called for herein shall be in a form satisfactory to the City Attorney and shall require thirty (30) days written notice of any cancellation to both the City and the Grantee. The notice, obtain, pay all

## **The City of Iron Mountain Lake, Missouri**

premiums for, and file with the City, written evidence of the issuance of replacement policies within thirty (30) days following receipt by the City or the Grantee of any notice of cancellation.

### **Section F. Indemnity**

1. The Grantee shall, at its sole cost and expense, indemnify and hold harmless the City, its officials, boards, commissions, consultants, agents and employees against any and all claims, suits, causes of action proceedings, and judgments for damage arising out of the award of a franchise to the Grantee and its operation of the cable television system under the franchise. These damages shall include, but not be limited to, penalties arising out of copyright infringements and damages arising out of any failure by Grantee to secure consents from the owners, authorized distributors or licensees of programs to be delivered by the Grantee's cable television system whether or not any act or omission complained of is whether or not any act or omission complained of is authorized, allowed, or prohibited by the franchise.

### **Section G. Transfer of Franchise**

1. A franchise granted under this ordinance may be assigned or transferred, in whole or in part, by voluntary sale, sale and leaseback, merger, consolidation or otherwise or by forced or involuntary sale, with the prior consent of the City of aldermen expressed by resolution.
2. The City Aldermen shall not withhold its consent to any transfer of a franchise unreasonably; provided that the proposed assignee agrees to comply with the franchise and shall provide proof of its legal technical financial, and character qualifications to operate the cable system.
3. No such consent shall be required for a transfer in trust mortgage, or other instrument of hypothecation, in whole or in part to secure an indebtedness.

### **Section H. Subscriber Fees and Records.**

1. The Grantee shall not, with regard to fees, discriminate or grant any preference of advantage to any person. However, the grantee may establish different rates for different classes of subscribers, provided that the Grantee does not discriminate between subscribers of the same class.
2. Grantee may, at its own discretion, in a non-discriminatory manner, waive, reduce or suspend connection fees and/or monthly service fees for promotional purposes.
3. This Section shall prevent a grantee from refusing service to any person because the Grantee's prior accounts with that person remain due and owing.
4. A Grantee may offer service which requires advance payment of periodic service charges. A customer shall have the right, at any time, to have its



## **The City of Iron Mountain Lake, Missouri**

service disconnected without charge and with a refund of prepaid service charges within sixty (60) days from the date service is disconnected.

### **Section I. Extension of Service.**

1. Grantee shall extend its cable television system and make service available as follows:
  - a. Within one (1) year after the grant of a franchise service shall be provided to all streets or parts of streets reaching a minimum density of thirty (30) dwelling units per street mile beginning at the boundary of any trunk line.
  - b. Concurrently with the City of laying lines to developing areas have a planned minimum density of thirty (30) dwelling units per street mile, beginning at the boundary of the existing service area.
2. Grantee must extend and make cable television service available to any resident within the franchise area who requests connection, at the standard connections charge, if the connection to the resident would require no more than a standard one hundred and fifty (150) foot areal or buried drop line.
3. With respect to request for connection requiring an aerial or buried drop line in excess of one hundred and fifty (150) feet, Grantee shall extend and make available cable television service to such residents at a connection charge not to exceed the actual costs incurred by the Grantee for the distance exceeding one hundred fifty (150) feet.
4. The grantee shall provide aerial or buried drop lines to new subdivisions within the franchise area at the request of the developer provided the developer contracts and agrees with the Grantee to pay the cost of the extension of the service.

### **Section J. Free basic Service to Public Schools**

1. Grantee shall provide, without charge, on service outlet activated for basic subscriber service to each school in the City; however, if it is necessary to extend Grantee's trunk or feeder lines more than two hundred (200) feet, solely to provide service to any such school, the City shall have the option of either paying Grantee's direct costs for such extension in excess of two hundred (200) feet, or of releasing Guarantee from the obligation to provide service to such building. Furthermore, Grantee shall be permitted to recover from any public building owner entitled to free service, the direct cost of installing, when requested to do so, more than one outlet, or concealed inside wiring, or a service outlet requiring more than two hundred (200) feet of drop cable.

### **Section K. Operational Requirements and Records.**

## **The City of Iron Mountain Lake, Missouri**

1. The cable television system to be installed by Grantee shall comply in all respects with the technical performance requirements set forth in the FCC's rules for Cable Television including applicable amendments thereto.
2. Grantee shall construct, operate, and maintain the cable television system in full compliance with the rules and regulations, including applicable amendments, of the Federal Communications Commission and all other applicable federal, state, or local laws.
3. Grantee shall maintain a regional office which shall be open and accessible to the public with adequate telephone service during normal business hours. Grantee shall employ an operator or maintain a telephone answering service twenty-four (24) hours per day, each day of the year, to receive subscriber complaints.
4. Grantee shall exercise its best effort to design construct, operate, and maintain the system at all times so that signals carried are delivered to subscribers without material degradation in quality (within the limitations imposed by the technical state-of-the-art).
5. In the case of any emergency or disaster, the Grantee shall, upon request of the City, make available its facilities to the City, for emergency use during the emergency or disaster period.

### **Section I. Rates to Customers**

1. The City acknowledges that the Cable Communications Policy Act of 1984 and the regulations of the FCC adopted pursuant thereto limit the City's ability to regulate rates to specified circumstances which do not apply in Iron Mountain Lake. The Grantee will give the City thirty (30) days advance written notice of any change in rates and Charges whenever possible. However, under federal law the grantee is entitled to set its rates and charges as it sees fit without obtaining prior consent of the City.
2. All rates will be published, including rates for installation and monthly charges for providing basic, pay television and converter deposits. Except where necessary to meet competition, rates will nondiscriminatory and uniform to persons and organizations of like classes, under similar circumstances and conditions.
3. The Grantee shall provide refunds to subscribers in the following cases:
  - a. If the grantee fails within a reasonable time to commence service requested by a subscriber, it will refund all deposits or advance charges that the subscriber has paid in connection with the request for such service.
  - b. If a subscriber terminates any service at any time and has a credit balance, the Grantee will, upon notice from subscriber and upon return of all of Grantee's equipment, refund the appropriate credit balance to

## **The City of Iron Mountain Lake, Missouri**

the subscriber. The subscriber will be responsible for furnishing the Grantee a proper address to which to mail the refund.

- c. If any subscriber's service is out of order for more than 24 consecutive hours during the month due to technical failure, damage, or circumstances within the control of the Grantee, the Grantee will credit the account of that subscriber on a pro rata basis upon the subscriber's written request. The credit will be calculated using the number of twenty-four (24) hour periods that service is impaired and the number of channels on which service is impaired as a fraction of the impairment occurs, and as a fraction of the total number of days in the month that the service impairment occurs and the total number of channels provided by the system in the absence of an impairment.

### **Section M. Service Repair and Complaint Procedures**

1. Except for circumstances beyond the Grantee's control such as acts of God, weather, wars, riots and civil disturbances, the Grantees shall be capable of locating and correcting system malfunctions promptly.
2. A listed local telephone number or toll free (800) number shall be made available to subscribers for service calls. Investigative actions shall be initiated in response to all service calls, other than major outages, not later than the next business day after the call is received. Corrective action shall be completed as promptly as practicable.
3. A service technician shall be available to respond to a service calls from a subscriber Monday through Friday during normal working hours. Calls requesting repair and service shall be responded to the same day they are received whenever possible. If a service call is received after 3 P.M. on Friday, every attempt shall be made to respond within 72 hours.
4. In establishing response time, the Grantee may differentiate between service problems unique to a single household and problems caused by a service outage which affects a large number of subscribers ("area outage")
5. An "area outage" is defined as an outage of all cable channels in three (3) or more residences in the same neighborhood or area which is caused by a problem with the Cable system, rather than being caused by the subscriber. All area outages shall be responded to as soon as possible after notification on a 12 hours a day, 7 days a week basis. Designated technicians shall phone or paged by Grantee or an answering service employee. Technicians are expected to repair the Problem found and have the system operational as soon as possible.

### **Section N. Street Occupancy**

1. Grantee shall utilize existing poles, conduits and other facilities whenever possible, but may construct or install new, different, or additional poles,

## **The City of Iron Mountain Lake, Missouri**

conduits, or other facilities whether on the public way or on privately-owned property with the written approval of the appropriate governmental authority, and, if necessary, of the property owner. Such approval shall not be unreasonably withheld by the governmental agency.

2. All transmission lines, equipment and structures shall be so installed and located as to cause minimum interference with the rights and appearance and reasonable convenience of property owners who adjoin on any public way at all times shall be kept and maintained in a safe condition and in good order and repair. The Grantee shall at all times employ reasonable care and shall use commonly accepted methods and devices for preventing failures and accidents which are likely to cause damage, injuries or nuisances to the public.
3. Grantee shall have the authority to trim trees on public property at its own expense as may be necessary to protect its wires and facilities, subject to the direction of the City or other appropriate governmental authority.

### **Section O. Consumer Protection**

1. The Grantee shall not, without good cause, fail to make available cable service to prospective subscribers nor shall the Grantee terminate service without good cause. Service shall be provided to all interested customers where economically feasible and consistent with the line extension provisions contained in this ordinance.
2. Unless a written contract exists between the grantee and a subscriber, service shall be on a month-to-month basis and the Grantee shall not assess a penalty for cancellation of the service.
3. The Grantee is expressly prohibited from requiring, offering or providing any inducements for any subscriber to remove an existing antenna as a condition to providing service.

### **Section P. Protection of Privacy**

1. The Grantee and the City will constantly guard against possible abuses of the right of privacy or other rights of any subscriber or person. In particular, the Grantee shall comply with the privacy provisions of the Cable Communications Policy Act of 1984, 47 U.S.C. Section 551, incorporated herein by reference.
2. Grantee shall not permit the transmission of any signal, aural, visual or digital, including 'polling' the channel selection from any subscriber's premises without first obtaining the informed consent of the subscriber as a condition of an service for which transmission being authorized and includes a prominent state that the subscriber is authorizing the permission in full knowledge of its provision, and shall be revocable at any time by the subscriber without penalty of any kind whatsoever. This provision is not intended to prohibit the use or transmission of signals useful only for the control or measurement of system

## **The City of Iron Mountain Lake, Missouri**

performance or used only for billing subscribers or providing optional pay services.

3. Grantee shall not permit the use of any special terminal equipment in any subscriber's premises that shall permit transmission from the subscriber's premises of two-way services utilizing aural, visual or digital signals without first obtaining written permission of the subscriber as provided in Paragraph A of this Section.
4. Grantee, or any of its agents or employees, shall not, without the specific written authorization of the subscriber involved, sell or otherwise make available to any party any list which identifies the viewing habits or responses of individual subscribers.

### **Article V. General Provisions.**

#### **Section A. Compliance with State and Federal Law**

The Grantee shall, at all times, comply with all laws of the State Federal government and the rules regulations of any Federal or state administrative agency.

#### **Section B. Severability**

If an section of this ordinance or the franchise, or any portion thereof, is held invalid or unconstitutional by any court of competent jurisdiction or administrative agency, such decision shall not affect the validity of the remaining portions hereof, except as otherwise provided for herein.

#### **Section C. Special License**

The City reserves the right to issue a license, easement or other permit to anyone other than the Grantee to permit that person to traverse any portion of the Grantee's franchise area within the City in order to provide service outside the City. Such license or easement, absent as grant of a franchise in accordance with this ordinance, shall not authorize accordance with this ordinance, shall not authorize nor permit said person to provide cable television service of any nature to any homeport place of business within the City, nor to render any service or connect any subscriber within the City to the Grantee's cable television system

#### **Section D. Acceptance of Franchise**

This franchise ordinance and its terms and conditions shall be accepted by the Grantee by written instrument filed with the City within ninety (90) days after the granting of the franchise, unless said period is extended by the City Aldermen.

# **The City of Iron Mountain Lake, Missouri**

## **Section E. Nondiscrimination in Employment**

The Grantee shall neither refuse to hire nor discharge from employment nor discriminate against any person in compensation, terms, conditions, or privileges of employment because of age, sex, race, color, creed or national origin. The Grantee shall take affirmative action to insure that employees are treated without regard to their age, sex, race, color, creed or national origin. This condition includes, but is no limited to, the following: recruitment advertising, employment interviews, employment, rates of pay, upgrading, transfer, demotion, lay-off, and termination.

## **Section F. Grantee May Issue Rules**

Grantee shall have the authority to issue such rules, regulations, terms and conditions of its business as shall be reasonably necessary to enable it to exercise its rights and preform its service under this ordinance and the Rules of the FCC, and to assure uninterrupted Service to each and all of its subscriber. Such rules and regulations shall not be deemed to have the force of Law.

## **Section G. Delegation of Powers**

Any delegable right, power or duty of the City, the City aldermen or any official of the City under this resolution of the City aldermen to appropriate officer, employee, or department of the City, or any other legal authority.

## **Section H. Effective date.**

This ordinance shall become effective upon its adoption.

PASSED AND ADOPTED THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 1989

ORD.IML – 1989

Doyle Lance

Mayor

Attest:

Martha Lance

## **The City of Iron Mountain Lake, Missouri**

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 25 – ROAD IMPROVEMENTS BOND**  
Original Ordinance

Bill number 25

Ordinance Number 25

**AN ORDINANCE RATIFYING THE ISSUANCE OF A ROAD IMPROVEMENT BOND**

WHEREAS, Section 95.115 RSMO provides that cities incurring indebtedness not exceeding the annual income and revenue shall not require voter approval; and,

WHEREAS, the Board of Aldermen of The City of Iron Mountain Lake, Missouri has resolved to limit such application to an amount not exceeding such income and revenues.

**THEREFORE, THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, STATE OF MISSOURI, DOES ORDAIN AS FOLLOWS:**

A road improvement bond in the amount of thirty thousand dollars (\$30,000.00) shall be issued and contract agreement be entered into for the purchase of such a bond in its entirety by Mr. E. Paul Black and Helen Black, his wife.

This bond shall be held by the purchaser (s) until repaid in full by the City of Iron Mountain Lake with eighty three (83) monthly payments of five hundred dollars (\$500.00) per month and one final payment of two hundred sixty one dollars and eighty cents (\$261.80), including interest and principal.

Said payment shall be made starting one (1) month from the date of issue of such bond and shall continue to be paid monthly until the entire principal and all incurred simple interest of ten percent (10%) annually be paid. 9seven years).

Proceeds from this bond sale shall be used exclusively for the repair and resurfacing of certain section s of streets within the City of Iron Mountain Lake as set forth in submitted plans.



## **The City of Iron Mountain Lake, Missouri**

An agreement between the City of Iron mountain Lake and Missouri Petroleum Products Company shall provide for all materials and labor to be paid for from funds derived from said bond issue.

READ THREE TIMES AND PASSED THIS 6<sup>TH</sup> DAY OF NOVEMBER, 1989.

APPROVED THIS 6<sup>TH</sup> DAY OF NOVEMBER, 1989.

ORD.IML – 1989

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 26 – CURFEW OF MINORS**  
Original Ordinance

Bill Number 2008-024

Ordinance Number 26

**CURFEW OF MINORS**

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY  
THE BOARD OF ALDERMEN OF THE CITY OF IRON  
MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:

**Article I:**

This ordinance as it is enacted shall make ordinance Number 26 null and void upon its passage by the Board of Aldermen of the City of Iron Mountain Lake, Missouri.

**Article II:**

It shall be unlawful for any minor who is sixteen years of age or less to loiterer play in or upon any public grounds or places of amusement between the hours of 11:00 PM and 5:00 AM of the following day; provided however, that the provisions of this ordinance do not apply if the minor in question is accompanied by his or her parent, guardian, or legal adult having care and custody of said minor.

**Article III:**

Violation of this ordinance shall carry a fine of no more than one hundred dollars (\$100.00) and no less than fifty dollars (\$50.00). It shall be referred to the Juvenile authorities for further enforcement.

EFFECTIVE DATE: THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT  
FROM THE DATE OF ITS PASSAGE.

DATE OF FIRST READING: DECEMBER 8, 2008

## **The City of Iron Mountain Lake, Missouri**

DATE OF SECOND READING: DECEMBER 8, 2008

PASSED AND APPROVED: THIS 8<sup>TH</sup> DAY OF DECEMBER 2008

Jody Niccum

Mayor

Attest:

Ivette

City Clerk

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\*\*\* Do to original ordinance being nullified copy is not in online data base, but can be found in the Iron Mountain Lake City Hall\*\*\*

# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 27 – MODEL TRAFFIC ORDINANCE**

### **Original Ordinance**

Bill Number 27

Ordinance Number 27

**AN ORDINANCE ADOPTING CHAPTER 300, REVISED STATUTES OF MISSOURI, KNOWN AS THE “MODEL TRAFFIC ORDINANCE” AS AND FOR THE TRAFFIC ORDINANCE OF THIS CITY: AND TO PROVIDE OTHER SECTIONS PRESCRIBING REGULATIONS FOR ADDITIONAL TRAFFIC RELATED COMPLIANCES.**

**BE IT ORDAINED BY THE BOARD OF COUNCILMEN OF THE CITY OF IRON MOUNTAIN LAKE, STATE OF MISSOURI AS FOLLOWS:**

**27.010:** Chapter 300, consisting of sections 300.010 through 300.600, Revised Statutes of Missouri, commonly known as the Model traffic ordinance is hereby adopted as and for the traffic ordinance of this city with like effect as if recited at length herein, with the exception of the following sections of said “Model Traffic Ordinance” which sections 300.050, 300.055, 300.065, 300.070, and 300.130 through 300.200

**27.020: Traffic Division.** The traffic division established by section 300.015 of the Model Traffic coextensive with the police department of this city. Officer of the police department shall have the duties and responsibilities of an officer of the traffic division. The Chief of Police shall be the officer in charge of the traffic division.

**27.030: City Traffic Engineer.** The office of city traffic engineer established by Section 300.060 of the model traffic ordinance adopted in section 27.010 of this ordinance shall be held by the Police Chief. The Police Chief shall not receive additional compensation by reason of his holding the office of city traffic engineer.

**27.040 Traffic Violations Bureau.** The Municipal Court shall establish a traffic violations bureau to assist the court with the clerical work of traffic cases. The bureau shall be in charge of such person or persons and shall be open at such hours as the Municipal Judge may designate. The judge of the Municipal Court who hears traffic cases shall designate the specified offenses under this law or

## **The City of Iron Mountain Lake, Missouri**

under the traffic ordinances of the City and the state traffic laws in accordance with Supreme Court rule number 37.50 in respect to which payments of fines may be accepted by the traffic violations bureau in satisfaction thereof, and shall specify suitable schedules the amount of such fines for first, second, and subsequent offenses, provided such fines are within the limits declared by law or ordinance, and shall further specify what number of such offenses shall require appearance before the court.

**27.050: Speed Limit Established.** No person shall operate or drive a motor vehicle (except emergency vehicles on emergency runs) or any other conveyance on any street in the City at any time, at a rate of speed in excess of limits set forth in Ordinance Number 1 (one) and amendments thereto.

1. It shall be unlawful for any person unnecessarily to drive at such a slow speed or in such position on the roadway as to impede or block the normal and reasonable movement of traffic.
2. Every person operating a motor vehicle on the streets of the City shall operate or drive in such a careful and prudent manner, as to be in compliance with Ordinance Number 2 (two), section 2 (two) of this city.

**27.060: Speed Limit Signs.** Whenever a zone in which the maximum speed at which a vehicle may be driven shall have been prescribed by ordinance, the City traffic engineer (Police Chief) shall cause appropriate signs to be placed in conspicuous positions on the street or part thereof embraced by such zone.

1. Every such sign shall show such maximum speed in letters and numerals against a contrasting background, and each of the numerals shall be at least five inches high. Such signs shall be placed at such intervals from the beginning to the end of the zone as to be reasonably sufficient to inform drivers of vehicles of the speed limit.
2. Nothing in this section shall be so construed as to prevent the enforcement, of speed limitations prescribed for specified, general districts of the prescribed for specified, general districts of the City, whether or not maximum speed signs are placed or maintained in such districts.

**27.070: Through Streets.** In accordance with the provisions of section 300.255 and when signs are erected giving notice thereof, drivers of vehicles shall stop at streets or parts of streets:

Parkway Drive at intersection of Mallard Drive, St. Louis Drive, Gallatin Drive, and at Potosi Drive.

Gallatin Drive at intersection of St. Louis Drive

## The City of Iron Mountain Lake, Missouri

West Lakeshore Drive at the intersection of Potosi Drive.

East Lakeshore Drive at the intersection of Dearborn Drive.

1. In accordance with the provisions of section 300.25 and when signs are erected giving notice thereof, drivers of vehicles shall yield at every intersection before entering any of the following streets or parts of streets:

Gallatin Drive at the Eastbound and Westbound intersection of West Lakeshore Drive.

**27.08: One Way Streets and Boulevards.** In accordance with section 300.245 and when properly signposted, traffic following streets and boulevards:

Parkway Drive outbound lane

Kansas Drive to

Northerly

Highway W

Parkway Drive inbound Lane

From Highway W

Southerly

To Kansas Drive

**27.090: Fail To Stop For School Bus.** In accordance with the provisions of section 305.050 of the Missouri Revised statutes, the driver of a vehicle upon the streets of the City shall, upon meeting or overtaking from either direction, any school bus which has stopped on the street for the purpose of receiving or discharging any school children and whose driver has, in the manner prescribed by law, given the signal to stop, shall stop the vehicle before reaching such school bus and shall not proceed until such school bus resumes motion, or until signaled by its driver to proceed. Any person who violates this provision is guilty of a Class a Misdemeanor.

**27.100: Improper Turns and Stops.** In accordance with the provisions of section 304.019 of the Missouri Revised Statutes, no person shall stop or suddenly decrease the speed of or turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety and then only after giving of an appropriate signal in the manner provided in said section. Any person who violates this section shall be subject to a fine of not less than \$5.00 (five dollars) or more than \$500.00 (five hundred dollars).

**27.110: Inadequate Muffler.** In accordance with the provisions of Section 307.170 of the Missouri Revised Statutes, the motors of all motor vehicles shall

## The City of Iron Mountain Lake, Missouri

be fitted with as to quiet the maximum possible exhaust noises completely as is done in modern gas engine passenger motor vehicles. Any person who violates this section shall be subject to a fine of not less than \$5.00 (five dollars) nor more than \$500.00 (five hundred dollars).

**27.120: Defective Lights.** In accordance with the provisions of Section 307.020 through 307.127 of the Missouri Revised Statutes, no person shall drive, move, park, or be in custody of any vehicle on any street during the times between one half-hour after sunset and one half-hour before sunrise, and at any other time when there is not sufficient lights or visibility to render clearly discernible persons and vehicles on the roadway at a distance of five hundred feet ahead unless such vehicles displays lighted approved headlamps and illuminating lamps and devices in good working order. Any person who shall violate the provisions of this section shall be guilty of a misdemeanor.

**27.130: Defective Brakes.** In accordance with provisions of section 307.170 of the Missouri Revised Statutes, all motor vehicles, except motorcycles, shall be provided at all times with two sets of adequate brakes, kept in good working order, and motorcycles shall be provided with one setoff adequate brakes kept in good working order. Any person who violates this section shall be subject to a fine of not less than \$5.00 (five dollars) nor more than \$500.00 (five hundred dollars).

**27.140: Following Too Closely.** The driver of a vehicle shall not follow another vehicle more closely that is reasonably safe and prudent, having due regard for the speed of such vehicle and the traffic upon and the condition of the roadway. (RSMO 304.017). Any person who violates this section shall be subject to a fine of not less than \$5.00 (five dollars) nor more than \$500.00 (five hundred dollars).

**27.150: Motor Vehicle And Trailer Inspection Required And Inspection Sticker Affixed.** The owner of every motor vehicle and trailer as defined in Section 301.101 of the safety standards established by the united states department of transportation and shall submit such vehicles to an annual inspection of their mechanism and equipment in accordance with the provisions of Sections 307.350 through 307.3990 and obtain a certificate of inspection and approval official inspection station. The sticker, seal or other device designating approval shall be displayed upon the motor vehicle or trailer as prescribed by the regulations established by the superintendent of the Missouri Highway Patrol.

1. No person shall make, issue or knowingly use any imitation or counterfeit of an official certificate of inspection, sticker, seal or other device.
2. No person shall display or cause or permit to be displayed upon any vehicle any certificate of inspection and approval, sticker, seal or other

## The City of Iron Mountain Lake, Missouri

device knowing the same to be factious or issued for another vehicle or issued without an inspection having been made.

Any person who violates any provision of this section is guilty of a misdemeanor and subject to a fine of not less than \$5.00 (five dollars) nor more than \$500.00 (five hundred dollars)

**27.160: Application for Registration of Motor Vehicles and Trailers.** In accordance with the provisions of Section 301.020 of the Missouri Revised Statutes every owner of a motor vehicle or trailer, which shall be operated or driven expressly provided, shall annually file, by mail or otherwise, in the office of the director of revenue, and application for registration on a blank form to be furnished by the director of revenue for that purpose.

1. Anyone who fails to comply with the regulations this section shall be guilty of a class B misdemeanor.

**27.170: Seat Belts Required for Passenger Cars.** In accordance with Section 307.178 of the Missouri Revised statutes each driver, except persons employed by the United States Postal Service While performing duties for that federal agency which requires the operator to service postal passenger car manufactured after January 1, 1968, operated on a street in their city, shall wear a properly adjusted and fastened safety belt that meets Federal National Highway, Transportation and Safety Act requirements; except Highway, Transportation and Safety Act requirements; except as required in Section 210.104, RSMO. Each driver of a motor vehicle transporting a child four years of age or more, but less than sixteen years of age, in the front seat of the motor vehicle shall secure the child in a properly adjusted and fastened safety belt.

1. No person shall be stopped, inspected or detained solely to determine compliance with this section.
2. The provisions of this section shall not be applicable to persons who have a medical reason for failing to have a safety belt fastened about his or her body.
3. As used in this section, the term “passenger car” means every motor vehicle designed for carrying ten persons or less and used for the transportation of persons; except that, the term “passenger car” shall not include motorcycles, motorized bicycles and trucks.
4. Each person who violates this section shall be guilty of an infraction for which a fine not to exceed \$10.00 (ten dollars) may be imposed.

**27.180: Passenger Restraint System Required for Children under Four Years of Age.** Every person transporting a child under the age of four years residing in this state shall be responsible, when transporting such child in a motor vehicle



## **The City of Iron Mountain Lake, Missouri**

operated by that person on the streets of this city, for providing for the protection of such child. When travelling in the front seat of a motor vehicle the child shall be protected by a child passenger restraint system approved by the Department of Public Safety. When traveling in the rear seat of a motor vehicle the child shall be protected by either a child passenger restraint system approved by the Department of Public Safety or the vehicle safety belt. In accordance with provisions in Section 210.104 of the Missouri Revised statutes any person who violates this section is guilty of an infraction and upon conviction may be punished by a fine of not more than \$25.00 (twenty-five dollars) and court costs.

**27.190: Proof of liability insurance on any motor vehicle operating within the City – required.** An insurance identification card shall be carried in any motor vehicle operating within the City of Iron Mountain Lake, Missouri certifying that the vehicle is adequately covered by liability insurance in accordance with Chapter 303 of the Revised Statutes of the State of Missouri.

This provision shall not apply to those vehicles which do not require a registered Missouri license plate.

The operator of an insured motor vehicle shall exhibit the insurance identification card on the demand of any peace officer who lawfully stops such operator while that officer is engaged in the performance of the duties of his office. If the operator fails to exhibit an insurance identification card, the officer shall notify the Director of Revenue of the State of Missouri.

A motor vehicle liability insurance policy, a motor vehicle liability insurance binder, or receipt which contains the policy information required by this ordinance, shall be satisfactory evidence of insurance in lieu of an insurance identification card.

Penalty – any person, firm or corporation violating the provisions of this ordinance shall be guilty of an infraction and, upon conviction thereof, shall be fined not less than \$5.00 (five dollars) not more than \$500.00 (five hundred dollars.)

All ordinances or sections of ordinances in conflict with this ordinance are hereby repealed.

This ordinance shall be in full force and effect from and after its passage and approval

## **The City of Iron Mountain Lake, Missouri**

READ TWO (2) TIMES AND PASSED THIS 8<sup>TH</sup> DAY OF JUNE

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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### Amendment to section 27.070

#### **AN ORDINANCE TO AMEND SECTION 27.070 OF ORDINANCE 27 ADOPTING CHAPTER 300 OF THE REVISED STATUTES OF MISSOURI KNOWN AS “THE MODEL TRAFFIC ORDINANCE” TO READ AS FOLLOWS;**

##### **27.070. Through Streets.**

In accordance with the provisions of Section 300.255 and when signs are erected giving notice thereof, drivers of vehicles shall stop at every intersection before entering one of the following streets or parts of streets:

Parkway Drive at intersection of Mallard Drive, St. Louis Drive, Gallatin Drive, and at Potosi Drive.

Gallatin Drive at intersection of St. Louis Drive.

West Lakeshore Drive at the intersection of Potosi Drive.

East Lakeshore Drive at the intersection of Dearborn Drive

North Lakeshore Drive at the intersection of Iron Drive.

St. Louis Drive at the intersection of Joplin Drive.

1. In accordance with the provisions of section 300.255 and when signs are erected giving notice thereof, drivers of vehicles shall

## **The City of Iron Mountain Lake, Missouri**

yield at every intersection before entering any of the following  
streets or parts of streets;

Gallatin Drive at the Eastbound and Westbound intersections of West  
Lakeshore Drive.

West Lakeshore Drive at the intersection of the southbound cutoff of  
Gallatin Drive.

READ THREE TIMES AND PASSED THIS 13<sup>TH</sup> DAY OF JULY, 1998

Milton E. Bailey

Mayor

Attest:

Angela G. Henson

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 28 – LEGAL SERVICE AGREEMENT – SEWER**  
**SYSTEM**

Original Ordinance

Bill number 28

Ordinance number 28

**AN ORDINANCE AUTHORIZING THE CITY OF IRON MOUNTAIN LAKE TO  
EMPLOY AN ATTORNEY TO ASSIST THE CITY OFFICERS IN NEGOTIATING  
AND CLOSING A LOAN FOR THE CONSTRUCTION AND OPERATION OF A  
SEWER SYSTEM IN THE CITY OF IRON MOUNTAIN LAKE AND SUCH OTHER  
LEGAL WORK AS MAY BE NEEDED CONJUNCTION WITH THE CONSTRUCTION  
AND INITIAL OPERATION OF THE SEWER SYSTEM**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON  
MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

The Mayor of the Cities hereby authorized to execute and enter on behalf of the City a legal service agreement, a copy of which is attached hereto, with Attorney Eric C. Harris of Mayhugh & Harris of Park Hills, Missouri, to furnish advice, consultation and assistance in the negotiation and losing of a loan for the construction and operation of a sewer system for the City of Iron Mountain Lake, Missouri, and such other legal work as may be needed in connection with the construction and initial operation of the sewer system. The compensation to be paid such attorney is at the rate of \$120.00 per hour for all work performed, plus out-of-pocket expenses and remuneration at the rate of 26 cents per mile for the use of his automobile, not to exceed \$11,000.00 dollars.

**ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT WITH THIS  
ORDINANCE ARE HEREBY REPEALED.**

**PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE,  
MISSOURI, THIS 10<sup>TH</sup> DAY OF APRIL, 1995**

## The City of Iron Mountain Lake, Missouri

ORD.IML – 1995

Eugene Henson

Mayor

Martha Lance

City Clerk

Certificate

I, the undersigned City Clerk of the City of Iron Mountain Lake of St. Francois County, Missouri hereby certify that the above and foregoing is a true and correct copy of Ordinance Number 28 of said City of Iron Mountain Lake as the same appears of record in my office, and as it was passed and approved by the Board of Aldermen of said city of Iron Mountain Lake. Ordinance number 28 has not been altered, amended or repealed as of this 10<sup>th</sup> day of April, 1995

Martha Lance

City Clerk

### Legal Service Agreement

#### LEGAL SERVICE AGREEMENT

**AGREEMENT MADE THIS 14 DAY OF SEPTEMBER, 1992, BETWEEN CITY OF IRON MOUNTAIN LAKE, HEREINAFTER CALLED THE OWNER ERIC C. HARRIS ATTORNEY-AT-LAW, OF FLAT RIVER, MISSOURI, HEREINAFTER CALLED ATTORNEY, WITNESSETH:**

**WHEREAS, the owner is intending to finance construct, purchase and operate a public sewer system, and the attorney agrees to perform all the legal services necessary to the financing, construction, purchasing and initial operation of a public sewer system, such services to include, but not to be restricted to the following:**

## **The City of Iron Mountain Lake, Missouri**

1. Preparation for the furnishing advice and assistance to the owner in connection with (a) the notice for and conducting the meetings of the governing body; (b) the preparation of all minutes or journal entries of these meetings; (c) the preparation and enactment of such resolutions or ordinances as may be necessary in connection with the authorization, financing, construction and connection with the authorization, financing, construction and initial operation of a public sewer system; (d) the preparation of such affidavits, publication notices, ballots, reports, certifications and other instruments and advice as may be needed in conducting such bond elections as may be necessary; (e) the execution of documents for obtaining a loan made or insured by the caution of documents for obtaining a loan made or insured by the United States of America, acting through the Farmers Home Administration, U.S. Department of Agriculture; (f) entering into construction contracts; (g) adoption of resolutions or ordinances containing rules, regulations and rate schedules; (h) such other corporate action as may be necessary in connection with the financing, construction and initial operation of a sewer system.
2. Review of construction contract, bid-lettering procedures, surety, and contractual bonds in connection therewith.
3. Preparation or review of contract with a city or other source of water supply when necessary.
4. Examination of real estate titles and preparation of right-of-way easements necessary to provide continuous right of way for the sewer system. Obtaining of necessary permits from county, townships, state, utility companies, and others with respect to the sewer pipeline crossings or roads, easements, use of ditches for people in, etc.
5. Examination of real estate titles and preparation or review of deeds, easements, or other instruments, for sites for source of water supply, pumping stations, water standpipes, treatment plants lagoons, and other facilities necessary to the sewer system and recording of the same. Preparation of abstracts of title by an abstract company will be paid for by the owner.
6. Cooperation with the engineer employed by the owner in connection with preparation of easements and other necessary title documents, construction contracts, water supply contracts, health permit, crossing permits and other instruments.
7. Institution and completion of annexation proceedings, when necessary.
8. Assemble and prepare dockets or transcripts of the instruments and proceedings showing the actions taken for financing the sewer system, and obtaining the property and rights of way.
9. Preparation of opinions of counsel as required by the owner or the Farmers Home Administration, united States Department of Agriculture.

## **The City of Iron Mountain Lake, Missouri**

The owner agrees to pay the attorney for professional services at the rate of One Hundred Dollars (\$100.00) per hour. The above hourly rate will not include out-of-pocket costs, such as mileage and telephone calls. Mileage charged will be billed at \$0.21 per mile. Total legal fees, including out-of-pocket costs, will not exceed Fifteen Thousand Dollars (\$15,000.00). Said fees to be payable in the following manner and at the following times:

In full upon receipt of approved project funding.

10. When applicable, secure assistance of and cooperate with recognized bond counsel in the preparation of the documents necessary for the financing aspects of the system.

THIS AGREEMENT SUPERSEDES AND CANCELS ANY OTHER CONTRACTS OR INFORMAL ARRANGEMENTS WHICH HAVE BEEN MADE BETWEEN THE ATTORNEY AND THE LOAN APPLICANT PRIOR TO THE EXECUTION OF THIS INSTRUMENT.

Eric C. Harris

Attorney

Doyle Lance

Mayor

Martha Lance

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 29 – ENGINEERING CONTRACT WITH WATERS AND ASSOCIATES**

Original Ordinance

Bill Number 29

Ordinance 29

**AN ORDINANCE APPROVING THE ENGINEERING CONTRACT BETWEEN THE CITY OF IRON MOUNTAIN LAKE AND WATERS & ASSOCIATES (WATERS, LAMBERT, & CHITTENDEN, INC.)**

**WHEREAS, the Mayor and City Council have heretofore reviewed a contract, marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and**

**WHEREAS, the Mayor and Council of the City of Iron Mountain Lake, Missouri, deemed it advisable to enter into said engineering contract;**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

1. That the Mayor and Council of the City of Iron Mountain Lake approved the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Iron Mountain Lake approved the contract marked exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Iron mountain Lake, a municipal corporation, and waters, Lambert & Chittenden, Inc. d/b/a Waters & Associates. It is the belief of the City Council that it is in the best interest of the citizens of the City of Iron Mountain Lake that the City enter into said engineering contract.
2. That the Mayor be and is hereby authorized and directed to execute said engineering contract for and on behalf of the City of Iron Mountain Lake.
3. That the City Clerk of the City of Iron Mountain Lake be and is hereby authorized and directed to attest to the signature of the Mayor on the attached engineering contract.
4. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and



## **The City of Iron Mountain Lake, Missouri**

independent provision, and such holding shall not affect the validity of the remaining portion hereof.

5. This ordinance shall take effect and be in full force from and after its passage and approval.
6. On motion duly made and seconded, said ordinance was placed on its first reading and was read in full duly passed by unanimous vote.

Thereupon, Alderman Bill Skaggs moved that said ordinance be placed upon final passage. Said motion was seconded by alderwomen Bernice Rogers. Said ordinance was thereupon read and considered, section by section, and was duly passed by the following vote:

Aye:

Bernice Rogers

Walter Parish

Bill Skaggs

Bob Kenace

Jealix Hamelback

Charles Bechtel

Nay:

None

THE MAYOR THEREUPON DECLARED SAID ORDINANCE DULY ADOPTED AND THE BILL WAS THEN DULY NUMBERED ORDINANCE NUMBER 29 AND WAS THEREUPON SIGNED AND APPROVED BY THE MAYOR AND ATTESTED BY THE CITY CLERK.

ON MOTION DULY MADE AND SECONDED, THE MEETING THEREUPON ADJOURNED AT 10:00 O'CLOCK P.M.

Doyle Lance

Mayor

Attest:

## **The City of Iron Mountain Lake, Missouri**

Martha Lance

Clerk

PASSED AND IN EFFECT THIS 14<sup>TH</sup> DAY OF SEPTEMBER, 1992

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 30 – SEWER BOND**  
Original Ordinance

Bill Number 30

Ordinance Number 30

**AN ORDINANCE CALLING A BOND ELECTION IN THE CITY OF IRON  
MOUNTAIN LAKE, MISSOURI**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON  
MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**Section 1.**

The Board of Aldermen finds it necessary to hereby declares its intent to borrow \$250,000 for the purpose of acquiring land and constructing a sewerage system for the City and to evidence such borrowing by the issuance of sewerage system revenue bonds of the City in the amount of \$250,000

**Section 2.**

A special bond election is hereby ordered to be held in the City of Iron Mountain Lake, Missouri, on Tuesday, August 3, 1993, on the following question:

**Question**

Shall the City of Iron Mountain Lake, Missouri, issue its sewerage system revenue bonds in the amount of \$250,000 for the purpose of acquiring land and constructing a sewerage system for the City, the cost of operation and maintenance of said sewer system and the principal of the interest on said revenue bonds to be payable solely from the revenues derived by the City from the operation of its sewerage system, including all future extensions and improvements thereto?

The authorization of said bonds will authorize the City to fix, establish, maintain and collect rates and charges for the services provided by the City through its sewerage system, including all extensions and improvements thereto hereafter constructed or acquired by the City, in addition to the other rates and charges for such services provided by law, as will produce income and revenues sufficient to

## **The City of Iron Mountain Lake, Missouri**

provide funds to pay the costs of operation and maintenance of said sewerage system and the principal of and interest on said bonds as they become due and to retire the same within thirty-five years from the date thereof, and to provide for the establishment of reasonable reserves therefor.

### **Section 3.**

The form of the Notice of Bond Election for said special election, a copy of which is attached hereto and made a part hereof, is hereby approved.

### **Section 4.**

The City Clerk is hereby authorized and directed to notify the County Clerk of St. Francois County, Missouri, of the adoption of this Ordinance no later than 5:00 P.M. on June 8, 1993, and to include in said notification all of the terms and provisions required by the comprehensive Election Act, Chapter 115 of the Revised Statutes of Missouri, as amended.

### **Section 5.**

The City expects to incur capital expenditures on and after the date of adoption of this Ordinance (the "Expenditures") in connection with the acquiring land and constructing a sewerage system for the City, and intends to reimburse itself for such Expenditures with the proceeds of said Bonds in an amount which, depending on the date of issuance of said Bonds, may aggregate a maximum of \$250,000, the anticipated cost of improvements. The Board of Aldermen has determined that the funds to be advanced to pay expenditures are or will be available only for a temporary period and it is necessary to reimburse the City for Expenditures made on and after the date hereof. As of the date hereof, there are no funds from sources other than said bonds that are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the City to pay the Expenditures. This Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.103-18 issued under the Internal Revenue Code of 1986, as amended, and the adoption of this Ordinance is consistent with the budgetary and financial circumstances of the Institution.

### **Section 6. Public Availability.**

This ordinance shall be made available to public inspection during normal business hours at the main administrative office of the City or the customary location of the City's records that are available to the general public, beginning within 30 days after its adoption and continuing until the Bonds are issued.

### **Section 7.**

## **The City of Iron Mountain Lake, Missouri**

This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED BY THE BOARD OF ALDERMEN THIS 1<sup>ST</sup> DAY OF JUNE, 1993

APPROVED BY THE MAYOR THIS 1<sup>ST</sup> DAY OF JUNE, 1993

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 31 – GARAGE SALES**

### **Original Ordinance**

Bill Number 31

Ordinance Number 31

#### **AN ORDINANCE REGULATING THE OPERATION OF GARAGE SALES, YARD SALES, CARPORT SALES, AND ANY OTHER SALES WITHIN CITY LIMITS.**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

#### **Section I. Definitions.**

For the purpose of this ordinance the following terms, phrases, words and their normal derivations, will have the meanings given herein:

1. Good is meant to include any goods, wares, merchandise, articles or other personal property, capable of being the object of sale regulated hereunder.
2. Person is any person, firm, partnership, association, or company of any kind.
3. Garage sales, yard sales, carport sales, or any other sales are sales of goods for profit offered to the public conducted at a single-family, a dual-family or a multi-family residential dwelling place.

#### **Section II. Number of Sales.**

It shall be unlawful to conduct more than two (2) garage sales, yard sales, car port sales, or any other sales at the same location within any calendar year

#### **Section III. Notification.**

Any person proposing to conduct a garage sale, yard sale, carport sale or any other sale must notify the City of Iron Mountain Lake of the place where such sale is to be conducted, the dates of such sale, and the names, addresses and telephone numbers of the persons responsible for conducting such sale, by filling out a permit to be posted at the site of the sale.

#### **Section IV. Duration of Sales.**

## **The City of Iron Mountain Lake, Missouri**

It shall be unlawful to conduct a garage sale, yard sale, carport sale or other sale lasting longer than three (3) days duration.

### **Section V. Advertising Signs.**

All signs must be removed within twenty-four (24) hours from the last day of sale.

### **Section VI. Penalty.**

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined a sum of not less than One Dollar (\$1.00) and a sum shall not exceed one thousand dollars (\$1000.00). Each day during which any violation of this ordinance continues or exists shall be deemed to be a separate violation.

### **Section VII. Goods to be displayed on Public Property.**

No goods offered for sale at garage sale, yard sale, carport sale or other sale shall be displayed for sale on any public street or right of way.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AS PROVIDED BY LAW

(ORD.IML – 1993)

PASSED BY THE BOARD OF ALDERMEN THIS 14<sup>TH</sup> DAY OF JUNE, 1993

APPROVED THIS 14<sup>TH</sup> DAY OF JUNE, 1993

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

Amendment to Section 1

Bill Number 31

Ordinance number 31

## **AN AMENDMENT TO ORDINANCE NUMBER 31, SECTION 1 NUMBER OF SALES**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**Section II of Ordinance Number 31 shall be amended to read as follows:**

### **Section II Number of Sales.**

It shall be unlawful to conduct more than four (4) garage sales, yard sales, carport sales or any other sales at the same location within any calendar year.

SAID AMENDMENT SHALL BE EFFECTIVE ON DATE OF PASSAGE.

DATE OF FIRST READING: JULY 11, 2005

DATE OF SECOND READING: JULY 11, 2005

PASSED AND APPROVED: JULY 11, 2005

Bill Skaggs

Mayor

Attest:

Christina Lincoln



## **The City of Iron Mountain Lake, Missouri**

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 32 – SMOKE FREE ORDINANCE**  
Original Ordinance

Bill Number 32

Ordinance Number 32

**AN ORDINANCE TO PROVIDE PERSONS WITH ACCESS TO SMOKE-FREE AIR IN CERTAIN AREAS IN CERTAIN PUBLIC PLACES, WITH PENALTY PROVISIONS**

WHEREAS, THE MISSOURI GENERAL ASSEMBLY HAS ADOPTED THE “MISSOURI CLEAN INDOOR AIR ACT” MORE CORRECTLY KNOWN AS HCSSSSCS SB 509, 442, & 679, AND

WHEREAS, THE CITY GOVERNING BODY DESIRES TO ADOPT REGULATIONS COMPATIBLE WITH THE STATE REGULATION ON THIS SUBJECT.

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

**Section I. Offenses.**

The following shall be offenses under the ordinances of this community, and shall be punishable as provided in Section V of this ordinance:

1. No person shall smoking a public place or in a public meeting except in a designated smoking area.
2. No proprietor or other person in charge of a public place or public meeting shall permit, cause, suffer or allow a person to smoke in those areas where smoking is prohibited.

**Section II.**

Duties of person having control of public place the person having custody or control of a public place or public meeting shall:

1. Make reasonable efforts to prevent smoking in the public place or public meeting by posting appropriate signs indicating no-smoking or

## **The City of Iron Mountain Lake, Missouri**

smoking area and arrange seating accordingly. These signs shall be placed at a height and location easily seen by a person entering the public place or public meeting and not obscured in any way.

2. Arrange seating and utilize available ventilation systems and physical barriers to isolate designated smoking area.
3. Make a reasonable request of persons smoking to move to a designated smoking area.

### **Section III.**

Public Place or Public Meeting defined.

1. Public Place in any enclosed indoor area used by the general public or serving as a place of work.
2. Public Meeting is a gathering in a person of members of a governmental body, whether an open or closed session, as defined in Chapter 610, Revised Statutes of Missouri.

### **Section IV. Designated Smoking area.**

A smoking area may be designated by persons having custody or control of public places, except in places in which smoking is prohibited by the fire marshal or by other law, ordinance or regulation. No public place shall have more than thirty percent of its entire space designated as a smoking area.

### **Section V. Penalty**

Any person who violates this ordinance shall be fined an amount not more than two hundred dollars (\$200.00)

### **Section VI. Severability.**

It is the intention in adopting this ordinance that each section, subsection, paragraph, sentence, clause, and phrase contained herein are severable, and if any should be declared unconstitutional or otherwise invalid, such validity shall not affect any of the remaining sections, subsections, paragraphs, sentences, clauses and phrases.

This ordinance shall be in full force and effect from and after its passage as provided by law

(ORD.IML – 1993)

PASSED BY THE BOARD OF ALDERMEN THIS 8<sup>TH</sup> DAY OF NOVEMBER, 1993

## **The City of Iron Mountain Lake, Missouri**

Doyle Lance

Mayor

Attest:

Martha Lance

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 33 – ALCOHOL AND DRUG RELATED OFFENSES**  
Original Ordinance

Bill Number 33

Ordinance Number 33

**AN ORDINANCE TO PROVIDE FOR THE CITY OF IRON MOUNTAIN LAKE TO BE  
REIMBURSED FOR THE COST OF ARREST AND PROCESSING OF PERSONS  
INVOLVED IN VIOLATING THE CITY OF IRON MOUNTAIN LAKE MUNICIPAL  
ORDINANCES INVOLVING ALCOHOL AND DRUG RELATED TRAFFIC  
OFFENSES.**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON  
MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**Section 1:**

Reimbursement of cost of alcohol and drug related offenses – upon a plea of guilty, finding of guilt or conviction for violation of provisions of section(s) \_\_\_\_\_ of the Municipal Code for the City of Iron Mountain Lake involving alcohol and drug related traffic offenses, the Court may, in addition to imposition of any penalties provided by law, order the person to reimburse law enforcement authorities for the cost associated with such an arrest.

- a. Such costs shall include the reasonable costs of making the arrest, including the cost of any chemical test to determine the alcohol or drug content of the person's blood, and the cost of processing, charging, booking and holding such a person in custody.
- b. Law enforcement authorities may establish a schedule for such costs for submission to the Court and request for approval of reimbursement; however, the Court may at its discretion order the cost reduced if it determines that the schedule shown why the cost should be reduced or eliminated totally.
- c. The fees shall be collected as additional costs by the Municipal Court and shall be collected by the Court in the same manner as other costs and fees are collected and remitted to the City Treasurer
- d. The City Treasurer shall retain these fees in a separate fund known as the "DWI/Drug Enforcement Fund." Monies within this fund shall be

## **The City of Iron Mountain Lake, Missouri**

appropriated by the City Board of Aldermen to law enforcement authorities from such fund in amounts equal to those costs so incurred and shall be specifically used to enhance and support the enforcement and prosecution of alcohol and drug related traffic laws within the City of Iron Mountain Lake.

### **Section 2: Severance Clause –**

If any section, sentence, phrase or clause of this ordinance shall be held to be invalid for any reason by a court of competent jurisdiction, the invalidity of such section sentence, phrase or clause shall not impair the validity of the remaining sections, sentences, phrases or clauses of this ordinance. The Board of Aldermen hereby declares that it would have passed the remaining portions of this ordinance had it known that such section, sentence, phrase or clause would be invalid

### **Section 3: Repeal of Conflicting Ordinances –**

All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed this ordinance shall be in full force and effect from and after its passage and approval as provided by law.

### **Section 4:**

This ordinance shall go into effect on the 13<sup>th</sup> day of May 1986

READ THREE TIMES AND PASSED THIS 13<sup>TH</sup> DAY OF MAY, 1996

Eugene Henson

Mayor

Attest:

Elsie M. Luckleing

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 34 – SPECIAL COUNSEL**  
Original Ordinance

Bill Number 34

Ordinance Number 34

**AN ORDINANCE PURSUANT TO RSMO SECTION 79.230 TO EMPLOY SPECIAL COUNSEL TO REPRESENT THE CITY AND ASSIST THE CITY ATTORNEY AND TO PAY REASONABLE COMPENSATION THEREFOR.**

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:

**Section 1.**

It being in the best interest of the City, the Mayor and Board of Alderman are authorized to employ William P. Bertram, Attorney at Law, as special Counsel to represent the City and to assist the City Attorney

**Section 2.**

The special counsel shall be compensated at the rate of \$80.00 per hour for services rendered to the City as Special Counsel.

**Section 3.**

The Mayor and Board of Aldermen shall retain the right to employ any special counsel to represent the City, either in a case of vacancy in the office of city attorney or to assist the City attorney.

**Section 4.**

All ordinances or parts of ordinances considered to be in conflict with this ordinance are hereby repealed.

**Section 5.**

This ordinance shall be in full force and effect after its passage and approval by the Board of Alderman of the City of Iron Mountain Lake.

## **The City of Iron Mountain Lake, Missouri**

READ THREE TIMES AND PASSED THIS 7<sup>TH</sup> DAY OF OCTOBER, 1996

Eugene Henson

Mayor

Attest:

Elise M. Lichtenburg

City Clerk

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### **Amendment Pertaining to Sewer Audit**

Bill Number 13-1125

Resolution Number 13-015

#### **RESOLUTION CONCERNING 2013 SEWER AUDIT**

WHEREAS, an audit of the sewer system of the City of Iron Mountain Lake, Missouri was conducted in the fall of 2013; and

WHEREAS, it was determined that there are at least, one, and possibly more new residents seeking public sewer service in which the public sewer system is more than one hundred feet (100ft) of any property line abutting any street as mentioned in Ordinance 35, Article II, Section 6; and

WHEREAS, it was determined that one residential user has been paying for public sewer service since 2008 paying one thousand one hundred forty-eight dollars and eighty cents (\$1,148.80) while being connected to a private sewage disposal system:



**The City of Iron Mountain Lake, Missouri**  
**NOW THEREFORE, BE IT REOSOLVED BY THE BOARD OF ALDERMEN OF THE**  
**CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**Section One.**

The City of Iron Mountain Lake, Missouri reminds residents who are using a private sewage disposal system that, if the public sewer becomes available for them, they must connect to the public sewer system within sixty (60) days, as well as cleaning and filling the unused private sewage system. Ordinance 35, Article II, Sections 5, and

**Section Two.**

The City of Iron Mountain Lake, Missouri reminds residents who are using a private sewage disposal system that, private sewage systems must be maintained in a sanitary manner, under the regulations of the Department of Public Health. Ordinance 35, Article III Sections 4, 6, and 7

**Section Three.**

The City of Iron Mountain Lake, Missouri reminds residents who are installing a private sewage disposal system that before any such system can be installed, the resident must obtain a permit, have an inspection, and comply with the ordinance. Ordinance 35, Article III, Sections 1, 2, 3 and 4.

**Section Four.**

Leon Burch began paying for public sewer service in 2008. He has paid his monthly sewer charges. During the sewer audit, it was discovered that Leon Burch's residence is connected to a private sewage disposal system and not the public sewer system. Thus, Leon Burch has paid One Thousand One Hundred Forty-Eight dollars and eighty Cents (\$1,148.80) for sewer services he did not receive. Since Leon Burch has paid for services he did not receive, the City of Iron Mountain Lake, Missouri shall reimburse Leon Burch One Thousand One hundred Forty-eight Dollars and Eighty Cents (\$1,148.80) for sewer services he did not receive.

**Section Five.**

Said Resolution shall be in full force effect upon passage.

DATE OF FIRST READING 11/25/2013

DATE OF SECOND READING: 11/25/2013

## **The City of Iron Mountain Lake, Missouri**

PASSED AND APPROVED: THIS 25<sup>TH</sup> DAY OF NOVEMBER 2013

Brian Goodman

Mayor

Lanette Kunz

City Clerk

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### **Update**

Update: Bill Number 13-1125

Resolution Number 13-015

#### **Section 4.**

11/26/13 – Mr. Leon Burch was visited by Sewer Superintendent and City Clerk to issue a refund check as voted on by the Board of Aldermen. At the Time Mr. Burch explained that he WAS on the City Sewer – but they had run his line and his pit across the road and down several hundred feet – and it was lost in a huge bunch of bushes. This PIT was not on the sewer map.

Mr. Burch stated he had paid over \$2,500 to have the sewer installed in 2008

The Check was voided out and funds returned to reserve accounts.

Lanette Kunz 11/26/13

City Clerk

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## **The City of Iron Mountain Lake, Missouri**

**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 35 – REGULATION OF PUBLIC AND PRIVATE**  
**SEWERS**

Original Ordinance

Bill Number 35

Ordinance Number 35

**AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS  
AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND  
CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND  
WASTES INTO THE PUBLIC SEWER SYSTEM: AND PROVIDING PENALTIES FOR  
VIOLATIONS THEREOF: IN THE CITY OF IRON MOUNTAIN LAKE, COUNTY OF  
ST. FRANCOIS, STATE OF MISSOURI.**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IRON  
MOUNTAIN LAKE, STATE OF MISSOURI, AS FOLLOWS:**

**Article I**

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

1. “BOD” (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure five (5) days at 20 degrees centigrade, expressed in milligrams per liter.
2. Building drain shall mean the part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall
3. Building Sewer shall mean the extension from the building drain to public sewer or other place of disposal.
4. Combined Sewer shall mean a sewer receiving both surface runoff and sewage.

## **The City of Iron Mountain Lake, Missouri**

5. Garbage shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
6. Industrial Wastes shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.
7. Natural Outlet shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
8. Person shall mean any individual, firm, company, association, society, corporation, or group.
9. pH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
10. Property shredded garbage shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.
11. Public Sewer shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
12. Sanitary Sewer shall mean a sewer which carries sewage to which storm, surface, and groundwater are not intentionally admitted.
13. Sewage shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.
14. Sewage Treatment Plant shall mean any arrangement of devices and structures used for treating sewage.
15. Sewage works shall mean all facilities for collecting, pumping, treating and disposing of sewage.
16. Sewer shall mean a pipe or conduit for carrying sewage.
17. Shall is mandatory; may is permissive
18. Slug shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.
19. Storm Drain (sometimes termed storm sewer) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
20. Superintendent shall mean the Superintendent of Sewage Works and/or of Water Pollution Control, of the City of Iron mountain Lake, Missouri, or his or her authorized deputy, agent or representative.

## **The City of Iron Mountain Lake, Missouri**

21. City shall mean the City of Iron mountain Lake, Missouri
22. Suspended Solids shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
23. Watercourse shall mean a channel in which a flow of water occurs, either continuously or intermittently.

### **Article II**

1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City of Iron Mountain Lake, or in any area under the jurisdiction of said City, any human or animal excrement, garbage, or other objectionable waste.
2. It shall be unlawful to discharge to any natural outlet within the City of Iron mountain Lake, or in area under the jurisdiction of said City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
4. In compliance with the terms and conditions agreed upon by the City of Iron Mountain Lake and the grantor and/or lender of funds for installing the new public sewer system, all existing houses, mobile homes, and businesses with suitable toilet facilities, new houses, new mobile homes and new businesses under construction with City permits dated prior to the sewer project "Notice to Proceed" shall be connected to the public sewer at no cost to the property owner.
5. The owners of all houses, mobile homes, and businesses qualifying for free hookup under the provisions in Article II Section 4 shall sign a temporary easement agreement allowing workers onto the property for excavating, installation, and connections to the homeowners building sewer and public sewer lines. After the satisfactory completion of the hookup, the easement agreement shall be voided and the building sewer line from the house to the public sewer connection shall become the property of the homeowner and shall be properly maintained at no further cost to the City.
6. After the initially proposed sewer system is completely installed, the owners of all houses, mobile or modular homes, recreation, or other purposes, built or situated on property within the City of Iron Mountain Lake and abutting on any street, alley or right of way in which there is now located or may in the future be located a public

## **The City of Iron Mountain Lake, Missouri**

sanitary sewer of the City of Iron Mountain Lake, is hereby required at their expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within sixty (60) days after service is made available, provided that said public sewer is within one hundred (100) feet (30.5 meters) of any property line abutting any street.

### **Article III**

1. Where a public sanitary sewer is not available under the provisions of Article II, Section 6, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.
2. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the superintendent. A permit and inspection fee of ten (10) dollars shall be paid to the City at the time the application is filed.
3. A permit for a private sewage disposal system shall not become effective until the installation is complete to the satisfaction of the superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within twenty four (24) hours of the receipt of notice by the Superintendent.
4. The type, capacities, location, and layout of a private sewage disposal system shall comply with all current recommendations of the Department of Public Health of the State of Missouri. No permit shall be issued or any private sewage disposal system employing subsurface soil absorption facilities where the area size and conditions does not comply with the Missouri Department of Public Health standards as provided by the Revised Statutes of the State of Missouri. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
5. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article III, Section 4, a direct connection shall be made to the public sewer in compliance with ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with crushed rock, gravel, or clean dirt.
6. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City.

## **The City of Iron Mountain Lake, Missouri**

7. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health officer.
8. When a public sewer becomes available, the building sewer shall be connected to said sewer within sixty (60) days and the private sewage disposal system shall be cleaned of sludge and filled with crushed rock, gravel, or clean dirt.

### **Article IV**

1. No unauthorized person shall uncover, make any connections with or opening into, use alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent.
2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his or her agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of ten (10) dollars for a residential or commercial building sewer permit and one hundred (100) dollars for an industrial building sewer permit shall be paid to the City at the time the application is filed.
3. With the exception of qualifying houses, mobile homes and businesses provided in Article II Section 4, all costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or any damage that may directly or indirectly be occasioned by the installation of the building sewer.
4. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining building may be extended to the rear building and the whole considered as one building sewer.
5. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this ordinance.
6. The size, slope, alignment, materials of construction of a building sewer, and the methods used in excavating, place of all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in



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appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

7. In all buildings in which any sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such sewer shall be lifted by an approved means and discharged to the building sewer.
8. No person shall make connection of roof downspouts, interior and exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sewer.
9. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the ASTM and the SPCF Manual of practice No. 9. All such connections shall be gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.
10. The applicant for the building sewer permit shall notify the superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.
11. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other restored in a manner satisfactory to the City.

### **Article V**

1. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, contaminated or uncontaminated cooling water, or polluted or unpolluted industrial process waters to any sanitary sewer.
2. Storm water and all other unpolluted drainage shall be discharged to a natural outlet approved by the superintendent. Industrial cooling water or unpolluted process water may be discharged on approval of superintendent, to a natural outlet.
3. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
  - a. Any gas online, benzene, naphta, fuel oil, or other flammable or explosive liquid, solid, or gas
  - b. Any waters or wastes containing toxic or poisonous solids, liquids, or gas in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any

## The City of Iron Mountain Lake, Missouri

sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

- c. Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works
  - d. Solid or vicious substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage work such as, but not limited to, ashes, cinders, sand mud, straw, shavings, metal, glass, rags, feathers, tar plastics, wood, ungrounded garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
4. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Superintendent that such equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, and other pertinent factors The substances prohibited are:
- a. Any liquid or vapor having a temperature higher than one hundred fifty 150 degrees F (65 degrees C)
  - b. Any water or wastes containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100mg/l or containing substances which may solidify or become viscous at temperatures between thirtytwo (32) and one hundred fifty (150 degrees F. (0 and 65 degrees C)
  - c. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the superintendent.
  - d. Any water or wastes containing strong acid from iron pickling wastes, or concentrated plating solutions whether neutralized or not.

## The City of Iron Mountain Lake, Missouri

- e. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limit established by the Superintendent for such materials.
- f. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the superintendent as necessary, after treatment of the composite sewage, to meet the requirements of State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable state or Federal regulations
- h. Any waters or wastes having a pH in excess of 9.5.
- i. Materials which exert or cause; (1) unusual concentrations of inert suspended solids (such as but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate).
  - i. Excessive discoloration (such as, but not limited to dye wastes and vegetable tanning solutions).
  - ii. Unusual BOD chemical oxygen demand, or chlorine requirements such as quantities as to constitute a significant load on the sewage treatment works.
  - iii. Unusual volume of flow or concentration of wastes constituting ‘slugs’ as defined herein.
- j. Waters or wastes containing substances which are not amendable to treatment or reduction by the sewage treatment processes employed, or are amendable to treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- k. Any waters or wastes having (1) a 5-day BOD greater than 300 parts per million by weight or (2) containing more than 350 parts per million by weight or suspended solids, or (3) having an average daily flow greater than 2 percent of the average sewage flow of the City, shall be subject to the review of the Superintendent. Where necessary in the opinion of the Superintendent, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the

## The City of Iron Mountain Lake, Missouri

biochemical oxygen demand to 300 parts per million by weight or, (2) reduce the suspended solids to 350 parts per million by weight or, (3) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the superintendent and no construction of such facilities shall be commenced until said approval are obtained in writing.

5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in section 4 of this Article, and which in the judgment of the superintendent may have a deleterious effect upon the sewage works, processes equipment, or constitute a public nuisance, the superintendent may:
  - a. Reject the wastes,
  - b. Require pretreatment to an acceptable condition of discharge to the public sewers,
  - c. Require control over the quantities and rates of discharge, and/or:
  - d. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of section 10 of this Article.

If the superintendent permits the pretreatment or equalization of wastes flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent, and subject to the requirements of all applicable codes, ordinances and laws.

6. Grease, oil and sand interceptors shall be provided when, in the opinion of the superintendent., they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the superintendent, and cleaning and inspection.
7. Where preliminary treatment or flow-equalizing facilities are provided for any water or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his or her expense.
8. When required by the superintendent, the owner of any property service by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary observation, sampling, and measurement of the wastes. Such manhole, constructed

## **The City of Iron Mountain Lake, Missouri**

in accordance with plans approved by the superintendent. The manhole shall be installed by the owner at his or her expense and shall be maintained by him or her so as to be safe and accessible at all times.

9. All measurement, tests, and analyses of the Characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "standard methods for the examination of water and wastewater," published by the American public Health Association, and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pHs are determined from periodic grab samples.)
10. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore, by the industrial concern.

### **Article VI**

No person shall maliciously willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct, and/or destruction of city property.

### **Article VII**

1. The superintendent and other duly authorized employees, (either elected, appointed or hired), of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic , paper, or other industries beyond that point having a direct bearing on

## **The City of Iron Mountain Lake, Missouri**

the kind of source of discharge to the sewers or waterways or facilities for waste treatment.

2. While performing the necessary work on private properties referred to in Article VII, Section 1 above, the superintendent or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss of employees and the City shall indemnify the company against loss or damage to its property y City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Section 8
3. The superintended and other duly authorized employees of the City bearing proper credentials and identifications shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

### **Article VIII**

1. Any person found to be violating any provision of this ordinance except Article VI shall be served by the City of Iron Mountain Lake with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
2. Any person who shall continue any violation beyond the time limit provided for in Article VIII, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding One hundred (\$100) dollars for each violation. Each 24-hour period in which any such violation shall continue shall be deemed a separate offense.
3. Any person violating any of the provisions of this ordinance shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.

### **Article IX**

## **The City of Iron Mountain Lake, Missouri**

1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
2. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

### **Article X**

1. This ordinance shall be in full force and effect from and after its passage, approval, recording and publications provided by law.
2. Passed and adopted by the Board of Aldermen of the City of Iron Mountain Lake State of Missouri on the 12<sup>th</sup> day of May, 1997, by the following vote:

Ayes: 5

William Skaggs Jr

Robert Niccum

Elmer Loucks

Rick Berry

Doyle Lance

Nays: 0

APPROVED THIS 12 DAY OF MAY, 1997

Eugene Henson

Mayor

Angela Henson

Clerk

[Top](#)

## **The City of Iron Mountain Lake, Missouri**



**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 36 – USER CHARGE SYSTEM REVENUE BOND**  
Original Ordinance

Bill Number 36

Ordinance Number 36

**AN ORDINANCE ESTABLISHING A USER CHARGE SYSTEM IN THE CITY OF  
IRON MOUNTAIN LAKE, MISSOURI, TO PROVIDE FUNDS NEEDED TO PAY FOR  
EXPENSES ASSOCIATED WITH THE CITY’S WASTEWATER TREATMENT  
WORKS.**

WHEREAS, THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, HAS CONSTRUCTED  
WASTEWATER COLLECTION AND TREATMENT WORKS; AND

WHEREAS, THE CITY MUST PAY ALL EXPENSES ASSOCIATED WITH SAID  
TREATMENT WORKS AND CHARGE THE USERS OF SAID TREATMENT WORKS  
ACCORDINGLY;

WHEREAS, ALL PARTIES UNDERSTAND THAT THE USER CHARGE SYSTEM TAKES  
PRECEDENCE OVER ANY TERMS OR CONDITIONS OF THE AGREEMENTS OR  
CONTRACTS BETWEEN THE CITY OF IRON MOUNTAIN LAKE AND USERS  
(INCLUDING INDUSTRIAL USERS, SPECIAL DISTRICTS, OTHER MUNICIPALITIES,  
OR FEDERAL AGENCIES OR INSTALLATIONS) WHICH ARE INCONSISTENT WITH  
THE REQUIREMENTS OF SECTION 204(B) (1) (A) OF THE CLEAN WATER ACT AND  
THE CORRESPONDING REGULATIONS, 40 CFR 35.2140 (H);

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
IRON MOUNTAIN LAKE, MISSOURI, THAT THE FOLLOWING USER CHARGE  
SYSTEM BE ESTABLISHED:**

**Article I**

It is determined and declared to be necessary and conducive to the protection of  
the public health, safety, welfare and contribute wastewater to the City’s  
treatment works. The proceeds of such charges so derived will be used for the

## **The City of Iron Mountain Lake, Missouri**

purpose of operating, maintaining and retiring the debt for such public wastewater treatment works.

This ordinance shall have precedence over any terms or conditions of agreements or contracts between the City and users (including industrial users, special districts, or other municipalities) which are inconsistent with the requirements of the Clean Water Act.

### **Article II**

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

#### **Section 1:**

“BOD” (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of Organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter (mg/l)

#### **Section 2:**

“Normal Domestic Wastewater” shall mean wastewater that has a BOD concentration of not more than 300mg/l and a suspended solids concentration of not more than 350mg/l

#### **Section 3.**

“Operation and maintenance” shall mean all expenditures during the useful life of the treatment works for materials, labor utilities, and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

#### **Section 4:**

“Replacement” shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works designed and constructed. The term “operation and maintenance” includes replacement.

#### **Section 5:**

“residential Contributor” shall mean any contributor to the City’s treatment works whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.

#### **Section 6:**

## **The City of Iron Mountain Lake, Missouri**

“Shall” is mandatory; “may” is permissive

### **Section 7:**

SS (denoting suspended solids) shall mean solids that either float on the surface of or are in suspension in water sewage, or other liquids and which are removable by laboratory filtering.

### **Section 8:**

Treatment Works shall mean any devices and systems for the storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage equipment and their appurtenances; extensions improvement, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the resulting from such treatment; or any other method or system for preventing, abating, reducing, sorting, treating, separating, or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

### **Section 9:**

“Useful Life” shall mean the estimated period during which a treatment works will be operated.

### **Section 10:**

“User Charge” shall mean the total wastewater service charge which is levied for all costs of the treatment works.

### **Section 11:**

“Water Meter” shall mean a water volume measuring and recording device, furnished and/or installed by the City or furnished and/or installed by a user and approved by the City.

## **Article III**

### **Section 1:**

The purpose of this ordinance is to generate adequate annual revenues to pay costs of annual operation and maintenance including replacement and costs associated with debt designate to be paid by the user charge system. The accounts described in this Article may be modified and maintained in

## **The City of Iron Mountain Lake, Missouri**

accordance with the Bond Ordinance as long as the intent of this user charge system ordinance is met.

### **Section 2:**

Four separate accounts shall be established by the City. The accounts shall be referred to as (1) Sewer Revenue Fund, (2) Sinking Fund, (3) Bond Reserve Fund and (4) Replacement Deposit insurance Corporation.

### **Section 3:**

All revenue collected as a result of this ordinance shall be deposited in the Sewer Revenue Fund. The current expenses of the sewer system shall be paid from month to month as a first charge against the sewer revenue Fund as the expenses become due. Current expenses shall include all reasonable and necessary costs of operating, repairing, maintaining, and insuring the sewer system, but shall exclude payments into the sinking Fund, Bond reserve Fund and Replacement Fund. If a shortage occurs in the Sewer Revenue Fund, the user charges shall be increased to provide the revenue needed. An estimate of the annual expenses associated with the sewer system is included in appendix "A". These expenses are estimated and may change in the future.

### **Section 4:**

Principal and interest on the sewer revenue bond shall be paid from the sinking Fund. So long as any bonds thereof are outstanding, an amount equal to one-twelfth of the annual debt service, including principal and interest shall be deposited in the Sinking Fund monthly.

### **Section 5:**

The sum of \$125.00 shall be paid and credited to the Bond Reserve until the sum of \$15,000.00 is accumulated, and as long as any of the principal or interest of the sewer revenue bonds remains unpaid such an amount shall be maintained in the Bond Reserve Fund.

### **Section 6:**

After all payments and credits described in Section 3.4. And 5 above have been made, and to the extent of moneys then remaining in the Sewer Revenue Fund, there will next be paid and credited to the Replacement Fund the sum of \$125.00 each month

## **Article IV**

### **Section 1:**

## **The City of Iron Mountain Lake, Missouri**

Each user shall pay for the services provided a flat rate charge based on his user classification as determined by the City.

### **Section 2:**

The following classes of users and charges to those users are hereby established:

Class1. Residential users:      \$14.97/ month

Full or part time.

Class2. Non-Residential User:      \$4.10/1,000 gallons but not less than 20.50.

Class 3: Extra strength Users which contribute greater than normal strength wastewater (greater than 300 mg/1 BOD or 350 mg/1SS) shall be assessed a charge of the following

The normal rate for Class 2 Users, plus

\$0.16/lb. for excessive BOD, plus

\$0.13/lb. for excessive SS

### **Section 3:**

Any user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the City's treatment works, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, Maintenance, or replacement of the treatment works, shall pay for such increased costs. The charge to each such user shall be as determined by the responsible plant operating personnel and by the City.

### **Section 4:**

The user charge rates established in this article apply to all users, regardless of their location, of the City's treatment works.

### **Section 5:**

The occupant and user of the premises receiving sewerage services and the owner of said premises shall be jointly and severally liable to pay for such services rendered on said premises. The City shall have the power to sue the occupant or the owner, or both, of such real estate in a civil action to receive any sums due for such services, and the owner or occupant shall pay reasonable attorney's fees to the City in addition to all costs of litigation and court costs, including costs of depositions. In the event the

## **The City of Iron Mountain Lake, Missouri**

City is required to file suit to collect and reduce to judgment any unpaid bill for services, the owner and occupant shall submit to the jurisdiction of the St. Francois County Circuit Court and hereby waive any objection to improper venue, forum non convenience and lack of personal jurisdiction.

### **Section 6:**

The City attorney of the City or special attorney shall prosecute all suits for collection of unpaid sewer charges and shall receive such compensation as the City shall allow, which sum for attorney's fees shall be taxed as costs in the suit and collected as other costs, and such suits may be brought before the Municipal Judge in the 24<sup>th</sup> Judicial Circuit, for the enforcement of the liens when the amount claimed to be due does not exceed the sum of \$1,000.00. Any resulting judgment shall be binding and effective against the property on which judgment the lien is ought to be enforced, the judgment shall describe the land upon which sewer charges are found to be due, against the property on which judgment the lien is sought to be enforced. The judgment shall decree the land upon which sewer charges are found to be due shall state the amount of sewer charges and interest found to be due upon each tract or lot, and the year or years for which the same are due, up to the rendition thereof, and shall decree that the lien of this City shall be enforced, that the real estate or so much thereof as may be necessary to satisfy each judgment, interest and costs, be paid, and special firei facias be issued thereon, which shall be executed as in other cases of special judgment and execution, and said judgment shall be a special lien upon the land. In judgments rendered for plaintiff City by Municipal Judge under this Ordinance, for collection of said sewer charges on real estate therein described, a transcript of such judgment may be taken and filed in the Office of Clerk of the Circuit Court of St. Francois County, and thereupon said Clerk shall upon the application of the City Attorney or City Collector, issue a special firei facias describing the real estate named in the transcript, and directed to the sheriff, and commanding said sheriff to advertise and sell said property or so much thereof as may be necessary to pay said judgment and subsequent costs, the same as Sheriff's might do under ordinary executions pursuant to Supreme Court Rule. The Sheriff shall execute to the purchaser of the real estate under this ordinance a deed for the property sold, which shall be acknowledged before the circuit Court of the county, as in ordinary civil cases, and which shall convey a title in fee to such persons hereof the real estate therein named, and shall be prima facia evidence of title, and that the matters and things therein stated are true. In all suits under this ordinance the general laws of the State as to practice and proceedings in civil cases pursuant to Supreme Court Rule shall as far as applicable.

Rates for Class 1. Residential Users:

## The City of Iron Mountain Lake, Missouri

4. The user charge is the product of the unit flow cost times the average monthly usage of 3,650 gallons which equals \$15.00 per month.

5. Rates for Class 2. Non-Residential Users:

No non-residential users are known to exist, but if such users should come to the City the following procedure should be followed:

The user charge for non-residential users would be the product of the unit flow cost times actual metered water usage, but with a minimum usage for billing purposes of 5,000 gallons per month.

6. Rates for class 3. Extra-strength users:

Extra-strength users must be assessed on an actual use basis, and will require the City determine the actual flow and the average strength of BOD and SS of such users. No such users are known to procedure should be followed:

Assuming that the total cost should be allocated on the basis of 80% for flow and 10% each for BOD and SS, the extra strength unit charges would be:

BOD Charge = .10 (Annual Budget)/ Annual BOD = \$0.16/lb.

SS Charge = .10 (Annual Budget)/ Annual SS = \$0.13/lb.

Where: S is the monthly surcharge for extra-strength,

Q is the actual water usage in 1,000 gallons,

BOD is the observed BOD (but not less than 300),

SS is the observed SS (but not less than 350),

When either the BOD or SS is less than 300 or #50 mg/l when either the BOD or SS is less than 300 or 350 mg/l respectively, the values used in the above formula shall be 300 or 350 mg/l respectively.

### Article V

#### Section 1:

## **The City of Iron Mountain Lake, Missouri**

All users shall be billed monthly, under normal circumstances all bills shall be mailed the last working day of the month, and bear a due date of the twenty-first of the month following the month in which they were mailed.

### **Article VI**

#### **Section 1:**

The City will review the user charge system on an annual basis, and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay all costs and that the system continues to provide for the proportional distribution of costs among users and user classes.

#### **Section 2:**

The City will notify each user at least annually, in conjunction with a regular bill, of the rate being charged.

### **Article VII**

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

PASSED BY THE CITY COUNCIL OF THE CITY OF IRON MOUNTAIN LAKE, THIS 10<sup>TH</sup> DAY OF AUGUST, 1998

Ayes: Namely

Elmer Loucrs  
Jim Robinson  
Bill Skaggs Jr.  
Rich Berry  
Doyle Lance

Nays: Namely

None

APPROVED THIS 10<sup>TH</sup> DAY OF AUGUST, 1998.

Milton E Bartley  
Mayor

Attest:  
Angie Hanson  
City Clerk



## The City of Iron Mountain Lake, Missouri

### APPENDIX “A” TO USER CHARGE ORDINANCE

This appendix presents the methodology used to calculate the user charge rates herein. The charges established in this appendix are based on estimates of expenses and loadings. The actual and certainly they will change as time passes. Therefore, the expenses and loadings. Once the system is in use, the expenses and loadings can be determined from operating records and the charges can be adjusted, in accordance with prevailing state statutes based on these figures.

1. Expenses:

The total annual expenses associated with the treatment works, as defined in Article II, Section 8, are estimated as follows:

Item	Cost
Bond Principal & Interest	\$15,000
Bond Reserve	1,500
Replacement Account	1,500
Salaries	20,100
Payroll Expenses	6,100
Office expense	1,800
Supplies & Chemicals	3,400
Insurance	1,200
Power	8,100
Repairs & Maintenance	8,100
Operational & NPDES Testing	1,200
 Total Annual Budget	 \$68,000

The above costs are based on the total flow entering the wastewater treatment plant.

2. Initial Loadings:

The initial hydraulic loading is estimated to be 16,550,000 gallons/year

The initial BOD loading is estimated to be 43,500 lb. / year

The initial SS loading is estimated to be 50,800 lb. /year.

3. Unit Flow Cost:

The initial total unit cost for flow in \$4.11/1,000 gallons.

4. Rates for Class 1. Residential Users:

The user charge is the product of the unit flow cost times the average monthly usage of 3650 gallons which equals \$14.97 per month.

5. Rates for Class 2. Non-residential User:

## The City of Iron Mountain Lake, Missouri

Extra-strength users must be assessed on an actual use basis, and will require the City to determine the actual flow and the average strength of BOD and SS of such users. No such users are known to exist, but if such users should come to the City the following procedure should be followed:

Assuming that the total cost should be allocated on the basis of 80% for flow and 10% each for BOD and SS, the extra strength unit charge would be:

BOD Charge = Annual Budget / Annual BOD = \$0.16 / lb.

SS Charge = .10 (annual Budget) / Annual SS = \$0.13 / lb.

The following formula shall be used for computing the surcharge for extra-strength users in addition to the basic flow charge of \$4.10/1,000 gallons:

$$S = 0.008344 \times Q \times \$0.16 \times (\text{BOD} - 300)$$

Where:

- S is the monthly surcharge for extra-strength,
- Q is the actual water usage in 1,000 gallons
- BOD is the observed BOD (But not less than 300),
- SS is the observed SS (But not less than 350)

When either the BOD or SS is less than 300 or 350 mg/l respectively, the values used in the above formula shall be 300 or 350 mg/l respectively.

The total billing for an extra-strength user is the sum of the normal flow charge plus the extra-strength surcharge.

The following is a sample calculation for a commercial user with metered water usage of 20,000 gallons and a BOD of 500 mg/l and a SS of 600 mg/l:

Charge =	20 (\$4.10)	for flow
	+ 0.00834 x 20 x \$0.16 x (500-300)	for excess BOD
	+ 0.00834 x 20 x \$0.13 x (600-350)	for excess SS

Note: if either the BOD or SS values were less than 300 or 350 mg/l respectively the surcharge for BOD or SS is zero.

## The City of Iron Mountain Lake, Missouri

### APPENDIX “B” TO USER CHARGE ORDINANCE

This appendix contains a replacement schedule that was developed to determine the amount of revenue needed to fund the Replacement Account. The replacement schedule lists the equipment for which replacement is expected to be required, the estimated cost of replacement is (including an 5 percent allowance for inflation) over the useful life of the treatment works, also listed in the estimated cash flow that will occur in the Replacement Account and considers earning 5 percent interest on deposits. The replacement dates and costs shown are estimates; the actual replacement dates and cost could be significantly different from those shown. If the actual replacement expenses differ significantly from those listed in the replacement schedule, the funding of the Replacement Account shall be adjusted accordingly.

#### Replacement Schedule

Year	Description of Replacement Item	Replacement Expense	Annuity Income	Previous Balance	Interest Income	Closing Balance
5	Rebuild Blower	\$ 2,400	\$ 7,500	\$ -	\$ 900	\$ 6,000
10	Rebuild Blower	\$ 3,000	\$ 7,500	\$ 6,000	\$ 7,400	\$ 12,900
12	Vacuum Sta. Ren.	\$ 7,000	\$ 3,000	\$ 12,900	\$ 1,400	\$ 10,300
15	Rebuild Blower	\$ 3,700	\$ 4,500	\$ 10,300	\$ 1,900	\$ 13,000
16	Replace Diffusers	\$ 5,000	\$ 1,500	\$ 13,000	\$ 700	\$ 10,200
18	Vacuum Sta. Ren.	\$ 9,100	\$ 3,000	\$ 10,200	\$ 1,200	\$ 5,300
20	Rebuild Blower	\$ 4,600	\$ 3,000	\$ 5,300	\$ 700	\$ 4,400

The total billing for an extra-strength user is the sum of the normal flow charge plus the extra-strength surcharges.

The following is a sample calculation for a commercial user with metered water usage of 20,000 Gallons and a BOD of 500 mg/l and a SS of 600 mg/l:

$$\begin{aligned}
 \text{Charge} &= 20(\$4.11) && \text{For Flow} \\
 &+ 0.00834 \times 20 \times \$0.16 \times (500 - 300) && \text{For Excess BOD} \\
 &+ 0.00834 \times 20 \times \$0.13 \times (600 - 350) && \text{For Excess SS}
 \end{aligned}$$

$$\text{Charge} = \$82.20 + \$5.34 + \$5.42 = \$92.96$$

Note: If either the BOD or SS values were less than 300 or 350 mg/l respectively the surcharge for BOD or SS is zero.

## **The City of Iron Mountain Lake, Missouri**

An ordinance to amend ordinance 36 Article IV Section 2, Correcting Rates, and to amend Article V, Ratifying Billing Dates and Adding section 2 providing for penalties and the collection of delinquent fees

Be it ordained by the Board of alderpersons of the City of Iron mountain Lake, Missouri.

The amendment to article IV Section 2 shall read as follows:

Section 2: the following classes of users and charges to those users hereby established:

Class 1, Residential Users: \$15.00 per month

Class 2. Non-Residential User: \$4.10 per 1,000 gallons  
(Industrial) but not less than \$20.50

Class 3. Extra strength users which contribute greater than normal strength wastewater (greater than 300 mg/l BOD or 350 mg/l ss) shall be assessed a charge of the following:  
The normal rate for class 2 users, plus \$0.16/lb. for excessive BOD, plus \$0.13/lb. for excessive ss.

BE IT ALSO ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF IRON MOUNTAIN LAKE,

Missouri that section 1 Article V be amended to read as follows:

**Section 1:**

All users shall be billed monthly, under normal circumstances all bills shall be mailed by the last working day of the month, and bear a due date of the 16<sup>th</sup> of the month following the month in which they were mailed payments made after due date shall be delinquent.

And that section 2 shall be added to article V to read as follows:

**Section 2:**

A late payment penalty of ten (10) percent of the user charge bill will be added to each delinquent bill for each billing period. When any bill is thirty (30) days in default the user shall be subject to appear in municipal court as provided in Section 5 and Section 6 of this ordinance.

(ORD.IML – 2000)

PASSED BY THE CITY COUNCIL OF THE CITY OF IRON MOUNTAIN LAKE,  
THIS 14<sup>TH</sup> DAY OF FEBRUARY, 2000

William M Skaggs.  
Mayor

Attest:  
Martha Lance  
City Clerk

## **The City of Iron Mountain Lake, Missouri**

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# **The City of Iron Mountain Lake, Missouri**

## **Amendment to Article IV, Section 5**

Bill number 120-14

Ordinance Number 36

### **AN AMENDMENT TO ORDINANCE NUMBER 26, ARTICLE IV, SECTION 5.**

**NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**That the ordinance Number 36, Article IV, Section 5 be amended to read as follows:**

#### **Section 5.**

The owner of the premises receiving sewerage service shall be liable to pay for such services rendered on said premises. The owner shall not transfer such obligation to an Occupant on the premises. The City shall have the power to sue the Owner of such real estate in a civil action to receive any sums due for such services, and the Owner shall pay reasonable attorney's fees to the City in addition to all costs of litigation and court costs, including costs of dispositions, in the event the City is required to file suit to collect and reduce to judgment any unpaid bill for services, the owner shall submit to the jurisdiction of the Circuit Court of St. Francois County.

**IN ALL OTHER RESPECTS, ORDINANCE 36 AS AMENDED IS AFFIRMED.**

**THIS AMENDED ORDINANCE SHALL BE EFFECTIVE UPON PASSAGE.**

**DATE OF PUBLIC HEARING: 3/12/2012**

**DATE OF FIRST READING: 3/12/2012**

## **The City of Iron Mountain Lake, Missouri**

DATE OF SECOND READING 3/12/2012

PASSED AND APPROVED THIS 12<sup>TH</sup> DAY OF MARCH, 2012

Brian Goodman

Mayor

Sarah Douglas

City Clerk

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Amendment to Article V, Sections 1 and 2

Bill Number 12-015

Ordinance Number 36

### **AN ORDINANCE TO AMEND**

**ORDINANCE NUMBER 36, ARTICLE IV SECTION 7**

**ORDINANCE NUMBER 36, ARTICLE V, SECTION 1**

**ORDINANCE NUMBER 36, ARTICLE V SECTION 2**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**That ordinance Number 36, Article IV, Section 7 be amended to read as follows:**

## The City of Iron Mountain Lake, Missouri

### Section 7:

Prior to availing itself of the provision of Article IV, Section 6 or other litigation or action permitted by statute or ordinance, the City of Iron Mountain Lake shall have the option of disconnecting or capping off the service line from any user that has not paid any charges, fees, and/or penalties by the 16<sup>th</sup> of the third month following the original due date, after notice is sent to both the owner and occupier of the property by certified mail. During the time the user is disconnected or capped off from the service line, the user will not be assessed new monthly charges or fees. However, the user who has been disconnected or capped off shall still be responsible for payment of all delinquent charges, fees, and/or penalties owed to the City of Iron Mountain Lake. Further, the penalties prescribed in Article V, Section 2 of this ordinance shall be added every month to each delinquent bill even after the disconnecting or capping off of service for failure to pay user charges, fees and/or penalties until the entire delinquent amount, including penalties is paid in full. **A user who is disconnected or capped off may enter into a payment plan agreement with the City of Iron Mountain Lake. Said payment plan, the penalties prescribed in Article V, Section 2 shall be stayed as long as the user abides the payment plan agreement. For the restoration of service, a user connection fees to restore services, even if the user is participating in a payment plan agreement. If a user breaches the payment plan agreement, the City may avail itself of any remedies permitted by statute or ordinance.**

That ordinance Number 36, Article V, Section 1 be amended to read as follows:

### Section 1:

All users shall be billed monthly. Under normal circumstances all bills shall be mailed by the last working day of the month, and bear a due date of 16<sup>th</sup> of the month following the month in which they were mailed. Payments made after due date shall be delinquent. In the event a user has been disconnected or capped off from the system for failure to pay delinquent charges, fees, and/or penalties, pursuant to Article IV, Section 7 of this ordinance, the user shall not be billed new monthly charges until reconnection. However, users who have been disconnected or capped off for failure to pay delinquent charges and fees will still be responsible to pay any and all unpaid delinquent charges, fees, and penalties. Users who have been disconnected or capped off will still be subject to penalties as provided by Article V, Section 2 of this ordinance until the users' delinquent amount including penalties is paid in full. **Any user who is delinquent, whether or not the user has been disconnected or capped off, may enter into a payment plan agreement with the City of Iron Mountain Lake. Said**



## **The City of Iron Mountain Lake, Missouri**

payment plan agreement will require the user to pay each month's charges plus an additional amount to pay for past unpaid monthly charges, fees and penalties. If a user is participating in a payment plan agreement, the penalties prescribed in Article V, Section 2 shall be stayed as long as the user abides by the payment plan agreement. A user who has been disconnected or capped off is responsible for payment of reconnection fees to restore service, even if the user is participating in a payment plan agreement. If a user breaches the payment plan agreement, the City may avail itself of any remedies permitted by statute or ordinance. In addition, if a user breaches the payment plan agreement, the penalties prescribed in Article v, Section 2 shall be added monthly until the entire delinquent amount, including penalties is paid in full.

That ordinance Number 36, Article V, Section 2 be amended to read as follows:

### **Section 2:**

A late payment penalty of ten (10) percent of the user charge bill will be added to each delinquent bill for each billing period. The ten (10) percent penalty will continue to be added every month to each delinquent bill even after the disconnecting or capping off of service for failure to pay user charges, fees and/or penalties until the entire delinquent amount including penalties is paid in full. **If a user is participating in a payment plan agreement, the penalties prescribed in this section shall be stayed as long as the user abides by the payments plan agreement. If a user breaches the payment plan agreement, the penalties prescribed in Article V, Section 2 shall be added monthly until the entire delinquent amount, including penalties is paid in full.**

WHEN ANY BILL IS THIRTY (30) DAYS IN DEFAULT THE USER SHALL BE SUBJECT TO ALL ACTIONS AND REMEDIES AFFORDED THE CITY BY STATUTE AND BY ORDINANCE.

SAID AMENDMENTS SHALL BE EFFECTIVE ON DATE OF PASSAGE.

DATE OF PUBLIC HEARING: MARCH 14, 2012

DATE OF FIRST READING: MARCH 14, 2012

DATE OF SECOND READING: MARCH 14, 2012

PASSED AND APPROVED: MARCH 14, 2012

## The City of Iron Mountain Lake, Missouri

Brian Goodman

Mayor

Attest:

Sarah Douglas

City Clerk

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### Amendment to Article V, Section 2

Bill Number 11-002

Ordinance Number 36

#### **AN AMENDMENT TO ORDINANCE NUMBER 36, ARTICLE V SECTION 2.**

WHEREAS, AFTER A PUBLIC HEARING ON FEBRUARY 14, 2011 AT 6:00 PM:

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**That ordinance Number 36, Article IV, Section 2 Be amended to read as follows:**

#### **Section 2.**

The following classes of users and charges to those users hereby established:

Class 1. Residential Users: \$22.00 per month.

## **The City of Iron Mountain Lake, Missouri**

IN ALL OTHER RESPECTS, ORDINANCE 36 AS AMENDED IS AFFIRMED.

THIS AMENDED ORDINANCE SHALL BE EFFECTIVE UPON PASSAGE.

DATE OF PUBLIC HEARING: 2/14/11

DATE OF FIRST READING: 2/14/11

DATE OF SECOND READING: 2/14/11

PASSED AND APPROVED: THIS 14<sup>TH</sup> DAY OF FEBRUARY, 2011

Brian Goodman

Mayor

Attest:

Tina Blum

City Clerk

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### **Amendment to Article IV, Section 2**

Bill Number 36

Ordinance number 36

### **AN AMENDMENT TO ORDINANCE NUMBER 36, ARTICLE IV, SECTION 2.**

**NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMAN OF THE CITY OF IRON MOUNTAIN LAKE, AS FOLLOWS:**

## **The City of Iron Mountain Lake, Missouri**

**That ordinance number 36, Article IV, section 2 be amended as follows:**

**Section 2.** The following classes of users and charges to those users hereby established:

Class 1. Residential users: \$17.00 per month.

IN ALL OTHER RESPECTS, ORDINANCE 36, AS AMENDED IS AFFIRMED.

THIS AMENDED ORDINANCE SHALL BE EFFECTIVE UPON PASSAGE.

DATE OF FIRST READING: 3/12/07

DATE OF SECOND READING: 3/12/07

PASSED AND APPROVED THIS 12 DAY OF MARCH, 2007

Bill Skaggs

Mayor

Attest:

Christina Lincoln

City Clerk

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Amendment to Article IV, Section 7; Article V, Sections 1 and 2

Bill Number 36

Ordinance Number 36

**The City of Iron Mountain Lake, Missouri**  
**AN ORDINANCE TO AMEND**

**ORDINANCE NUMBER 36, ARTICLE IV, SECTION 7**

**ORDINANCE NUMBER 36, ARTICLE V, SECTION 1**

**ORDINANCE NUMBER 36, ARTICLE V SECTION 2**

**NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE MISSOURI AS FOLLOWS:**

**That ordinance Number 36, Article IV, Section 7 Be amended to read as follows:**

**Section 7:**

**Prior to availing itself of the provisions of article IV, section 6 or other litigation or action permitted by statute or ordinance. The City of Iron Mountain Lake shall have the option of disconnecting or capping of the service line from any user that has not paid any charges, fees, and/or penalties by the 16<sup>th</sup> of the third month following the original due date, after notice is sent to both the owner and occupier of the property by certified mail. During the time the user is disconnected or capped off from the service line, the user will not be assessed new monthly charges or fees. However, the user who has been disconnected or capped off shall still be responsible for payment of all delinquent charges, fees, and/or penalties owed to the City of Iron mountain Lake. Further, the penalties prescribed in Article V, Section 2 of this disconnecting or capping off of service for failure to pay user charges, fees, and/or penalties until the entire delinquent amount, including penalties is pain in full. A two hundred twenty-five dollar (\$225.00) reconnection charge will be added to delinquent amount due.**

**That ordinance number 36, Article V, section 1 be amended to read as follows:**

**Section 1: All users shall be billed monthly.**

**Under normal circumstances all bill shall be mailed by the last working day of the month, and bear a due date of the 16<sup>th</sup> of the month following the month in which they were mailed. Payments made after the due date shall be delinquent. In the event as user has been disconnected or capped off from the system for failure to pay delinquent charges, fees, and/or penalties, pursuant to Article IV, Section 7 of this ordinance, the user shall not be billed new monthly charges until reconnection. However, users who have been disconnected or capped off**

## **The City of Iron Mountain Lake, Missouri**

**for failure to pay delinquent charges and fees will be responsible to pay any and all unpaid delinquent charges, fees, and penalties. Users who have been disconnected or capped off will still be subject to penalties as provided by Article V, Section 1 of this ordinance until the user's delinquent amount, including penalties is paid in full.**

That ordinance number 36, Article V, Section 2 be amended to read as follows:

### **Section 2:**

A late payment penalty of ten (10) percent of the user charge will be added to each delinquent bill for each billing period. **The ten (10) percent penalty will continue to be added every month to each delinquent bill even after the disconnecting or capping off of service for failure to pay user charges, fees and/or penalties until the entire delinquent amount, including penalties is paid in full.** When any bill is thirty (30) days in default the user shall be subject to **all actions and remedies afforded the City by statute and by ordinance.**

SAID AMENDMENTS SHALL BE EFFECTIVE ON DATE OF PASSAGE.

DATE OF PUBLIC HEARING: AUGUST 8, 2005

DATE OF FIRST READING: AUGUST 8, 2005

DATE OF SECOND READING: AUGUST 8, 2005

PASSED AND APPROVED: AUGUST 8, 2005

Bill Skaggs

Mayor

Attest:

Christina Lincoln

City Clerk

## **The City of Iron Mountain Lake, Missouri**

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### **Amendment to Article IV**

#### **AN ORDINANCE TO AMEND ORDINANCE 36 ARTICLE IV ADDING SECTION 7 TO ESTABLISH THE RIGHT TO DISCONNECT DELINQUENT SEWER USERS.**

**BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI. THAT THE AMENDMENT TO ARTICLE IV SHALL READ AS FOLLOWS:**

#### **Section 7:**

Prior to enforcing Section 6 of Article IV of this ordinance, the City of Iron Mountain Lake shall have the option of disconnecting or capping off the service line from any household that has not paid the sewer service fee by the 16<sup>th</sup> of the next month Following the original due date. A two hundred twenty-five dollar (\$225.00) reconnect charge will be added to the delinquent amount due. Failure to pay the total amount due will result in the property being subject to condemnation by the City.

ORD.IML – 2001

PASSED BY THE CITY COUNCIL OF THE CITY OF IRON MOUNTAIN LAKE,  
MISSOURI THIS 4<sup>TH</sup> DAY OF DECEMBER 2001

R. W. Bay

Mayor

Attest:

Christina Lincoln

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## **The City of Iron Mountain Lake, Missouri**

### **Amendment to Article IV, Section 2 and Article V**

#### **AN ORDINANCE TO AMEND ORDINANCE 36 ARTICLE IV SECTION 2, CORRECTING RATES, AND TO AMEND ARTICLE V, RATIFYING BILLING DATES AND ADDING SECTION 2 PROVIDING FOR PENALTIES AND THE COLLECTION OF DELINQUENT FEES**

**BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI. THE AMENDMENT TO ARTICLE IV SECTION 2 SHALL READ AS FOLLOWS:**

**Section 2:**

The following classes of users and charges to those users hereby established:

Class 1, Residential Users: \$15.00 per month

Class 2. Non-Residential User: \$4.10 per 1,000 gallons  
(Industrial) but not less than \$20.50

Class 3. Extra strength users which contribute greater than normal strength wastewater (greater than 300 mg/l BOD or 350 mg/l ss) shall be assessed a charge of the following:

The normal rate for class 2 users, plus \$0.16/lb. for excessive BOD, plus \$0.13/lb. for excessive ss.

**BE IT ALSO ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THAT SECTION 1 ARTICLE V BE AMENDED TO READ AS FOLLOWS:**

**Section 1:**

All users shall be billed monthly, under normal circumstances all bills shall be mailed by the last working day of the month, and bear a due date of the 16<sup>th</sup> of the month following the month in which they were mailed payments made after due date shall be delinquent.

**AND THAT SECTION 2 SHALL BE ADDED TO ARTICLE V TO READ AS FOLLOWS:**

**Section 2:**

A late payment penalty of ten (10) percent of the user charge bill will be added to each delinquent bill for each pilling period. When any bill is thirty (30) days in default the user shall be subject to appear in municipal court as provided in Section 5 and Section 6 of this ordinance.



# The City of Iron Mountain Lake, Missouri

(ORD.IML – 2000)

PASSED BY THE CITY COUNCIL OF THE CITY OF IRON MOUNTAIN LAKE, THIS 14<sup>TH</sup>  
DAY OF FEBRUARY, 2000

William M Skaggs.

Mayor

Attest:

Martha Lance

City Clerk

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## Amendment to Article V

Matters and things therein stated are true. In all suits under this ordinance the general laws of the State as to practice and proceedings in civil cases pursuant to Supreme Court Rule shall as far as applicable.

### **Article V**

#### **Section 1:**

All users shall be billed monthly, under normal circumstances all bills shall be mailed the last working day of the month, and bear a due date of the twenty-first of the month following the month in which they were mailed.

### **Article VI**

#### **Section 1:**

the City will review the user charge system on an annual basis, and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay all costs and that the system continues to provide for the proportional distribution of costs among users and user classes.

#### **Section 2:**

## **The City of Iron Mountain Lake, Missouri**

The City will notify each user at least annually, in conjunction with a regular bill, of the rate being charged.

### **Article VII**

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

PASSED BY THE CITY COUNCIL OF THE CITY OF IRON MOUNTAIN LAKE, THIS 14<sup>TH</sup> DAY OF FEBRUARY 2000

APPROVED THIS 14<sup>TH</sup> DAY OF FEBRUARY, 2000.

William M. Skaggs

Mayor

Attest:

Angie Hanson

City Clerk

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### **Amendment to Article I and II**

**AN ORDINANCE ESTABLISHING A USER CHARGE SYSTEM IN THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, TO PROVIDE FUNDS NEEDED TO PAY FOR EXPENSES ASSOCIATED WITH THE CITY'S WASTEWATER TREATMENT WORKS.**

WHEREAS, THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, HAS CONSTRUCTED WASTEWATER COLLECTION AND TREATMENT WORKS: AND

## **The City of Iron Mountain Lake, Missouri**

WHEREAS, THE CITY MUST PAY ALL EXPENSES ASSOCIATED WITH SAID TREATMENT WORKS AND CHARGE THE USERS OF SAID TREATMENT WORKS ACCORDINGLY; AND

WHEREAS, ALL PARTIES UNDERSTAND THAT THE USER CHARGE SYSTEM TAKES PRECEDENCE OVER ANY TERMS OR CONDITIONS OF AGREEMENTS OR CONTRACTS BETWEEN THE CITY OF IRON MOUNTAIN LAKE AND USERS (INCLUDING INDUSTRIAL USERS, SPECIAL DISTRICTS, OTHER MUNICIPALITIES, OR FEDERAL AGENCIES OR INSTALLATIONS) WHICH ARE INCONSISTENT WITH THE REQUIREMENTS OF SECTION 20 (B) (1) (A) OF THE CLEAN WATER ACT AND THE CORRESPONDING REGULATIONS, 40 CFR 35.2140 (H);

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, THAT THE FOLLOWING USER CHARGE SYSTEM BE ESTABLISHED:**

### **Article 1**

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges from all users who contribute wastewater to the City's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining and retiring the debt for such public wastewater treatment works.

This ordinance shall have precedence over any terms or conditions of agreements or contracts between the City and users (including industrial users, special districts, or other municipalities) which are inconsistent with the requirements of the Clean Water Act.

### **Article II**

Unless the context specifically indicates otherwise, the meaning of terms

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## **Amendment 10 – Article IV, Section 5**

Bill Number

Ordinance Number

## The City of Iron Mountain Lake, Missouri

### AN AMENDMENT TO ORDINANCE NUMBER 36, ARTICLE IV SECTION 5.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:

That ordinance number 36, article iv, section 5 be amended to read as follows:

#### Section 5.

The **Owner** of the premises receiving sewerage service shall be liable to pay for such services rendered on said premises. **The Owner shall not transfer such obligation to an Occupant of the premises.** The City shall have the power to sue the Owner of such real estate in a civil action to receive any sums due for such services, and the Owner shall pay reasonable attorney's fees to the City in addition to all costs of litigation and court costs, including costs of depositions. In the event the City is required to file suit to collect and reduce to judgment any unpaid bill for services, the Owner shall submit to the jurisdiction of the Circuit Court of St. Francois County.

IN ALL OTHER RESPECTS, ORDINANCE 36 AS AMENDED IS AFFIRMED.

THIS AMENDED ORDINANCE SHALL BE EFFECTIVE UPON PASSAGE.

DATE OF PUBLIC HEARING: \_\_\_\_\_

DATE OF FIRST READING: \_\_\_\_\_

DATE OF SECOND READING: \_\_\_\_\_

PASSED AND APPROVED: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_

## **The City of Iron Mountain Lake, Missouri**

Mayor

(SEAL)

ATTEST: \_\_\_\_\_

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 37 – EMERGENCY POLICE RESPONSE**  
Original Ordinance

Bill Number 37

Ordinance Number 37

**AN ORDINANCE PROVIDING AUTHORITY FOR EMERGENCY POLICE  
RESPONSE TO AREA'S OUTSIDE THE CITY'S JURISDICTION UPON REQUEST  
FROM SUCH OTHER ENTITY.**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON  
MOUNTAIN LAKE AS FOLLOWS:**

Police officers acting in emergency situations outside jurisdiction; participation in major case squad.

**A. Definitions**

1. Emergency situation means any situation in which the police officer has a reasonable belief that a crime is about to be committed, or has been committed involving injury or threat of injury to any person, property, or governmental interest, and his response is reasonably necessary to prevent or end such emergency situation
2. Major case squad means formation, operation, organization or cooperative action between any county governing body, any municipal government and the City for the purpose of intensive professional investigation of a certain individual crime which may occur in their general geographical area.
3. Response means to take any and all action which the peace officer may lawfully take as if exercising his power within his own jurisdiction.

**B. Emergency Situations.**

Under an emergency situation, a city police officer having received minimum training as set forth under Chapter 5900, Revised statutes of Missouri, may respond outside his jurisdiction and, acting under the full powers of arrest and authority granted him by the City and under policies and procedures which cover him as a police officer for the City, may respond in his official capacity as a police officer for the City, may respond in his official capacity as a police officer to any emergency situation.

**C. Major case squad**

1. Officers of the City police department are authorized to participate and cooperate with any law enforcement officers of jurisdictions in any major case squad operation

## **The City of Iron Mountain Lake, Missouri**

or formation. The officers designated to act as the major case squad operation will also be designated by the Chief of Police and, when acting outside the City as a member of the major case squad operation, shall be considered to be on active the same as he is acting within the boundaries of the City. This power shall only be exercised during the time the peace officer is an active member of the active major case squad and only within the scope of the investigation on which the squad is working

2. The major case squad shall operate within the City on request of the Chief of Police.

This ordinance will authorize all police officers empowered by the City of Iron mountain Lake to respond to emergency situation as defined above and in accordance with the specifications and statutes as defined above.

ORD.IML – 1998

READ THREE TIMES AND PASSED THIS 8<sup>TH</sup> DAY OF JUNE, 1998

Milton E. Bartley

Mayor

Attest:

Angela Henson

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 38 – SEWERAGE SYSTEM REVENUE BOND**

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ORDINANCE NUMBER 38

OF

IRON MOUNTAIN LAKE, MISSOURI

PASSED AUGUST 10, 1989

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AUTHORIZING

\$250,000

SEWERAGE SYSTEM REVENUE BONDS

SERIES A



## **The City of Iron Mountain Lake, Missouri**

**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 39 – REQUEST FOR COPIES OF PUBLIC RECORDS**  
Original Ordinance

Bill Number 39

Ordinance number 39

**AN ORDINANCE TO ESTABLISH THE SUMS OF “REQUEST OF COPIES OF  
PUBLIC RECORDS” FORM**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON  
MOUNTAIN LAKE, MISSOURI AS FOLLOWS;**

**Section 1.**

Request for copies of public records shall be made at City Hall to the City Clerk by use of forms provided by the City of Iron Mountain Lake.

**Section 2.**

Fees for copies of records shall be at \$0.25 per page. Fees for document search time shall be at \$10.00 per hour with a minimum fee of \$5.00. The Clerk may require payment prior to making copies of documents or to making a document search.

**Section 3.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.**

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

DULY READ AND APPROVED THIS 12 DAY OF OCTOBER, 1998.

Milton E. Bailey

Mayor

## The City of Iron Mountain Lake, Missouri

Attest

Angela Henson

City Clerk

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### Amendment Pertaining to Request of Copies

**AN ORDINANCE TO AMEND ORDINANCE NUMBER 39 OF THE CITY OF IRON MOUNTAIN LAKE PERTAINING TO REQUEST FOR COPIES OF PUBLIC RECORDS FORM BE IT ORDAINED BY THE BOARD OF ALDERMAN OF IRON MOUNTAIN LAKE, THAT SECTION 2. IS AMENDED TO READ AS FOLLOWS:**

Fees for copies of records shall be at \$.25 per page. Fees for document search time shall be at \$15.00 per hour with a minimum fee of \$10.00. The clerk may require payment prior to making copies of documents, or to making a document search.

READ TWO TIMES AND PASSED THIS 10<sup>TH</sup> DAY OF JUNE, 2002

APPROVED THIS 10<sup>TH</sup> DAY OF JUNE, 2002

R.W. Berry

Mayor

Attest

Christina Lincoln

City Clerk

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## **The City of Iron Mountain Lake, Missouri**

Amendment to establish sums of “Request for Copies”

Bill Number 09-2

Ordinance Number 39

### **ORDINANCE NUMBER 39: AN AMENDMENT TO ORDINANCE OPEN RECORDS**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

That ordinance Number 39 be amended as follows:

Fees for copying public records shall not exceed ten cents per page for a paper copy not larger than nine by fourteen inches, with the hourly fee for duplicating time not body. Research time required for fulfilling records requests may be charged at the actual cost of research time. Based on the scope of the request, the public governmental body. Research time required for fulfilling records requests may be charged at the actual cost of research time. Based on the scope of the request, the public governmental body shall produce the copies using employees of the body that result in the lowest amount of charges for search, research, and duplication time. Prior to producing copies of the requested records, the person requesting the records may request the public governmental body to provide an estimate of the cost to the person requesting the records. Documents may be furnished without charge or at a reduced charge when the public governmental body determines the waiver or reduction of the fee is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the public governmental body and is not primarily in the commercial interest of the requester;

Fees for providing access to public records maintained on computer facilities, recording tapes or disks, videotapes, or films, pictures, maps, slides, graphics, illustrations or similar audio or visual items or devices, and for paper copies larger than nine by fourteen inches shall include only the cost of copies, staff time, which shall not exceed the average hourly rate of pay for staff of the public governmental body required for making copies

## **The City of Iron Mountain Lake, Missouri**

and programming, if necessary, and the cost of the disk, tape, or other expertise to duplicate may include the actual rate of compensation for the trained personnel required to duplicate such maps, blueprints, or plants. If programming is required beyond the customary and usual level to comply with a request for records or information, the fees for compliance may include the actual costs of such programming.

1. Payment of such copying fees may be requested prior to the making of copies.
2. Except as otherwise provided by law, the custodian of records shall remit all moneys received by it or for it from fees charged pursuant to sections 610.010 to 610.028 to the City Treasurer for deposit to the City's accounts.

DATE OF FIRST READING 9<sup>TH</sup> NOVEMBER 2009

DATE OF SECOND READING: 9<sup>TH</sup> NOVEMBER 2009

PASSED AND APPROVED: THIS 9<sup>TH</sup> DAY OF NOVEMBER 2009

Eugene Henson

Mayor

Attest:

Tina Blum

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 40 – MISSING**

**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 41 - MISSING**

**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 42 – EXTENSION OF EAST LAKESHORE DRIVE**  
Original Ordinance

Bill Number 42

Ordinance number 42

**AN ORDINANCE TO EXTEND EAST LAKE SHORE DRIVE NORTHWARD TO THE  
NORTHERN PART OF THE 31.45 ACRE PARCEL THAT WAS PURCHASED BY THE  
CITY OF IRON MOUNTAIN LAKE, MISSOURI TO BE THE SITE OF A  
WASTEWATER LAGOON.**

WHEREAS, THE CITY OF IRON MOUNTAIN LAKE, MISSOURI DID SIGN AN  
AGREEMENT TO EXTEND AND MAINTAIN SUCH A ROADWAY; AND

WHEREAS, THE CITY OF IRON MOUNTAIN LAKE DID BUILD A LAGOON AND  
WASTEWATER COLLECTION FACILITY ON SAID PARCEL.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF  
THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THAT PURSUANT TO  
CHAPTER 88.673 OF THE REVISED STATUTES OF MISSOURI THE FOLLOWING  
IMPROVEMENT TO EAST LAKESHORE DRIVE BE SHALL BE AUTHORIZED.**

**Article I**

**Section 1:**

The City of Iron Mountain Lake having built a wastewater treatment lagoon on the west side of the said extended East Lakeshore Drive does hereby agree to provide an all-weather road with forty (40) feet of right of way with adequate drainage, to the northern part of the 31.45 acres at a point near the southern edge of Indian Creek as marked by surveyors stakes.

**Section 2:**



## **The City of Iron Mountain Lake, Missouri**

The City of Iron Mountain Lake Missouri does hereby agree to perpetually maintain said extended roadway and provide adequate surface material as needed.

### **Section 3:**

The City of Iron Mountain Lake does also agree to keep this and all streets within the City open to the public and to enforce all applicable ordinances.

## **Article II**

### **Section 1:**

All ordinances or parts of ordinances in conflict with herewith are hereby repealed.

### **Section 2:**

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

PASSED BY THE BOARD OF ALDERPERSONS OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THIS 10<sup>TH</sup> DAY OF APRIL, 2000.

Eugene Henson

Mayor

Martha Lance

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 43 – MISSING**

**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 44 – GENERAL REVENUE/ TAX**  
Original Ordinance

Bill Number 44

Ordinance Number 44

**An ordinance imposing a tax for general revenue purposes on all sellers for the privilege of engaging in the business of selling tangible personal Property or Rendering Taxable services at retail at the rate of one percent (1%) on the receipts from the sale at retail of all tangible personal property or taxable services at retail within Iron Mountain Lake Missouri, if such property and services are subject to taxation by the state of Missouri under the provisions of section 144.010 to 122.510 RSMO, pursuant to the Authority Granted by and subject to the provisions of section Authority granted by and subject to the provisions of section 94.500 to 94.570 RSMO, and providing for submission of this ordinance to the Qualified voters of Iron Mountain lake for their approval at the general election called ant to be held in Iron Mountain Lake on Tuesday, April 3, 2001.**

WHEREAS, under the provisions of sections 94.500 to 94.570, RSMO the cities of the state are empowered to impose by ordinance, for general purposes, a tax for general revenue purposes on all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at the rate of one half of one percent, at seven eights of one percent, or at one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the State of Missouri under the provisions of section 144.010 to 144.510 RSMO, and Iron Mountain Lake desires to avail its self of such authorization and within the terms thereof, and

WHEREAS, under the provisions of sections 94.500 to 94.570 RSMO, no ordinance enacted pursuant to the authority granted by the provisions of said sections shall be effective until it has been submitted to the qualified voters of the City and approved by a majority of the qualified voters voting thereon,

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN CITY OF IRON MOUNTAIN LAKE, MISSOURI**

# **The City of Iron Mountain Lake, Missouri**

## **Section 1. Imposition of City Sales Tax.**

Pursuant to the authority granted by and subject to the provisions of Section 94.500 to 94.570 RSMO, a tax for general revenue purposes hereby is imposed upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the including residential utilities, and the rules and regulation of the Director of Revenue issued pursuant thereto. The rate of the tax shall be one percent (1%) on receipts from the sale at retail of all tangible personal property or taxable services at retail within Iron Mountain Lake, Missouri, if such property and taxable services are subject to taxation by the state of Missouri under the provisions of Sections 144.010 to 144.510 RSMO, but including residential utilities. The tax shall become effective as provided in Sections 94.500 to 94.570 RSMO

## **Section 2.**

This ordinance shall be submitted to the qualified voters of Iron Mountain Lake Missouri, for their approval, as required by the provisions of Section 94.510 RSMO, at the General election hereby called and be held in Iron Mountain Lake Missouri on Tuesday the 3 day of April, 2001. The ballot title will be: Sales Tax

### **Official Ballot**

City of Iron Mountain Lake

St. Francois County, Missouri

Shall there be a city sales tax of one percent                      yes

In the City of Iron Mountain Lake Missouri?                      No

Ordinance Number 44 of Iron Mountain Lake Missouri, passed January 15, 2001, imposing a city sales tax at the rate of one percent (1%) on the receipts or taxable services at retail, subject to the sales tax imposed by the State of Missouri, and on residential utilities.

Instructions to voters: If you are in favor of the sales tax, place an X in the box opposite "Yes" if you are opposed to the sales tax, place an X in the box opposite "NO"

## **The City of Iron Mountain Lake, Missouri**

THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FULL FORCE FROM AND AFTER JAN15, 2001

READ THREE TIMES AND PASSED THIS 15<sup>TH</sup> DAY OF JANUARY 2001

THIS ORDINANCE APPROVED THIS 1TH DAY OF JANUARY 2001

Eugene Henson

Mayor

Christina Lincoln

City Clerk

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### Amendment to impose tax for general revenue purposes

Bill Number 44

Ordinance Number 44

**An ordinance imposing a tax for general revenue purposes on all sellers for the privilege of engaging in the business of selling tangible personal Property or rendering Taxable services at retail at the rate of one percent (1%) on the receipts from the sale at retail of all tangible personal property or taxable services at retail within iron Mountain Lake Missouri, if such property and services are Subject to taxation by the state of Missouri under the provisions of section 144.010 to 144.510 RSMO, pursuant to the authority granted by and subject to the provisions of section 94.500 to 94.570 RSMO, and providing for submission of this ordinance to the qualified voters of Iron Mountain Lake for their approval at the General election called and to be held in Iron Mountain Lake on Tuesday, April 2, 2002.**

WHEREAS, under the provisions of sections 94.500 to 94.570, RSMO the cities of the state are empowered to impose by purposes on all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at the retail within any city adopting such tax, taxable services at retail within any city adopting such

tax, if such property and services are subject to taxation by the State of Missouri under the provisions of section 144.010 to 144.510 RSMO, and Iron Mountain Lake desires to avail its self or such authorization and within the terms thereof, and

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN CITY OF  
IRON MOUNTAIN LAKE, MISSOURI.**

Pursuant to the authority granted by and subject to the provisions of Sections 94.500 to 94.570 RSMO, a tax for general revenue purposes hereby is imposed upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in section 144.010 to 144.510 RSMO, but including residential utilities, and the rules and regulation or the director or revenue issues pursuant thereto. The rate of the tax shall be one percent (1%) on receipts from the sale at retail of all tangible personal property or taxable services at retail within Iron Mountain Lake Missouri, if such property and taxable services are subject to taxation by the state of Missouri under the provision of Sections 144.010 to 144.510 RSMO, but including residential utilities. The tax shall become effective as provided in Sections 94.500 to 94.570 RSMO

This ordinance shall be submitted to the qualified voters of Iron Mountain Lake, Missouri, for their approval, as required by the provisions of Section 94.510 RSMO, at the General election hereby called and to be held in Iron Mountain Lake, Missouri on Tuesday the 2 day of April, 2002. The Ballot Title will be:  
Sales Tax

## St. Francois County, Missouri

In the City of Iron mountain Lake Missouri no

## The City of Iron Mountain Lake, Missouri

Ordinance Number 44 of Iron Mountain Lake Missouri, passed November 12, 2001, imposing a city sales tax at the rate of one percent (1%) on the receipts from the sale at retail of all tangible personal property of taxable services at retail, subject to the sales tax imposed by the State of Missouri, and on residential utilities.

Instruction to voters: If you are in favor of the sales tax place an x in the box opposite "YES" If you are opposed to the Sales tax, place an X in the box opposite "NO".

### Section 4.

This ordinance shall take effect and be in full force and after November 12, 2001

READ THREE TIMES AND PASS THIS 12<sup>TH</sup> DAY OF NOVEMBER 2001

Rich Berry

Mayor

Attest:

Christina Lincoln

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 45 – SALES TAX**  
Original Ordinance

Bill Number 45

Ordinance number 45

**AN ORDINANCE RE-IMPOSING THE CITY SALES TAX ON RESIDENTIAL  
UTILITY SERVICE PROVIDED WITHIN THE MUNICIPALITY**

WHEREAS in the First regular session of the 80<sup>th</sup> General Assembly conference committee substitute for the house committee Substitute for senate committee substitute for Senate Bills 218, 235, 298, 340 and 398 was enacted designed to exempt certain Sales from the state sales tax, and

WHEREAS, Section 144.030 {23} of the new statute specifically states that all sales of metered water service, electricity, electrical current, natural gas, artificial or propane gas, wood, coal or home heating oil... used for nonbusiness, noncommercial nonindustrial purposes” {in short, residential utilities} shall be exempt from state sales tax, and

WHEREAS, Section 144.032 of the same act provides that any municipal sales tax on such utility sales will be terminated, unless the municipality involved specifically re-imposes its municipal sales tax on residential utilities, and

WHEREAS, it is the intent of this municipality to re-enact such tax, as it appears to be in the best interest of the City and its citizens.

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

**Section 1.**

That the municipal sales tax on all sales of metered water service electricity, electrical current, natural, artificial or propane gas, wood coal or home heating



## **The City of Iron Mountain Lake, Missouri**

oil... used for nonbusiness, noncommercial, or nonindustrial purposes heretofore imposed within the corporate limits of this municipality is hereby imposed

### **Section 2.**

That the rate of taxation shall be, as heretofore imposed, one percent (1%)

### **Section 3.**

The City Clerk hereby is directed to provide copies of this ordinance to all the utilities that provide service within the corporate limits of the City, and to the Director of Revenue of the State of Missouri

### **Section 4.**

This ordinance shall take effect and be in full force from and after January 15<sup>th</sup>, 2001

READ THREE TIMES AND PASSED THIS 15<sup>TH</sup> DAY OF JANUARY 2001

THIS ORDINANCE IS APPROVED THIS 15<sup>TH</sup> DAY OF JANUARY 2001

Eugene Henson

Mayor

Attest:

Christina Lincoln

City Clerk

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Amendment to impose sales tax on residential utility

**AN ORDINANCE RE-IMPOSING THE CITY SALES TAX ON RESIDENTIAL  
UTILITY SERVICE PROVIDED WITHIN THE MUNICIPALITY**

## **The City of Iron Mountain Lake, Missouri**

WHEREAS in the first regular session of the 80<sup>th</sup> General Assembly, conference committee substitute for e House Committee substitute for senate committee substitute for senate bills 218, 235, 298, 398 was enacted designed to exempt certain sales from the state sales tax, and

WHEREAS, section 144.030 (23) of the new statute specifically states that all sales of metered water service, electricity, electrical current, natural gas, artificial or propane gas, wood, coal or home heating oil... used for nonbusiness, non-commercial nonindustrial purposes” (in short, residential utilities), and

WHEREAS, it is the intent of this municipality to re-enact such tax, as it appears to be in the best interest of the City and its citizens,

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

### **Section 1.**

That the Municipal Sales Tax on all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood coal or home heating oil... used for nonbusiness, noncommercial or nonindustrial purposes heretofore imposed within the corporate limits of this municipality is hereby imposed.

### **Section 2.**

That the rate of taxation shall be, as heretofore, one percent (1%)

### **Section 3.**

The City Clerk hereby is directed to provide copies of this ordinance to all the utilities that provide service within the corporate limits of the City, and to the director of Revenue of the State of Missouri.

### **Section 4.**

This ordinance shall take effect and be in full force and after November 12, 2001

READ THREE TIMES AND PASSED THIS 12<sup>TH</sup> DAY OF NOVEMBER 2001

THIS ORDINANCE IS APPROVED THIS 12<sup>TH</sup> DAY OF NOVEMBER

## **The City of Iron Mountain Lake, Missouri**

Richard Berry

Mayor

Attest:

Christina Lincoln

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 46 – REPEALED**  
Repealed Ordinance

**ORDINANCE NUMBER 46 ENACTED MAY 13, 2002**  
**TITLED DANGEROUS BUILDINGS IS HEREBY REPEALED.**

Taking the place of ordinance 46 is ordinance number 75 and 76

PASSED AND APPROVED THIS 23<sup>RD</sup> DAY OF FEBRUARY, 2009

Jody W. Niccum  
Mayor

Attest:  
Julie Bennett  
City Clerk

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\*\*\*\*\*Original documentation of ordinance 46 is on record in City Hall if needed\*\*\*\*\*

# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 47 – GENERAL ELECTIONS**

### **Original Ordinance**

Ordinance Number 47

Bill Number 47

**An ordinance proclaiming According to the Election Laws of the State of Missouri, A general election will be held on April 2, 2002, for the purpose of electing a Mayor for a 2 year term and one council person for a 1 year term and 2 council persons for a 2 year term in the City of Iron mountain Lake, Missouri.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

#### **Section 1.**

That pursuant to the provisions of the election laws of the State of Missouri, it is hereby proclaimed that a General Municipal Election will be held on April 2, 2002 in the City of Iron Mountain Lake, Missouri for the purpose of choosing by vote the following;

A Mayor and one person in each ward to serve as Council person

Mayor:

Ward 1:

Ward 2:

Ward 3:

#### **Section 2.**

The polling places shall be designated by the County Clerk for said election. The polling places are to remain open from six o'clock in the morning until seven o'clock in the evening on April 2, 2002

#### **Section 3.**

## **The City of Iron Mountain Lake, Missouri**

The County Clerk is respectfully requested to appoint the judges and Clerk in accordance with the state laws, and to have the ballots printed and legal notices published, and then estimated to the City of Iron Mountain Lake the cost of said election. A copy of this ordinance shall be sent to the County Clerk.

### **Section 4.**

The ordinance 1.24 establishing voter registration for municipal elections and adopted by the City Council, City of Flat River on January 10, 1977, and readopted by the City of Iron Mountain Lake, shall be in full force and effect.

### **Section 5.**

That the county Clerk is hereby directed to cause the names of the candidates to appear on the general Ballot to be published in a newspaper of general circulation within the City of Iron Mountain Lake twice prior to election.

DULY READ TWO TIMES PASSED THIS 10<sup>TH</sup> DAY OF DECEMBER, 2001

Richard Berry

Mayor

Attest:

Christina Lincoln

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 48 – MISSING**

# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 49 – UNLAWFUL ASSEMBLY AND DISORDERLY CONDUCT**

Original Ordinance

Bill Number 49

Ordinance 49

### **AN ORDINANCE REGULATING UNLAWFUL ASSEMBLY AND DISORDERLY CONDUCT WITHIN THE CITY LIMITS OF IRON MOUNTAIN LAKE, MISSOURI**

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

#### **Section 1. Unlawful Assemble**

A person commits the offence of unlawful assembly if he or she knowingly assembles with six (6) or more other persons and agrees therewith to violate any of the provisions of this ordinance, criminal laws of this state or of the United States with force or violence. Pursuant to RSMO 574.040.

#### **Section 2. Disorderly Conduct.**

##### **A. Definitions.**

1. Public place: Any place to which the general public has access and a right to resort for business, entertainment, or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. It shall include the front or immediate area of any store, shop restaurant, arcade, tavern, or any other place of business and also public grounds, areas, or parks
2. Riot: A public disturbance involving
  - a. An act of violence by one (1) or more persons, part of an assemblage of three or more persons, which act or acts shall constitute a clear and a present danger of, or shall result in , damage or injury to the property of any other person or to person of any other individual; or
  - b. A treat or threats of the commission of an act or acts of violence by one (1) or more persons part of an assemblage of three (3) or more persons having, individually or collectively, the ability of immediate execution of such that or threats,



## The City of Iron Mountain Lake, Missouri

where the performance of the threatened act or acts of violence would constitute a clear and present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual.

3. Incite a Riot: Shall mean, but not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written:
  - a. Advocacy of ideas; or
  - b. Expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness of, or the right to commit any such acts or acts.
- B. Prohibited. A person shall be guilty of disorderly conduct if; with the purpose of causing public danger, alarm, disorder, nuisance, or if his or her conduct is likely to cause public danger, alarm, disorder or nuisance, he or she willfully does any of the following acts in a public place:
  1. Commits an act in a violent and tumultuous manner toward whereby that other is placed in danger of his or her life, injury to his or her limb or health;
  2. Commits an act in a violent and tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged;
  3. Causes, provokes, or engages in any fight, brawl or riotous conduct so as to endanger that life, limb, health, or another
  4. Interferes with another's pursuit of a lawful occupation by acts of violence;
  5. Obstructs, either singly or together with other persons, the flow of vehicular or pedestrian and refuses City Ordinance clear such public way when ordered to do so by the City Police or other lawful authority know to be such;
  6. Is in a public placer under the influence of an intoxicating liquor or drug in such condition as to be unable to exercise care for his or her own safety or the safety of others;
  7. Resists or obstructs the performance of duties by city police or any other authorized official of the City, when known to be such an official;
  8. Incites, attempts to incite, or is involved in attempting to incite a riot;
  9. Addresses abusive language or threats to any member of the police department, any other authorized official of the City who is engaged in lawful performance of his or her duties, or any other person when such words have a tendency to cause acts of violence. Words merely causing displeasure, annoyance or resentment are not prohibited;

## **The City of Iron Mountain Lake, Missouri**

10. Damages befouls or disturbs public property or the property of another so as to create a hazardous unhealthy or physically offensive condition;
11. Makes or causes to be made any loud, boisterous and unreasonable noise or disturbance to the annoyance of any other persons nearby, or near to any public highway, road, street, lane alley, park, square, or common, whereby the public peace is broken or disturbed, or the traveling public annoyed;
12. Fails to obey a lawful order to disperse by a police officer when known to be such an official where one (1) or more persons are committing acts of disorderly conduct in the immediate vicinity, and the public and safety is imminently threatened;
13. Uses abusive or obscene language or makes an obscene gesture.
  - c. Exemptions. Subsections (a) and (b) shall not be construed to suppress the right to lawful assembly, picketing, public speaking, or their lawful means of expressing public opinion not in contravention of other laws
  - d. Penalty. Any person who violates the provisions of this section shall be guilty of an offence and, upon conviction thereof shall be fined no less than \$25.00 and no more than \$500.00

ORD. IML – 2002

THIS ORDINANCE SHALL BE IN FULL FORCE EFFECT FROM AND AFTER ITS  
PASSAGE AND APPROVAL.

PASSED AND ADOPTED BY THE BOARD OF ALDERPERSONS OF THE CITY OF IRON  
MOUNTAIN LAKE, MISSOURI. THIS 11<sup>TH</sup> DAY OF MARCH, 2002

Richard Berry

Mayor

Attest:

Christina Lincoln

City Clerk

# The City of Iron Mountain Lake, Missouri

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## Amendment 1

Bill Number 49

Ordinance Number 49

### **AN ORDINANCE REGULATING UNLAWFUL ASSEMBLY AND DISORDERLY CONDUCT WITHIN THE CITY LIMITS OF IRON MOUNTAIN LAKE, MISSOURI**

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS BY THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

#### **Section 1. Unlawful Assemble**

A person commits the offence of unlawful assembly if he or she knowingly assembles with six (6) or more other persons and agrees therewith to violate any of the provisions of this ordinance, criminal laws of this state or of the United States with force or violence. Pursuant to RSMO 574.040

#### **Section 2. Disorderly conduct**

##### **A. Definitions**

1. Public Place: any place to which the general public has access and a right to resort for business, entertainment, or other lawful purpose, but not necessarily mean a place devoted solely to the uses of the public. It shall include the front or immediate area of any store, shop restaurant, arcade, tavern, or any other place of business and also public grounds, areas or parks.
2. Riot: A public disturbance involving (a) an act of violence by one (1) or more persons, part of an assemblage of three or more persons, which act or acts shall constitute a clear and a present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual; or (b) a threat or threats of the commission of an act or acts of violence by one (1) or more persons part of an assemblage of three (3) or more persons having, individually

## The City of Iron Mountain Lake, Missouri

or collectively, the ability of immediate execution of such threat or threats, where the performance of the threatened acts or acts of violence would constitute a clear and present danger of, or would result in, damage or injury to the property of any other person or to the person of any other individual.

3. Incite a riot: Shall mean, but not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written:
  - a. Advocacy of ideas; or
  - b. Expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness of, or the right to commit any such act or acts.

B. Prohibited. A person shall be guilty of disorderly conduct if; with the purpose of causing public danger, alarm, disorder, nuisance, or if his or her conduct is likely to cause public danger, alarm, disorder or nuisance, he or she willfully does any of the following acts in a public place:

1. Commits an act in a violent and tumultuous manner toward another whereby that other is placed in danger of his or her life, injury to his or her limb or health;
2. Commits an act in a violent and tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged;
3. Causes, provokes, or engages in any fight, brawl or riotous conduct so as to endanger that life, limb, health, or property of another;
4. Interferes with another's pursuit of a lawful occupation by acts of violence;
5. Obstructs, either singly or together with other persons, the flow of vehicular or pedestrian and refuses City Ordinance clear such public way when ordered to do so by the City police or other lawful authority know to be such;
6. Is in a public place under the influence of an intoxicating liquor or drug in such condition as to be unable to exercise care for his or her own safety or the safety of others;
7. Resists or obstructs the performance of duties by City Police or any other authorized official of the City, wen known to be such an official;
8. Incites, attempts to incite, or is involved in attempting to incite a riot;
9. Addresses abusive language or threats to any member of the Police Department, any other authorized official of the City who in engaged in lawful performance of his or her duties, or any other person when such words have a tendency to cause acts of violence. Who's merely causing displeasure, annoyance or resentment are not prohibited;

## **The City of Iron Mountain Lake, Missouri**

10. Damages, befouls, or disturbs public property or the property of another so as to create a hazardous, unhealthy or physically offensive condition;
  11. Makes or causes to be made any loud, boisterous and unreasonable noise or disturbance to the annoyance of any other person nearby, or near to any public highway, road, street lane, alley, park, square, or common, whereby the public peace is broken or disturbed, or the traveling public annoyed;
  12. Fails to obey a lawful order to disperse by a police officer when known to be such an official, where one (1) or more persons are committing acts of disorderly conduct in the immediate vicinity, and the public and safety is imminently threatened;
  13. Uses abusive or obscene language or makes an obscene gesture.
- C. Exemptions. Subsections A. and B. shall not be construed to suppress the right to lawful assembly, picketing, public speaking, or other lawful means of expressing public opinion not in contravention of other laws.
- D. Penalty. Any person who violates the provisions of this section shall be guilty of an offence and, upon conviction thereof shall be fined no less than \$25.00 and no more than \$500.00 plus court cost.

ORD.IML – 2002

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL.

PASSED AND ADOPTED BY THE BOARD OF ALDERPERSONS OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI THIS 11<sup>TH</sup> DAY OF MARCH 2002.

Richard W. Berry

Mayor

Attest:

Christina Lincoln

City Clerk

## **The City of Iron Mountain Lake, Missouri**

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 50 – GENERAL REVENUE TAX**  
Original Ordinance

Ordinance Number 50

Bill Number 50

**An ordinance imposing a tax for general revenue purposes on all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail at the rate of one percent (1%) on the receipts from the sale at retail of all tangible personal property or taxable services at retail within iron mountain lake Missouri, if such property and services are subject to taxation by the state of Missouri under the provisions of section 144.010 to 144.510 RSMO, pursuant to the authority granted by and subject to the provisions of section 94.500 to 94.570 RSMO, and providing for submission of this ordinance to the qualified voters of iron mountain lake for their approval at the general election called and to be held in iron mountain lake on Tuesday, November 5, 2002.**

WHEREAS, under the provisions of sections 94.500 to 94.570, RSMO the cities of the state are empowered to impose by ordinance, for general purposes, a tax for general revenue purposes on all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at the rate of one half of one percent, at seven eighths of one percent, or at one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the State of Missouri under the provisions of section 144.010 to 144.510 RSMO, and Iron Mountain Lake desires to avail itself of such authorization and within the terms thereof, and

WHEREAS, under the provisions of sections 94.500 to 94.570 RSMO, no ordinance enacted pursuant to the authority granted by the provisions of said Sections shall be effective until it has been submitted to the qualified voters of the City and approved by a majority of the qualified voters voting thereon,

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMENT CITY OF IRON MOUNTAIN LAKE MISSOURI.**

# **The City of Iron Mountain Lake, Missouri**

## **Section 1. Imposition of City Sales Tax.**

Pursuant to the authority granted by the subject to the provisions of Sections 94.500 to 94.570 RSMO, a tax for general revenue purposes hereby is imposed upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in section 144.010 to 144.510 RSMO, but including residential utilities, and the rules and regulations of the Director of Revenue issued pursuant thereto. The rate of the tax shall be one (1%) on receipts from the sale at retail of all tangible personal property or taxable services at retail within Iron Mountain Lake Missouri, if such property and taxable services are subject to taxation by the State of Missouri under the provisions of Sections 144.010 to 144.510 RSMO, but including residential utilities. The tax shall become effective as provided in Sections 94.500 to 94.570 RSMO.

## **Section 2.**

This ordinance shall be submitted to the qualified voters of Iron Mountain Lake Missouri, for their approval, as required by the provisions of Section 94.510 RSMO, at the General Election hereby called and to be held in Iron Mountain Lake Missouri on Tuesday the 5<sup>th</sup> day of November, 2002. The ballot title will be: SALES TAX

### **Official Ballot**

City of Iron Mountain Lake

St. Francois County, Missouri

Shall there be a city sales tax of one percent in the City of Iron Mountain Lake Missouri?

YES

NO

Ordinance No. \_\_\_\_\_ of Iron Mountain Lake Missouri, passed June 10, 2002, imposing a city sales tax at the rate of one (1%) on the receipts from the sale at retail of all tangible personal property or taxable services at retail, subject to the sales tax imposed by the State of Missouri, and on residential utilities.

INSTRUCTIONS TO VOTERS: If you are in favor of the sales tax, place an X in the box opposite "YES". If you are opposed to the sales tax, place an X in the box opposite "NO".

Section \_\_\_\_\_



## **The City of Iron Mountain Lake, Missouri**

This ordinance shall take effect and be in full force and after July 8, 2002

READ THREE TIMES AND PASSED THIS 8<sup>TH</sup> DAY OF JULY, 2002

ATTEST: Richard Berry, Mayor

ATTEST: Christina Lincoln, Clerk

THIS ORDINANCE APPROVED THIS 8<sup>TH</sup> DAY OF JULY 2002

Be it remembered that the above ordinance was re-enacted by the City, on the date indicated above, by a vote of the governing body of the City as follows: Those voting “aye” were: Bill Skaggs, Gary Simmons, Don Lichtentierg, Don Blasingame, Connie Beard, Elmer Loucks.

Those voting “nay” were none.

Christina Lincoln, Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 51 – CITY SALES TAX ON RESIDENTIAL UTILITY**  
Original Ordinance

Ordinance Number 51

Bill Number 51

**AN ORDINANCE REIMPOSING THE CITY SALES TAX ON RESIDENTIAL UTILITY  
SERVICE PROVIDED WITHIN THE MUNICIPALITY**

WHEREAS, in the First Regular Session of the 80<sup>th</sup> General Assembly, Conference Committee Substitute for the House Committee Substitute for Senate Committee Substitute for Senate Bills 218, 235, 298, 340, and 398 was enacted designed to exempt certain sales from the state sales tax, and

WHEREAS, Section 144.030 {23} of the new statute specifically states that “all sales of metered water service, electricity, electrical current, natural gas, artificial or propane gas, wood, coal or home heating oil....used for nonbusiness, noncommercial nonindustrial purposes” {in short, residential utilities} shall be exempt from state sales tax, and

WHEREAS, Section 144.032 of the same act provides that any municipal sales tax on such utility sales will be terminated, unless the municipality involved specifically re-imposes its municipal sales tax on residential utilities, and

WHEREAS, it is the intent of the municipality to re-enact such tax, as it appears to be in the best interest of the City and its citizens,

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

**Section 1.**

That the Municipal Sales Tax on all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating

## **The City of Iron Mountain Lake, Missouri**

oil...used for nonbusiness, noncommercial or non-industrial purposes heretofore imposed within the corporate limits of this municipality is hereby imposed.

### **Section 2.**

That the rate of taxation shall be, as heretofore, on percent { 1% )

### **Section 3.**

The City Clerk is directed to provide copies of this ordinance to all the utilities that provide service within the corporate limits of the City, and to the Director of the State of Missouri.

### **Section 4.**

This ordinance shall take effect and be in full force and after July 8, 2002.

READ THREE TIMES AND PASSED THIS 8<sup>TH</sup> DAY OF JULY, 2002

Richard W. Berry, Mayor

ATTEST: Christina Lincoln, Clerk

THIS ORDINANCE APPROVED THIS 8<sup>TH</sup> DAY OF JULY, 2002

Richard Berry, Mayor

ATTEST: Christina Lincoln, Clerk

Be it remembered that the above ordinance was re-enacted by the City, on the date indicated above, by a vote of the governing body of the City as follows: those voting “aye” were Bill Skaggs, Gary Simmons, Don Lichtenberg, Don Blasingame, Connie Beard, and Elmer Loucks

Those voting “nay” were none.

Christina Lincoln, Clerk

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## **The City of Iron Mountain Lake, Missouri**

**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 52 – CULVERT PIPES**  
Original Ordinance

Ordinance Number 52

Bill Number 52

**AN ORDINANCE IMPOSING REGULATIONS PERTAINING TO CULVERT PIPES  
WITHIN THIS MUNICIPALITY.**

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

All drainage structures shall conform to the requirements of the drainage system of which they are part. Such drainage materials, (e.g.: culvert pipe) shall be delivered to the property owners site and paid for by property owner. This may be accomplished by private contractor or by the City of Iron Mountain Lake.

In no event may the regular course of flow of drainage be altered or blocked in any manner.

The owner of the property served by the culvert pipe is responsible for the maintenance and safekeeping of the culvert pipe. If the culvert pipe fails in its purpose because it is blocked or collapsed it will be the property owner's responsibility to provide any and all maintenance, repair or replacement as deemed necessary by the Road Commissioner of Iron Mountain Lake.

In the event the property owner or occupant is notified that there is a violation of this ordinance steps must be taken immediately to correct the violation.

Property owners shall have blockages cleaned within (3) three days. If the culvert pipe needs to be repaired or replaced arrangements must be made within (5) five days whether with the City or with a private contractor. Failure to correct this violation shall subject the owner or occupant to the following:

1. Notification shall serve as a warning.
2. \$25.00 plus court costs for failure to unblock culvert pipes.
3. \$75.00 plus court costs for failure to replace or repair culvert pipes.
4. If the property owner fails to correct the problem, the City of Iron Mountain Lake will make the repairs at a cost to the property owner of \$40.00 per hour plus the cost of any materials deemed necessary to correct the problem.

## **The City of Iron Mountain Lake, Missouri**

THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FULL FORCE AFTER AUGUST 12, 2002.

THE TITLE OF THIS ORDINANCE WAS READ ONE TIME AND PASSED THIS 12<sup>TH</sup> DAY OF AUGUST, 2002.

Richard Berry

Mayor

ATTEST:

Christina Lincoln

City Clerk

THIS ORDINANCE approved this 12<sup>th</sup> day of August, 2002.

Richard Berry

Mayor.

ATTEST:

Christina Lincoln

Clerk

Be it remembered that the above ordinance was re-enacted by the City, on the date indicated above, by a vote of the governing body of the City as follows: Those voting “aye” were Gary Simmons, Don Lichtenberg, Don Blasingame, Connie Beard, and Elmer Loucks.

Those voting “nay” were none.

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 53 – US RURAL DIVISION FINANCIAL**  
Original Ordinance

Ordinance Number 53

Bill Number 53

**A RESOLUTION OF THE CITY OF IRON MOUNTAIN LAKE CONCERNING  
ACCEPTANCE AND COMPLIANCE WITH VARIOUS REQUIREMENTS TO OBTAIN  
FINANCIAL ASSISTANCE FROM THE UNITED STATES OF AMERICA, ACTING  
THROUGH THE UNITED STATES DEPARTMENT OF AGRICULTURE, RURAL  
DEVELOPMENT.**

**BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON  
MOUNTAIN LAKE MISSOURI AS FOLLOWS:**

**Section 1. (Definitions)**

- A. City of Iron Mountain Lake will also be referenced as “applicant”, “recipient” “participant” and “grantee” throughout this document.
- B. United States of America, acting through the United States Department of Agriculture, Rural Development, will also be referenced as USDA Rural Development and “RD” throughout this document.

**Section 2. (Certification)**

The following listed forms with instructions are attached hereto and fully incorporated as if set forth herein:

- A. Standard Form 424D (4-92), Assurances – Construction Programs.
- B. Form RD 400-1 (9-96), Equal Opportunity Agreement.
- C. Form USDA RD 400-4 (3-97), Assurance Agreement.
- D. Form AD-1047 (1-92), Certification Regarding Debarment, Suspension and Other Responsibility Matters – Primary Covered Transactions.
- E. Form AD1049 (2-89) Certification Regarding Drug- Free Workplace Requirements (Grants) Alternative I – For Grantees Other Than

## **The City of Iron Mountain Lake, Missouri**

Individuals. This form is applicable only when an USDA grant is being made.

- F. Form USDA – RD 1910-11 (11-98), Applicant Certification Federal Collection Policies for Consumer or Commercial Debts. This form is applicable only when an USDA loan is being made.
- G. FMHA Instruction 1940-Q – Exhibit A-1 (8-21-91), Certifications for Contracts, Grants and Loans.

### **Section 3. Miscellaneous Provisional.**

- A. If any section, subsection or part of this resolution, whether large or small, and whether set forth or incorporated herein by reference, is for any reason held invalid, the invalidity thereof shall not affect the validity of any of the other provisions of this resolution, whether large or small, and whether set forth or incorporated herein by reference.
- B. If any section, subsection or other part of this resolution is found to be in conflict with an actual form set forth or referred to herein, the version of the form which is in effect on the date of this instrument will be applicable.
- C. The signature of the Mayor and the attestation by the City Clerk to this resolution shall act as the signature and attestation to each and every one of the requirements and forms set forth and incorporated by reference in the Sections and subsections of this resolution as fully as if signed and attested to on an individual documents or form for each.

THIS RESOLUTION SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL.

PASSED THIS 12<sup>TH</sup> DAY OF AUGUST, 2002.

The Vote was 6 AYES and 0 NAYS. Absent: O  
(SEAL)

Richard W. Berry  
Mayor



## **The City of Iron Mountain Lake, Missouri**

Attest:

Christina Lincoln

City Clerk

### **CERTIFICATE**

I, the undersigned, as MAYOR of The City of Iron Mountain Lake, do hereby certify that the Board of Aldermen is composed of six members, of whom six constituting a quorum, were present at a meeting thereof duly called and held on the date passed; that the foregoing Resolution was adopted at such meeting by the vote shown above; that passage of the foregoing Resolution is reflected in the official minutes of said meeting; and that said Resolution has not been rescinded or amended in any way.

Dated this 12<sup>th</sup> day of August, 2002. Richard Berry, MAYOR

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 54 – STREET WEIGHT LIMITS**  
Original Ordinance

Ordinance Number 54

Bill Number 54

**AN ORDINANCE IMPOSING REGULATIONS PERTAINING TO COMMERCIAL  
VEHICLES, WEIGHT LIMITATIONS AND USE OF STREETS WITHIN THIS  
MUNICIPALITY.**

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

All streets in this city are declared to be residential streets and shall be limited to the use of private passenger vehicles, bicycles, pedestrians and buses, trucks and commercial vehicles having a definite business in this city. No person shall drive or park a motor vehicle having a total weight, whether loaded or not, of more than (5) five tons on the streets of this city. Commercial Vehicles making deliveries exempt from five ton limit.

It shall be unlawful to drive, convey or operate upon, over or across any improved public street any wagon, engine, tractor, truck or vehicle of any kind having on its wheels any clamps, ridges, extensions, projections, bars, bolts, rods, curves, gutters or other contrivance that will cut or mash holes, gashes or crevices into the streets or otherwise tear up, injure or damage the streets or any part thereof, in the City of Iron Mountain Lake.

Any person violating this ordinance, whether willfully or negligently damage a street in this city shall be liable for the cost of repair of this damage. The amount of such damage may be recovered in any action of any court of competent jurisdiction.

All repair vehicles of the state, county or city are exempt from this ordinance. All utility and cable company vehicles are exempt. All vehicles approved to enter this city by the Mayor are exempt from this ordinance.

Violations of this ordinance shall subject the violator a fine for a first offense of \$200.00, (two hundred dollars), the fines shall double for each additional occurrence. If damage to the streets, culverts or sewer occur additional cost e be in addition to fine.

## **The City of Iron Mountain Lake, Missouri**

THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FULL FORCE AFTER OCTOBER 14, 2002.

THE ORDINANCE WAS READ TWICE AND PASSED THIS 14<sup>TH</sup> DAY OF OCTOBER, 2002.

Richard Berry

Mayor

Attest:

Christina Lincoln

City Clerk

THIS ORDINANCE APPROVED THIS 14<sup>TH</sup> DAY OF OCTOBER 2002.

ATTEST:

Christina Lincoln

City Clerk

Beit remembered that this ordinance was re-enacted by the City, on the date indicated above, by a vote of governing body of the City as follows:

Those voting “aye” were: Don Lichtenberg, Connie Beard, William Skaggs, Jr., and Elmer Loucks, Don Blasingame, Gary Simmons.

Those voting “nay” were: none.

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 55 – CONSTRUCTION PROCEDURES**

### **Original Ordinance**

Ordinance Number 55

Bill Number 55

#### **AN ORDINANCE OF THE CITY OF IRON MOUNTAIN LAKE MISSOURI ESTABLISHED PROCEDURES AND REQUIREMENTS RELATING TO CONSTRUCTION OF FACILITIES IN, ALONG, ACROSS, UNDER AND OVER PUBLIC RIGHTS OF WAY**

##### **Article 1. Excavations**

###### **Section 1: Permit Required**

No person shall make or cause to be made any cuts or excavations in, through or under any street, sidewalk, alley or City property within the limits of the City of Iron Mountain Lake for the purpose whatsoever without a permit therefore being obtained from City Hall, said permit shall not be issued until the applicant has complied with the Sections of this Article requiring payment of a cash bond.

###### **Section 2: Application for Permits**

- A. All applications for a permit under the provisions of this Article shall be signed by the person, or his/her duly authorized agent, who desires to do work designated in the application. No such application shall be assignable and no person shall allow his/her name to be used to obtain a permit for any other reason.
- B. The applicant for a permit shall designate on the map or diagram placed upon the back of the application, the location of the proposed cut or excavation to be made, in such manner that the house number or lot number in front of which and the side of the street upon which the same is to be made shall be plainly indicated. The map or design shall also show the dimensions and character of the proposed cut or excavation, as well as the method and character of the proposed repavement or resurfacing of the proposed cut or excavation.
- C. Applications shall be submitted to City Hall.

## **The City of Iron Mountain Lake, Missouri**

### **Section 3: Cash Bond Prerequisite to Permit**

- A. AMOUNT/PURPOSE: Before any permit under this Article shall be issued for cutting or excavating in, through or under any street sidewalk alley or City property in the City limits of Iron Mountain Lake, the applicant for the permit shall have deposited a cash bond with the City Clerk in the amount of one hundred dollars (\$100.00) lawful money. This money shall be maintained and held by the City to protect the City on account of any expenses it may incur in repairing, refilling, repaving or resurfacing any cut or exception that may be made in the streets, sidewalks, alleys or City property.
- B. ADDITIONAL AMOUNT: The Road Commissioner or his/her representative may require such additional sums of one hundred dollars (\$100.00) to be deposited by the person making the application as he/she determines from time to time is reasonably necessary to protect the City for any expenses it may incur under this article.

### **Section 4: Time to Complete Work under Permit**

Each cut or excavation for which a permit is granted under this Article shall be completed within fifteen (15) days from the date of issuance of the permit therefore and, in the event of default thereof, a new permit shall be required before the cut or excavation is made, and a new cash bond may be required if so determined by the Road Commissioner. And extension of fifteen (15) additional days, if required, may be granted by the Road Commissioner of his/her representative for good cause shown.

### **Section 5: Protective Measures**

WORK TO BE DONE WITH DISPATCH: The making of any such cut or excavation, the placing or repairing of the facilities therein, the refilling or the cut or excavation, and the repaving or resurfacing of any cut or excavation shall be done as expeditiously as possible consistent with good construction practices, and if the same is not so done, in the opinion of the Road Commissioner, the Road Commissioner shall have the right to perform or cause to be performed the remaining work necessary and to charge the cost of labor and materials thereof against the cash bond of the person to whom the permit was issued, or in the event the reasonable cost of labor and materials exceed the amount of cash bond to whom the permit was issued, the Road Commissioner may require reimbursement of the cost thereof from the person making application for the permit, which payment for any such cost is to be made and enforced in the manner described in Section 8.

## **The City of Iron Mountain Lake, Missouri**

### **Section 6: Cuts, Excavations, and Other Operations Interfering With Movement of Traffic**

- A. COMPLIANCE WITH PERMIT REQUIRED. The person making a street cut or excavation shall perform it in the manner designated on the permit obtained for that purpose.
- B. AUTHORITY TO REGULATE HOURS OF WORK. The Road Commissioner is empowered to require that any operation which seriously interferes with the movement of traffic on any street be conducted on a continuous basis or that the operation be discontinued in order that interference with the proper and safe movement of traffic may be eliminated at the earliest possible time.
- C. EMERGENCY AUTHORITY: Notwithstanding the provisions of this Section in the event of an emergency caused by a telephone or power line break, sewer or water line break, affecting service or resulting in major failure of service, where it is essential for the protection of public property, health and safety, it shall be possible to conduct excavation, backfill, repair operations or paving in the roadway of any street in the City during any period of the day, provided that the work is performed continuously until the period of emergency has terminated, whereupon the other provisions of this Section shall again become effective. The Road Commissioner shall be the person responsible for declaring when any such emergency begins and ends. The Police Department shall be promptly notified of any work performed herein on any City Street. Any street cut on public right of way shall be straight, uniform and sides parallel. Cut shall be neatly made with a pavement breaker, spade or saw and keeping the size of the opening to a minimum.

### **Section 7: Resurfacing, Repaving, and Refilling Excavation Regulations**

Any person who causes to be made any cuts or excavations in, through or under any street, sidewalk, alley or City property for the purpose whatsoever shall refill all cuts and excavations according to the following standards:

- A. REFILLING AND RESURFACING:
  - 1. On concrete streets or driveways, backfill shall consist of compacted granular material to within six (6) inches of the top of thickness of existing pavement or whichever is greater. The remaining six (6) inches shall be filled with Portland cement consisting of at least five (5) bag mix. The repair shall be

## The City of Iron Mountain Lake, Missouri

matched as closely as possible to the adjacent undisturbed concrete.

2. On asphalt streets or driveways, backfill shall consist of compacted granular material to within five and one-half (5 ½) inches of the top. The remaining four (4) inches shall be filled with commercial hot mix asphalt. Any refill is to be inspected by the Road Commissioner or his/her representative prior to the initiation of repaving or resurfacing of any cut or excavation.
- B. Substandard, deteriorated streets, large areas, etc. Should the street be substandard or so deteriorated that a standard repair cannot be made, the Road Commissioner or his/her representative shall prescribe the appropriated materials. Where cuts and excavations cover extremely large areas or are widely scattered throughout the City, the method or charges and extremely large areas or are widely scattered throughout the City, the method or charges and time limits shall be negotiated by the Road Commissioner or his/her designated representative.
  - C. Refilling- failure to perform. In the event of the failure of any person to refill any excavation as required, the Road Commissioner shall have the right to make or cause to be made any and all refills and to require reimbursement of the cost thereof from the person making the excavations, with payment for any such cost to be made in the manner hereinafter prescribed.
  - D. Cleanup after refill. The person making any such refill shall be required to clean up and haul away all surplus earth, rock or rubbish within twenty-four (24) hours after the refill has been completed, and in the event of default thereof, the Road Commissioner shall have the right to remove or cause to be removed any such earth, rock or rubbish, to require reimbursement of the cost thereof from the person making the cut or excavation, with payment for the cost of labor and materials to be made in the manner hereinafter prescribed.
  - E. Notice of intent to refill to be given. Any person making a cut or excavation shall notify the Road Commissioner or his/her representative of his/her intention to commence the refill of the cut or excavation at least four (4) hours prior to the actual commencing thereof.

### **Section 8: Failure to Complete, Failure to Adequately Perform Excavation – City to Complete Work and Charge Thereof.**

## **The City of Iron Mountain Lake, Missouri**

- A. Character-Quality of Work. Any person making a cut, opening or excavation in any public road, street, boulevard, alley or any other public place shall execute the work and operation in a complete and workmanlike manner, utilizing equipment and methods which will cause a minimum of damage to the structural elements and components of the pavement of the road, street, boulevard, alley or roadway. The width of the cut or excavation shall be no greater than that necessary for doing the work. Any person making a cut, opening or excavation as aforesaid, shall also refill and resurface or repave and complete in a workmanlike manner, utilizing equipment and methods which will cause a minimum of damage to the structural elements and components of the pavement of the road, street, boulevard, alley or public place in as nearly same condition as immediately prior to the issuance of the permit provided for.
- B. Permittee or person failing to perform to be Liable for payment. Any or any other person who fails to comply with the provisions of this Article shall pay to the City the cost of labor and materials necessary to enable the City to complete the working in accordance with this Article. It shall be the duty of the Road Commissioner to make charges for any work. The Road Commissioner shall make out a list of the cost of labor and materials necessarily expended or incurred by the City, which charges shall be made known to the person making any such cut or excavation within ten (10) days after the work is completed by the City. If any charge so made by the City remain unpaid after the tenth (10<sup>th</sup>) day of the following charge has been paid. Unless any such charges so made shall be paid within the time above and no further permits shall be issued to any such person until their cash bond shall again be brought up to one hundred dollars (\$100.00). Unless any such charges so made shall be paid within the time above mentioned, and the amount due the City therefore exceeds the amount of their cash bond, the City Attorney may be authorized to collect any such charges in the manner provided by law.

THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FULL FORCE AFTER OCTOBER 14, 2002.

THE TITLE OF THIS ORDINANCE WAS READ TWICE AND PASSED THIS 14<sup>TH</sup> DAY OF OCTOBER, 2002.



## **The City of Iron Mountain Lake, Missouri**

Richard Berry

Mayor

ATTEST:

Christina Lincoln

City Clerk

THIS ORDINANCE APPROVED THIS 14<sup>TH</sup> DAY OF OCTOBER, 2002

RICHARD BERRY

MAYOR

ATTEST:

Christina Lincoln

City Clerk

Be it remembered that this ordinance was re-enacted by the City, on the date indicated below, by a vote of the governing body of the City as follows:

Those voting “aye” were: Don Lichtenberg, Connie Beard, William Skaggs, Jr., and Elmer Loucks, Don Blasingame. Gary Simmons.

Those voting “nay “were none

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Amendment to Article 1, Section 3

Bill Number

# **The City of Iron Mountain Lake, Missouri**

Ordinance Number 55

## **AN AMENDMENT TO ORDINANCE NUMBER 55, ARTICLE 1. EXCAVATIONS, SECTION 3. CASH BOND PREREQUISITE TO PERMIT.**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMENT OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS  
FOLLOWS:**

**Article 1, Section 3, of Ordinance Number 55 shall be amended to read as follows:**

### **Section 3. Cash Bond Prerequisite to Permit**

- A. AMOUNT, PURPOSE. Before any permit under this Article shall be issued for cutting or excavating in, through or under any street, sidewalk, alley, or City Property in the City limits of Iron Mountain Lake, the applicant for the permit shall meet with the Road Commissioner, and the Road Commissioner shall make a written estimate of the cost to repair and restore the street, sidewalk, alley or City Property. Before issuance of the permit, the applicant for the permit shall be required to deposit a cash bond in lawful money with the City Clerk in the amount of the written estimate provided by the Road Commissioner. This money shall be maintained and held by the City to protect the City on account of any expense it may incur in repairing, refilling, repaving or resurfacing any cut or excavation that may be made in the streets, sidewalks, alleys or City property.
- B. ADDITIONAL AMOUNT. The Road Commissioner or his/her representative, from time to time, may require the person making the application to deposit with the City Clerk additional sums of lawful money as part of the bond, if the Road Commissioner or his/her representative determines such sums are reasonably necessary to protect the City for any additional expenses it may incur under this article.

DATE OF FIRST READING 11-08-04

## **The City of Iron Mountain Lake, Missouri**

DATE OF SECOND READING 11-08-04

PASSED AND APPROVED THIS 8<sup>TH</sup> DAY OF NOVEMBER, 2004

Bill Skaggs

Mayor

ATTEST:

Christina Lincoln

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 56 – ELECTION LAWS 2003**  
Original Ordinance

Ordinance Number 56

Bill Number 56

**AN ORDINANCE PROCLAIMING ACCORDING TO THE ELECTION LAWS OF THE STATE OF MISSOURI, A GENERAL ELECTION WILL BE HELD ON APRIL 8, 2003, FOR THE PURPOSE OF ELECTING ONE ALDERMAN FOR WARD 1, A 2 YEAR TERM . AND ONE ALDERMAN FOR WARD 3, A 2 YEAR TERM. AND ONE ALDERMAN FOR WARD 3 A 2 YEAR TERM IN THE CITY OF IRON MOUNTAIN LAKE, MISSOURI.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**Section 1.**

That pursuant to the provisions of the election laws of the state of Missouri, it is hereby proclaimed that a General Municipal Election will be held on April 8, 2003, in the City of Iron Mountain Lake, Missouri for the purpose of choosing by vote the following:

One person in each ward to serve as Councilperson:

Ward 1:

Ward 2:

Ward 3:

**Section 2.**

The polling places shall be designated by the County Clerk for said election. The polling places are to remain open from six o'clock in the morning until seven o'clock in the evening on April 8, 2003.

**Section 3.**

The County Clerk is respectfully requested to appoint the judges and Clerk in accordance with the state laws, and to have the ballots printed and legal notices

## **The City of Iron Mountain Lake, Missouri**

published, and then estimate to the City of Iron Mountain Lake the cost of said election. A copy of this ordinance shall be sent to the County Clerk.

### **Section 4.**

The ordinance 1.24 established voter registration for Municipal elections and adopted by the City Council, City of Flat River on January 10, 1977, and readopted by the City of Iron mountain Lake, shall be in full force and effect.

### **Section 5.**

That the County Clerk is hereby directed to case the names of the candidates to appear on the General Ballot to be published in a newspaper of general circulation with the City of Iron Mountain Lake three times prior to the election.

DULY READ TWO TIMES, PASSED THIS 9<sup>TH</sup> DAY OF DECEMBER, 2002

APPROVED THIS 9<sup>TH</sup> DAY OF DECEMBER, 2002

Richard Berry

Mayor

Attest:

Christina Lincoln

City Clerk

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## **The City of Iron Mountain Lake, Missouri**

### **CITY ORDINANCE 57 – REPEALED**

Ordinance Number 57 Titled Tax and Revenue Anticipation Notes was **REPEALED** on March 10, 2003 by a unanimous vote of the Board of Alderman.

Attest:

Christina Lincoln

City Clerk

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## **The City of Iron Mountain Lake, Missouri**

### **CITY ORDINANCE 58 – REPEALED**

Ordinance number 58 to execute a Tax and revenue anticipation note to First State Community Bank, to appropriate funds and amend the Budget was **REPEALED** on March 10, 2003 by a unanimous vote of the Board of Alderman.

Attest:

Christina Lincoln

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 59 – TAX COLLECTION**

Tax Collection Agreement – 2003

Ordinance Number 59

Bill Number 59

**AN ORDINANCE AUTHORIZING TAX COLLECTION CONTRACT WITH ST.  
FRANCOIS COUNTY**

WHEREAS, THE CITY HAS HAD DIFFICULTY IN COLLECTING AD VALOREM  
PROPERTY TAXES THAT IT HAS LEVIED ON PROPERTY WITHIN THE CITY,  
AND

WHEREAS, THE ST FRANCOIS COUNTY COMMISSION AND THE HONORABLE  
PAMELA J. WILLIAMS, COUNTY COLLECTOR OF REVENUE FO THIS COUNTY  
HAVE AGREED TO TAKE OVER THIS FUNCTION ON BEHALF OF THE CITY

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE  
CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS;**

**Section One. Mayor and City Clerk Authorized To Sign Deed**

The Mayor and City Clerk of the City of Iron mountain Lake are hereby  
authorized to sign a contract with St. Francois County officials by which the  
county agrees to collect ad valorem property taxes for the City in return for fees  
totaling 2% of the amount collected.

**Section Two. Clerk to affix Seal, Record Deed**

The City Clerk is directed to affix the City's seal to said contract, and to see that  
the same is promptly returned to the County Collector.

**Section Three. Effective Date.**

This ordinance shall be in full force and effect upon its passage and approval.

READ TWO TIMES, PASSED AND APPROVED THIS 11<sup>TH</sup> DAY OF AUGUST, 2003



## **The City of Iron Mountain Lake, Missouri**

Bill Skaggs

Mayor

Attest:

Christina Lincoln

City Clerk

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### **Tax Collection Agreement – 2009**

This agreement entered into on this 9<sup>th</sup> day of March, 2009, by and between the City of Iron mountain Lake, Missouri, a municipal corporation of the State of Missouri, hereinafter referred to as CITY, and the County of St. Francois and the Collector of the County of St. Francois, hereinafter referred to as COUNTY.

#### **WITNESSETH:**

- I. That the County Collector Hereby agrees to maintain on its data system and to collect for City, ad valorem taxes, including all current real estate and personal property taxes during the period March 1, 2009 through February 28, 2010
- II. County covenants and agrees:
  - A. That it will maintain and permit the use of its computer terminal facilities and its office and staff facilities in the development, mailing, and collection of city tax assessments and notices to all applicable residents and tax payers of the City of Iron Mountain Lake, Missouri.
  - B. That it will provide to City a copy of the original tax printout no later than date to be agreed upon, and said printout shall include a list of all taxpayers, assessments, and other pertinent information for tax billing for the City.
  - C. That it will meet with or correspond with a representative of City for the renewal of this contract.
  - D. That it will pay the County Collector one and one half (0.015) percent of the taxes collected after county receives payment from city, and will issue a form 1099 to the County Collector.
- III. City covenants and agrees:

## **The City of Iron Mountain Lake, Missouri**

- A. To compensate the county Collector for the aforementioned service at a rate of one and a half (0.015) percent of the taxes collected by the county Collector. This payment will be made from the County Collector, and a Form 1099 will be issued.
  - B. That the County of St. Francois will be paid one half of one (0.005) percent of the current taxes collected.
  - C. That the City agrees to compensate County for any expenses incurred for computer software revisions required to meet the terms of this agreement.
- IV. This agreement is for one year
  - V. This agreement will be renegotiated each year by and between the parties involved in this agreement.
  - VI. This agreement is made as authorized by 70.220 RSMO et seq. and 140.670 RSMO, and is to be filed with the Office of the Recorder of St. Francois County and the Office of the Secretary of state pursuant to 70.300 RSMO
  - VII. The parties below agree to the terms and conditions of this agreement:

Jody Nicum

Mayor

Attest:

Julie Bennett

DATE: 10-03-2009

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## **Tax Collection Agreement – 2010**

This agreement entered into on this 17<sup>th</sup> day of February, 2010, by and between the City of Iron mountain Lake, Missouri, a municipal corporation of the State of Missouri, hereinafter referred to as City, and the County of St. Francois and the Collector of the County of St. Francois, hereinafter referred to as COUNTY.

## The City of Iron Mountain Lake, Missouri

WITNESSETH:

- VIII. That the County Collector Hereby agrees to maintain on its data system and to collect for City, ad valorem taxes, including all current real estate and personal property taxes during the period March 1, 2010 through February 28, 2011
- IX. County covenants and agrees:
  - A. That it will maintain and permit the use of its computer terminal facilities and its office and staff facilities in the development, mailing, and collection of CITY tax assessments and notices to all applicable residents and tax payers of the City of Iron Mountain Lake, Missouri.
  - B. That it will provide to City a copy of the original tax printout no later than date to be agreed upon, and said printout shall include a list of all taxpayers, assessments, and other pertinent information for tax billing for CITY.
  - C. That it will meet with or correspond with a representative of City for the renewal of this contract.
  - D. That it will pay the County Collector one and one half (0.015) percent of the taxes collected after COUNTY receives payment from CITY, and will issue a form 1099 to the County Collector.
- X. CITY covenants and agrees:
  - A. To compensate the county Collector for the aforementioned service at a rate of one and a half (0.015) percent of the taxes collected by the county Collector. This payment will be made from the County Collector, and a Form 1099 will be issued.
  - B. That the County of St. Francois will be paid one half of one (0.005) percent of the current taxes collected.
  - C. That the City agrees to compensate County for any expenses incurred for computer software revisions required to meet the terms of this agreement.
- XI. This agreement is for one year
- XII. This agreement will be renegotiated each year by and between the parties involved in this agreement.
- XIII. This agreement is made as authorized by 70.220 RSMO et seq. and 140.670 RSMO, and is to be filed with the Office of the Recorder of St. Francois County and the Office of the Secretary of state pursuant to 70.300 RSMO
- XIV. The parties below agree to the terms and conditions of this agreement:

Eugene Henson

Mayor

## **The City of Iron Mountain Lake, Missouri**

Attest:

Tina R. Blum

DATE: 17, FEBRUARY, 2010

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### **Tax Collection Agreement – 2011**

This agreement entered into on this 10<sup>th</sup> day of January, 2011, by and between the City of Iron mountain Lake, Missouri, a municipal corporation of the State of Missouri, hereinafter referred to as CITY, and the County of St. Francois and the Collector of the County of St. Francois, hereinafter referred to as COUNTY.

WITNESSETH:

- XV. That the County Collector Hereby agrees to maintain on its data system and to collect for City, ad valorem taxes, including all current real estate and personal property taxes during the period March 1, 2011 through February 28, 2012
- XVI. County covenants and agrees:
  - A. That it will maintain and permit the use of its computer terminal facilities and tis office and staff facilities in the development, mailing, and collection if CITY tax assessments and notices to all applicable residents and tax payers of the City of Iron Mountain Lake, Missouri.
  - B. That it will provide to City a copy of the original tax printout no later than date to be agreed upon, and said printout shall include a list of all taxpayers, assessments, and other pertinent information for tax billing for CITY.
  - C. That it will meet with or correspond with a representative of City for the renewal of this contract.
  - D. That it will pay the County Collector one and one half (0.015) percent of the taxes collected after COUNTY receives payment from CITY, and will issue a form 1099 to the County Collector.
- XVII. CITY covenants and agrees:

## **The City of Iron Mountain Lake, Missouri**

- A. To compensate the county Collector for the aforementioned service at a rate of one and a half (0.015) percent of the taxes collected by the county Collector. This payment will be made from the County Collector, and a Form 1099 will be issued.
  - B. That the County of St. Francois will be paid one half of one (0.005) percent of the current taxes collected.
  - C. That the City agrees to compensate County for any expenses incurred for computer software revisions required to meet the terms of this agreement.
- XVIII. This agreement is for one year
- XIX. This agreement will be renegotiated each year by and between the parties involved in this agreement.
- XX. This agreement is made as authorized by 70.220 RSMO et seq. and 140.670 RSMO, and is to be filed with the Office of the Recorder of St. Francois County and the Office of the Secretary of state pursuant to 70.300 RSMO
- XXI. The parties below agree to the terms and conditions of this agreement:

Eugene Henson

Mayor

Attest:

Tina R. Blum

DATE: 10, JANUARY 2011

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Amendment Authorizing Tax Collection – 2004

**AN AMENDMENT TO ORDINANCE #59 AUTHORIZING TAX COLLECTION  
CONTRACT WITH ST. FRANCOIS COUNTY FOR THE PERIOD MARCH 1, 2004  
THROUGH FEBRUARY 28, 2005.**

## **The City of Iron Mountain Lake, Missouri**

WHEREAS, THE CONTACT WITH ST. FRANCOIS COUNTY MUST BE RENEWED ANNUALLY, AND

WHEREAS, THE RENEWAL OF THIS CONTRACT IS IN THE BEST INTEREST OF THE CITY.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**Section One of Ordinance #59 shall be amended to read as follows:**

### **Section One. Mayor and City Clerk Authorized to sign Contract.**

They Mayor and City Clerk of the City of Iron Mountain Lake Missouri are hereby authorized to sign a contract for the period March 1, 2004 through February 28, 2005 with St. Francois County Officials by which the county agrees to collect ad valorem property taxes for the City in return for fees totaling 2% of the amount collected.

### **Section Two: Clerk to affix Seal, Record Deed**

The City Clerk is directed to affix the City's seal to said contract, and to see that the same is promptly returned to the county collector.

### **Section Three. Effective Date.**

This ordinance shall be in full force and effect upon its passage and approval.

DATE OF FIRST READING: 6-21-04

DATE OF SECOND READING: 6-21-04

PASSED AND APPROVED THIS 21<sup>ST</sup> DAY OF JUNE 2004

Bill Skaggs

Mayor

Attest:

## **The City of Iron Mountain Lake, Missouri**

Christina Lincoln

City Clerk

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### **Amendment Authorizing Tax Collection – 2005**

#### **AN AMENDMENT TO ORDINANCE #59 AUTHORIZING TAX COLLECTION CONTRACT WITH ST. FRANCOIS COUNTY FOR THE PERIOD MARCH 1, 2004 THROUGH FEBRUARY 28, 2005.**

WHEREAS, THE CONTACT WITH ST. FRANCOIS COUNTY MUST BE RENEWED  
ANNUALLY, AND

WHEREAS, THE RENEWAL OF THIS CONTRACT IS IN THE BEST INTEREST OF THE  
CITY.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:

Section One of Ordinance #59 shall be amended to read as follows:

#### **Section One. Mayor and City Clerk Authorized to sign Contract.**

They Mayor and City Clerk of the City of Iron Mountain Lake Missouri are hereby authorized to sign a contract for the period March 1, 2005 through February 28, 2006 with St. Francois County Officials by which the county agrees to collect ad valorem property taxes for the City in return for fees totaling 2% of the amount collected.

#### **Section Two: Clerk to affix Seal, Record Deed.**

The City Clerk is directed to affix the City's seal to said contract, and to see that the same is promptly returned to the county collector.

#### **Section Three. Effective Date.**

## **The City of Iron Mountain Lake, Missouri**

This ordinance shall be in full force and effect upon its passage and approval.

DATE OF FIRST READING: 3-14-05

DATE OF SECOND READING: 3-14-05

PASSED AND APPROVED THIS 14<sup>TH</sup> DAY OF MARCH, 2005

Bill Skaggs

Mayor

Attest:

Christina Lincoln

City Clerk

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### **Amendment Authorizing Tax Collection – 2006**

#### **AN AMENDMENT TO ORDINANCE #59 AUTHORIZING TAX COLLECTION CONTRACT WITH ST. FRANCOIS COUNTY FOR THE PERIOD MARCH 1, 2004 THROUGH FEBRUARY 28, 2005.**

WHEREAS, THE CONTACT WITH ST. FRANCOIS COUNTY MUST BE RENEWED  
ANNUALLY, AND

WHEREAS, THE RENEWAL OF THIS CONTRACT IS IN THE BEST INTEREST OF THE  
CITY.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**



## **The City of Iron Mountain Lake, Missouri**

**Section One of Ordinance #59 shall be amended to read as follows:**

**Section One. Mayor and City Clerk Authorized to sign Contract.**

They Mayor and City Clerk of the City of Iron Mountain Lake Missouri are hereby authorized to sign a contract for the period March 1, 2006 through February 28, 2007 with St. Francois County Officials by which the county agrees to collect ad valorem property taxes for the City in return for fees totaling 2% of the amount collected.

**Section Two: Clerk to affix Seal, Record Deed.**

The City Clerk is directed to affix the City's seal to said contract, and to see that the same is promptly returned to the county collector.

**Section Three. Effective Date.**

This ordinance shall be in full force and effect upon its passage and approval.

DATE OF FIRST READING: 2-13-06

DATE OF SECOND READING: 2-13-06

PASSED AND APPROVED THIS 13<sup>TH</sup> DAY OF FEBRUARY 2006

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### **Amendment Authorizing Tax Collection – 2007**

**AN AMENDMENT TO ORDINANCE #59 AUTHORIZING TAX COLLECTION  
CONTRACT WITH ST. FRANCOIS COUNTY FOR THE PERIOD MARCH 1, 2004  
THROUGH FEBRUARY 28, 2005.**

WHEREAS, THE CONTACT WITH ST. FRANCOIS COUNTY MUST BE RENEWED  
ANNUALLY, AND

WHEREAS, THE RENEWAL OF THIS CONTRACT IS IN THE BEST INTEREST OF THE  
CITY.

## **The City of Iron Mountain Lake, Missouri**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**Section One of Ordinance #59 shall be amended to read as follows:**

**Section One. Mayor And City Clerk Authorized To Sign Contract.**

They Mayor and City Clerk of the City of Iron Mountain Lake Missouri are hereby authorized to sign a contract for the period March 1, 2007 through February 28, 2008 with St. Francois County Officials by which the county agrees to collect ad valorem property taxes for the City in return for fees totaling 2% of the amount collected.

**Section Two: Clerk to affix Seal, Record Deed**

The City Clerk is directed to affix the City's seal to said contract, and to see that the same is promptly returned to the county collector.

**Section three. Effective Date.**

This ordinance shall be in full force and effect upon its passage and approval.

DATE OF FIRST READING: 3-12-07

DATE OF SECOND READING: 3-12-07

PASSED AND APPROVED THIS 12TH DAY OF MARCH 2007

Bill Skaggs

Mayor

Attest:

Christina Lincoln

City Clerk

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## **The City of Iron Mountain Lake, Missouri**

### **Amendment Authorizing Tax Collection – 2008**

#### **AN AMENDMENT TO ORDINANCE #59 AUTHORIZING TAX COLLECTION CONTRACT WITH ST. FRANCOIS COUNTY FOR THE PERIOD MARCH 1, 2004 THROUGH FEBRUARY 28, 2005.**

WHEREAS, THE CONTACT WITH ST. FRANCOIS COUNTY MUST BE RENEWED  
ANNUALLY, AND

WHEREAS, THE RENEWAL OF THIS CONTRACT IS IN THE BEST INTEREST OF THE  
CITY.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**Section One of Ordinance #59 shall be amended to read as follows:**

#### **Section One. Mayor and City Clerk Authorized to sign Contract.**

They Mayor and City Clerk of the City of Iron Mountain Lake Missouri are hereby authorized to sign a contract for the period March 1, 2008 through February 28, 2009 with St. Francois County Officials by which the county agrees to collect ad valorem property taxes for the City in return for fees totaling 2% of the amount collected.

#### **Section Two: Clerk to affix Seal, Record Deed.**

The City Clerk is directed to affix the City's seal to said contract, and to see that the same is promptly returned to the county collector.

#### **Section three. Effective Date.**

This ordinance shall be in full force and effect upon its passage and approval.

DATE OF FIRST READING: 4-21-08

DATE OF SECOND READING: 4-21-08

## **The City of Iron Mountain Lake, Missouri**

PASSED AND APPROVED THIS 21<sup>ST</sup> DAY OF APRIL 2008

Bill Skaggs

Mayor

Attest:

Christina Lincoln

City Clerk

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### **Amendment Authorizing Tax Collection – 2009**

#### **AN AMENDMENT TO ORDINANCE #59 AUTHORIZING TAX COLLECTION CONTRACT WITH ST. FRANCOIS COUNTY FOR THE PERIOD MARCH 1, 2004 THROUGH FEBRUARY 28, 2005.**

WHEREAS, THE CONTACT WITH ST. FRANCOIS COUNTY MUST BE RENEWED  
ANNUALLY, AND

WHEREAS, THE RENEWAL OF THIS CONTRACT IS IN THE BEST INTEREST OF THE  
CITY.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**Section One of Ordinance #59 shall be amended to read as follows:**

#### **Section One. Mayor and City Clerk Authorized to sign Contract.**

They Mayor and City Clerk of the City of Iron Mountain Lake Missouri are  
hereby authorized to sign a contract for the period March 1, 2009 through

## **The City of Iron Mountain Lake, Missouri**

February 28, 2010 with St. Francois County Officials by which the county agrees to collect ad valorem property taxes for the City in return for fees totaling 2% of the amount collected.

### **Section Two: Clerk to affix Seal, Record Deed.**

The City Clerk is directed to affix the City's seal to said contract, and to see that the same is promptly returned to the county collector.

### **Section three. Effective Date.**

This ordinance shall be in full force and effect upon its passage and approval.

DATE OF FIRST READING: 3-9-09

DATE OF SECOND READING: 3-9-09

PASSED AND APPROVED THIS 9<sup>TH</sup> DAY OF MARCH 2009

Jody Nicum

Mayor

Attest:

Julie Bennet

City Clerk

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## **Amendment Authorizing Tax Collection – 2011**

### **AN AMENDMENT TO ORDINANCE #59 AUTHORIZING TAX COLLECTION CONTRACT WITH ST. FRANCOIS COUNTY FOR THE PERIOD MARCH 1, 2004 THROUGH FEBRUARY 28, 2005.**

WHEREAS, THE CONTACT WITH ST. FRANCOIS COUNTY MUST BE RENEWED  
ANNUALLY, AND

## **The City of Iron Mountain Lake, Missouri**

WHEREAS, THE RENEWAL OF THIS CONTRACT IS IN THE BEST INTEREST OF THE CITY.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**Section One of Ordinance #59 shall be amended to read as follows:**

**Section One. Mayor and City Clerk Authorized to sign Contract.**

They Mayor and City Clerk of the City of Iron Mountain Lake Missouri are hereby authorized to sign a contract for the period March 1, 2011 through February 28, 2012 with St. Francois County Officials by which the county agrees to collect ad valorem property taxes for the City in return for fees totaling 2% of the amount collected.

**Section Two: Clerk to affix Seal, Record Deed.**

The City Clerk is directed to affix the City's seal to said contract, and to see that the same is promptly returned to the county collector.

**Section Three. Effective Date.**

This ordinance shall be in full force and effect upon its passage and approval.

DATE OF FIRST READING: 1-11-11

DATE OF SECOND READING: 1-11-11

PASSED AND APPROVED THIS 11<sup>TH</sup> DAY OF JANUARY 2011

Eugene Henson

Mayor

Attest:

Tina R. Blum

City Clerk

# The City of Iron Mountain Lake, Missouri

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## Amendment Authorizing Tax Collection – 2013

### **AN AMENDMENT TO ORDINANCE #59 AUTHORIZING TAX COLLECTION CONTRACT WITH ST. FRANCOIS COUNTY FOR THE PERIOD MARCH 1, 2004 THROUGH FEBRUARY 28, 2005.**

WHEREAS, THE CONTACT WITH ST. FRANCOIS COUNTY MUST BE RENEWED  
ANNUALLY, AND

WHEREAS, THE RENEWAL OF THIS CONTRACT IS IN THE BEST INTEREST OF THE  
CITY.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

#### **Section One. Mayor and City Clerk Authorized to sign Contract.**

They Mayor and City Clerk of the City of Iron Mountain Lake Missouri are hereby authorized to sign a contract for the period March 1, 2013 through February 28, 2014 with St. Francois County Officials by which the county agrees to collect ad valorem property taxes for the City in return for fees totaling 2% of the amount collected.

#### **Section Two: Clerk to affix Seal, Record Deed.**

The City Clerk is directed to affix the City's seal to said contract, and to see that the same is promptly returned to the county collector.

#### **Section three. Effective Date.**

This ordinance shall be in full force and effect upon its passage and approval.

DATE OF FIRST READING: 4-22-13

## **The City of Iron Mountain Lake, Missouri**

DATE OF SECOND READING: 4-22-13

PASSED AND APPROVED THIS 22<sup>ND</sup> DAY OF APRIL 2013

Bryan Goodman

Mayor

Attest:

Lanette Kunz

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 60 – TAX RATES**  
Amendment to Ordinance

Ordinance Number 60

Bill Number 60

**AMENDMENT TO ORDINANCE NO. 60 AN ORDINANCE SETTING THE AD VALOREM TAX LEVY**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**Section One.**

After public hearing, the ad valorem property tax rate for the City of Iron Mountain Lake, Missouri shall be as follows:

For the general fund of the City: 0.7253 per \$100.00 assessed valuation.

For the debt service on the Road Bond Fund: 2.176 per \$100.00 assessed valuation.

**Section Two.**

The City Clerk is directed to cause an executed copy of this ordinance to be filed with the St. Francois County Clerk so that said clerk may extend tax bills for the City and provide same to the St. Francois County Collector of Revenue for collection pursuant to contract.

**Section Three:**

The City Clerk is directed to forward to the St. Francois County Clerk the necessary forms provided by the Missouri State Auditor's Office for review of the general fund tax rate and debt service rate.

**Section Four:**

This ordinance shall be in full force and effect upon its passage and approval.

## **The City of Iron Mountain Lake, Missouri**

DATE OF FIRST READING: \_\_\_\_\_

DATE OF SECOND READING: \_\_\_\_\_

PASSED AND APPROVED: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

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### **Amendment to Ordinance Setting the Ad Valorem Tax Levy**

#### **AMENDMENT TO ORDINANCE NO. 60 AN ORDINANCE SETTING THE AD VALOREM TAX LEVY**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS  
FOLLOWS:**

##### **Section One.**

After public hearing, the ad valorem property tax rate for the City of Iron Mountain Lake, Missouri shall be as follows:

For the general fund of the City: 0.7253 per \$100.00 assessed valuation.

For the debt service on the Road Bond Fund: 2.176 per \$100.00 assessed valuation.

For the Park Board: 0.010 per \$100.00 assessed valuation.

## **The City of Iron Mountain Lake, Missouri**

### **Section Two.**

The City Clerk is directed to cause an executed copy of this ordinance to be filed with the St. Francois County Clerk so that said clerk may extend tax bills for the City and provide same to the St. Francois County Collector of Revenue for collection pursuant to contract.

### **Section Three:**

The City Clerk is directed to forward to the St. Francois County Clerk the necessary forms provided by the Missouri State Auditor's Office for review of the general fund tax rate and debt service rate.

### **Section Four:**

This ordinance shall be in full force and effect upon its passage and approval.

DATE OF FIRST READING: \_\_\_\_\_

DATE OF SECOND READING: \_\_\_\_\_

PASSED AND APPROVED: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Clerk

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## **The City of Iron Mountain Lake, Missouri**

### **CITY ORDINANCE 61 – GENERAL ELECTION 2004**

#### **Original Ordinance**

**AN ORDINANCE PROCLAIMING ACCORDING TO THE ELECTION LAWS OF THE STATE OF MISSOURI, A GENERAL ELECTION WILL BE HELD ON APRIL 6, 2004, FOR THE PURPOSE OF ELECTING A MAYOR FOR A 2 YEAR TERM AND THREE COUNCIL PERSONS FOR A 2 YEAR TERM IN THE CITY OF IRON MOUNTAIN LAKE, MISSOURI.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS;**

#### **Section 1.**

That pursuant to the provisions of the election laws of the state of Missouri, it is hereby proclaimed that a General Municipal Election will be held on April 6, 2004, for the purpose of electing a Mayor for a 2 year term and three council person for a 2 year term in the City of Iron Mountain Lake, Missouri, for the purposes of choosing the following:

Mayor

Alderman Ward 1:

Alderman Ward 2:

Alderman Ward 3:

#### **Section 2.**

The polling places shall be designated by the County Clerk for said election. The polling places are to remain open from six o'clock in the morning until seven o'clock in the evening on April 6, 2004

#### **Section 3.**

The County Clerk is respectfully requested to appoint the judges and Clerk in accordance with the state laws, and to have the ballots printed and legal notices published, and then estimate to the City of Iron Mountain Lake the cost of said election. A copy of this ordinance shall be sent to the County Clerk.

#### **Section 4.**

## **The City of Iron Mountain Lake, Missouri**

The ordinance 1.24 establishing voter registration for municipal elections and adopted by the City Council, City of Flat River on January 10, 1977, and readopted by the City of Iron Mountain Lake, shall be in full force and effect.

### **Section 5.**

That the county clerk is hereby directed to cause the names of the candidates to appear on the general Ballot to be published in a newspaper of general circulation within the City of Iron Mountain Lake twice prior to the election.

DULY READ TWO TIMES PASSED THIS 8<sup>TH</sup> DAY OF DECEMBER, 2003

APPROVED THIS 8<sup>TH</sup> DAY OF DECEMBER, 2003

Bill Skaggs

Mayor

Attest:

Christina Lincoln

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 62 – RECORDING REAL ESTATE LIENS**

### **AN ORDINANCE ESTABLISHING A PROCEDURE FOR RECORDING REAL ESTATE LIENS**

WHEREAS, THE CITY OF IRON MOUNTAIN LAKE HAS A SEWER SYSTEM TO SERVE THE HOUSES AND BUILDINGS WITHIN THE CITY, AND

WHEREAS, AS SIGNIFICANT NUMBER OF PERSONS HAVE REFUSED TO PAY FOR SEWAGE COLLECTION AND TREATMENT SERVICES PROVIDED BY THE CITY, AND

WHEREAS, MISSOURI LAW PROVIDES THAT UNPAID SEWER CHARGES CAN BECOME A LIEN AGAINST THE REAL ESTATE SERVED BY THE SEWER SYSTEM, IN ADDITION TO BEING A PERSONAL DEBT OF THE OWNER(S) OF THE PROPERTY, AND

WHEREAS, THE CITY DESIRES TO ESTABLISH A PROCEDURE BY WHICH THESE UNPAID SEWER CHARGES MAY BE ESTABLISHED AS LIENS AGAINST THE BENEFITTED PROPERTY,

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE AS FOLLOWS:**

#### **Section 1. Notice Prior To Adoption of a Lien.**

Before any lien is filed against any real estate in the City, the following must occur:

- A. The property owner(s) must be notified in writing that a lien is going to be filed against the property, and the owner(s) must be afforded a “grace period” of 30 days in which to pay the delinquent sewer bill.
- B. If the account remains unpaid after the 30 day grace period, the City council shall adopt an ordinance specifying
  1. The name and last known mailing address of the property owner(s),
  2. The lot number of the property within the Iron Mountain Lake subdivision,

## **The City of Iron Mountain Lake, Missouri**

3. The parcel number of the property as denominated by the St. Francois county assessor, and
  4. The amount owed (including the addition of an administrative fee of \$75.00 to help cover the costs of this procedure).
- C. The ordinance must be signed, the seal of the City affixed thereto, and the same be recorded in the land records of St. Francois County, Missouri.

### **Section 2. Administrative Fee.**

An administrative fee of \$75.00 shall be added to the balance due to attempt to recover the costs of the procedure described herein, and which shall be required to be paid prior to the release of any lien. This fee is imposed with the adoption of the ordinance. Payment prior to adoption of the ordinance need not include this fee; after adoption the fee must be paid and cannot be waived.

### **Section 3. Personal Liability.**

The owner(s) of the property shall remain personally liable for the payment of any lien. In other words, if the City choses to do so, it may send the account to a collection agency or file and lawsuit against the individual owner(s) rather than seeking for foreclose on its lien.

### **Section 4. Priority.**

Any lien authorized by state statute and adopted pursuant to the procedure herein established shall have the same priority as unpaid taxes – that is, it is superior to any mortgage or deed of trust.

### **Section 5. Distribution of Lien Notices.**

Once the ordinance has been adopted, it shall be recorded in the land records of St. Francis County. This recording shall be sufficient to give notice to all of the existence of this lien. As a courtesy, the property owner(s) and the county collector should be provided with a copy of the ordinance also. Failure of either the property owner(s) or the county collector to receive I/her copy does not invalidate the lien.

### **Section 6. Liens are cumulative.**

Unless a contrary intent is disclosed on the face of a lien ordinance, all lien notices filed on a particular property are cumulative. For example, an earlier lien for one hundred dollars (\$100.00) and a subsequent lien for two hundred (\$200.00) indicate a total claim of three hundred dollars (\$300.00) unless a contrary intent is written on the face of the second ordinance.

### **Section 7. Collection of Lien.**

## **The City of Iron Mountain Lake, Missouri**

It shall be the duty of the county collector to collect unpaid liens in the same manner as unpaid taxes. The county collector shall give a receipt to the City Clerk in order to receive a written release of the lien. The county clerk shall prepare the release and provide the same to the property owner(s). It will be the responsibility of the property owner(s) to record the release in the land records of the county. Costs of recording shall be paid by the property owner(s)

READ TWO TIMES, FINALLY PASSED, AND APPROVED BY THE MAYOR THIS 12<sup>TH</sup>  
DAY OF APRIL, 2004

Bill Skaggs

Mayor

Attest:

Christina Lincoln

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 63 – LAND LOT DELINQUENT TAX LIST**

Original Ordinance

Amendment Authorizing Collection of tax 2010 – 2011

Bill Number 11-003

Ordinance Number 63

**AMENDMENT TO ORDINANCE NUMBER 63 APPROVAL OF THE LAND LOT  
DELINQUENT TAX LIST AND THE PERSONAL PROPERTY DELINQUENT TAX  
LISTS AND AUTHORIZING DELINQUENT TAX COLLECTION FOR THE TAX  
YEAR 2010 DURING THE CALENDAR YEAR 2011**

WHEREAS, BOTH STATUTES OF THIS STATE AND ORDINANCES OF THIS CITY  
REQUIRE THE BOARD OF ALDERMAN TO EXAMINE AND APPROVE THE LAND LOT  
DELINQUENT TAX LIST AND THE PERSONAL DELINQUENT TAX LIST, AND

WHEREAS, THE BOARD SHALL APPROVE AND RETURN BOTH DELINQUENT TAX  
LISTS TO THE COLLECTOR AND CHARGE THE COLLECTOR WITH COLLECTION OF  
THESE TAXES.

WHEREAS, THE BOARD SHALL AUTHORIZE THE CITY PROSECUTOR TO TAKE ANY  
AND ALL LEGAL ACTION TO COLLECT DELINQUENT TAXES.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, THAT  
ORDINANCE NUMBER 63 BE AMENDED AS FOLLOWS:**

**Section One. Review and approval.**

The Board has reviewed both the land and Lot Delinquent List and the Personal  
Delinquent List submitted for the delinquencies occurring after January 1, 2011  
and approves both lists.

**Section Two. Return and Charge to Collector.**

## **The City of Iron Mountain Lake, Missouri**

The Board returns both delinquent tax lists to the Collector and charges the Collector with collection of delinquent taxes as provided by State statutes and City ordinances.

### **Section Three. Authorization of City Prosecutor act on behalf of City.**

The board hereby authorized the City prosecutor to take any and all legal action on behalf of the City, at the behest of the Collector, and at the direction for the Board and Mayor, to collect all delinquent taxes as allowed by law.

### **Section Four. Effective Date.**

This ordinance shall be in full force and effect upon its passage and approval.

DATE OF FIRST READING 4-11-11

DATE OF SECOND READING 4-11-11

PASSED AND APPROVED THIS 11<sup>TH</sup> DAY OF APRIL 2011

Eugene Henson

Mayor

Attest:

Tina Blum

City Clerk

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Amendment Authorizing Collection of Tax 2009 – 2010

Bill Number 10-003

Ordinance Number 63

**The City of Iron Mountain Lake, Missouri**  
**AMENDMENT TO ORDINANCE NUMBER 63 APPROVAL OF THE LAND LOT**  
**DELINQUENT TAX LIST AND THE PERSONAL PROPERTY DELINQUENT TAX**  
**LISTS AND AUTHORIZING DELINQUENT TAX COLLECTION FOR THE TAX**  
**YEAR 2009 DURING THE CALENDAR YEAR 2010.**

WHEREAS, BOTH STATUTES OF THIS STATE AND ORDINANCES OF THIS CITY REQUIRE THE BOARD OF ALDERMAN TO EXAMINE AND APPROVE THE LAND LOT DELINQUENT TAX LIST AND THE PERSONAL DELINQUENT TAX LIST, AND

WHEREAS, THE BOARD SHALL APPROVE AND RETURN BOTH DELINQUENT TAX LISTS TO THE COLLECTOR AND CHARGE THE COLLECTOR WITH COLLECTION OF THESE TAXES.

WHEREAS, THE BOARD SHALL AUTHORIZE THE CITY PROSECUTOR TO TAKE ANY AND ALL LEGAL ACTION TO COLLECT DELINQUENT TAXES.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, THAT ORDINANCE NUMBER 63 BE AMENDED AS FOLLOWS:**

**Section One. Review and Approval.**

The Board has reviewed both the land and Lot Delinquent List and the Personal Delinquent List submitted for the delinquencies occurring after January 1, 2009 and approves both lists.

**Section Two. Return and Charge to Collector.**

The Board returns both delinquent tax lists to the Collector and charges the Collector with collection of delinquent taxes as provided by State statutes and City ordinances.

**Section Three. Authorization of City Prosecutor Act on Behalf of City.**

The board hereby authorized the City prosecutor to take any and all legal action on behalf of the City, at the behest of the Collector, and at the direction for the Board and Mayor, to collect all delinquent taxes as allowed by law.

**Section Four. Effective Date.**

## **The City of Iron Mountain Lake, Missouri**

This ordinance shall be in full force and effect upon its passage and approval.

DATE OF FIRST READING 4-12-10

DATE OF SECOND READING 4-12-10

PASSED AND APPROVED THIS 12<sup>TH</sup> DAY OF APRIL 2010

Eugene Henson

Mayor

Attest:

Tina Blum

City Clerk

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### **Amendment Authorizing Collection of Tax 2007 – 2008**

Bill Number 11-003

Ordinance Number 63

#### **AMENDMENT TO ORDINANCE NUMBER 63 APPROVAL OF THE LAND LOT DELINQUENT TAX LIST AND THE PERSONAL PROPERTY DELINQUENT TAX LISTS AND AUTHORIZING TAX COLLECTION**

WHEREAS, BOTH STATUTES OF THIS STATE AND ORDINANCES OF THIS CITY  
REQUIRE THE BOARD OF ALDERMAN TO EXAMINE AND APPROVE THE LAND LOT  
DELINQUENT TAX LIST AND THE PERSONAL DELINQUENT TAX LIST, AND

## **The City of Iron Mountain Lake, Missouri**

WHEREAS, THE BOARD SHALL APPROVE AND RETURN BOTH DELINQUENT TAX LISTS TO THE COLLECTOR AND CHARGE THE COLLECTOR WITH COLLECTION OF THESE TAXES.

WHEREAS, THE BOARD SHALL AUTHORIZE THE CITY PROSECUTOR TO TAKE ANY AND ALL LEGAL ACTION TO COLLECT DELINQUENT TAXES.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, THAT ORDINANCE NUMBER 63 BE AMENDED AS FOLLOWS:**

### **Section One. Review and approval.**

The Board has reviewed both the land and Lot Delinquent List and the Personal Delinquent List submitted for the delinquencies occurring after January 1, 2007 and approves both lists.

### **Section Two. Return and Charge to Collector.**

The Board returns both delinquent tax lists to the Collector and charges the Collector with collection of delinquent taxes as provided by State statutes and City ordinances.

### **Section Three. Authorization of City Prosecutor act on behalf of City.**

The board hereby authorized the City prosecutor to take any and all legal action on behalf of the City, at the behest of the Collector, and at the direction for the Board and Mayor, to collect all delinquent taxes as allowed by law.

### **Section Four. Effective Date.**

This ordinance shall be in full force and effect upon its passage and approval.

DATE OF FIRST READING 5-12-08

DATE OF SECOND READING 5-12-08

PASSED AND APPROVED THIS 12<sup>TH</sup> DAY OF MAY, 2008

Michael Junger

## **The City of Iron Mountain Lake, Missouri**

Mayor

Attest:

Christina Lincoln

City Clerk

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### **Amendment Authorizing Collection of Tax 2004 – 2005**

Bill Number 11-002

Ordinance Number 63

#### **AMENDMENT TO ORDINANCE NUMBER 63 APPROVAL OF THE LAND LOT DELINQUENT TAX LIST AND THE PERSONAL PROPERTY DELINQUENT TAX LISTS AND AUTHORIZING DELINQUENT TAX COLLECTION.**

WHEREAS, BOTH STATUTES OF THIS STATE AND ORDINANCES OF THIS CITY REQUIRE THE BOARD OF ALDERMAN TO EXAMINE AND APPROVE THE LAND LOT DELINQUENT TAX LIST AND THE PERSONAL DELINQUENT TAX LIST, AND

WHEREAS, THE BOARD SHALL APPROVE AND RETURN BOTH DELINQUENT TAX LISTS TO THE COLLECTOR AND CHARGE THE COLLECTOR WITH COLLECTION OF THESE TAXES.

WHEREAS, THE BOARD SHALL AUTHORIZE THE CITY PROSECUTOR TO TAKE ANY AND ALL LEGAL ACTION TO COLLECT DELINQUENT TAXES.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, THAT ORDINANCE NUMBER 63 BE AMENDED AS FOLLOWS:**

# **The City of Iron Mountain Lake, Missouri**

## **Section One. Review and Approval.**

The Board has reviewed both the land and Lot Delinquent List and the Personal Delinquent List submitted for the delinquencies occurring after January 1, 2004 and approves both lists.

## **Section Two. Return and Charge to Collector.**

The Board returns both delinquent tax lists to the Collector and charges the Collector with collection of delinquent taxes as provided by State statutes and City ordinances.

## **Section Three. Authorization of City Prosecutor act on behalf of City.**

The board hereby authorized the City prosecutor to take any and all legal action on behalf of the City, at the behest of the Collector, and at the direction for the Board and Mayor, to collect all delinquent taxes as allowed by law.

## **Section Four. Effective Date.**

This ordinance shall be in full force and effect upon its passage and approval.

DATE OF FIRST READING 5-10-04

DATE OF SECOND READING 5-10-04

PASSED AND APPROVED THIS 10<sup>TH</sup> DAY OF MAY 2004

Bill Skaggs

Mayor

Attest:

Christina Lincoln

City Clerk

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## **The City of Iron Mountain Lake, Missouri**

### **Resolution Stating Intent to Seek Funding Through the Community Development Block Grant Program**

**A resolution of the City of Iron Mountain Lake, Missouri stating intent to seek funding through the community development block grant program and authorizing the Mayor to pursue activities in an attempt to secure Funding to assist in the construction of Bridge replacement construction for two Bridges for the Community.**

WHEREAS, TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 DOES STATE AS ITS PRIMARY OBJECTIVE “THE DEVELOPMENT OF VIABLE URBAN COMMUNITIES, BY PROVIDING DECENT HOUSING, SUITABLE LIVING ENVIRONMENT AND EXPANDING ECONOMIC OPPORTUNITIES PRINCIPALLY OF PERSONALS OF LOW AND MODERATE INCOME.”

WHEREAS, TITLE I DOES OFFER THE COMMUNITIES THE OPPORTUNITY OF MONETARY ASSISTANCE IN ACCOMPLISHING ITS STATED PRIMARY OBJECTIVES;

WHEREAS, THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT IS DESIGNATED TO AWARD COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING UNDER TITLE I; AND,

WHEREAS, THE CITY DOES HAVE AREAS OF NEED WHICH MAY BE ADDRESSED THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, THAT IT DESIRES TO PARTICIPATE WITH THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT IN THE IMPROVEMENT COMMUNITY DEVELOPMENT ACT OF 1974.**

Therefore, be it further resolved, that the City of Iron Mountain Lake, Missouri will dedicate \$\_\_\_\_\_ of local cash funds and \$\_\_\_\_\_ of in-kind materials or labor to be used in this project.



## **The City of Iron Mountain Lake, Missouri**

APRIL 11, 2011

Eugene Henson

Mayor

Attest:

Tina Blum

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 64 – FALCON TELE-CABLE**  
Original Ordinance

Bill Number 64

Ordinance Number 4

**An ordinance granting to Falcon Tele-cable, a California limited partnership D/B/A charter Communications Permission to Construct, operate and maintain a Cable system upon, along, across, over and under the streets and public rights of way of the City of Iron Mountain Lake, Missouri**

WHEREAS, THE CITY OF IRON MOUNTAIN LAKE, MISSOURI (“GRANTOR”) DESIRES TO MAKE AVAILABLE TO ITS RESIDENTS A CABLE SYSTEM SUBJECT TO CERTAIN TERMS AND CONDITIONS THE GRANTOR BELIEVES TO BE NECESSARY AND APPROPRIATE; AND

WHEREAS, FALCON TELE-CABLE, A CALIFORNIA LIMITED PARTNERSHIP D/B/A CHARTER COMMUNICATIONS (“GRANTEE”) DESIRES TO CONTINUE TO CONSTRUCT, INSTALL AND MAINTAIN A CABLE SYSTEM WITHIN THE JURISDICTION LIMITS OF THE GRANTOR;

**NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF IRON ON MOUNTAIN LAKE, MISSOURI THAT THE FOLLOWING ORDINANCE IS ADOPTED AND APPROVED:**

**Section 1. Definitions.**

- A. Basic Service means those audio and visual signals carried on the service tier of the Cable System which includes local off-air television signals. Basic Service shall not include any other tier of service or any premium or pay-per-view channels or services.
- B. Board means the governing body of the Grantor
- C. Cable Act means the Cable Communications Policy Act of 1984, P.L. 98-549, 47 U.S.C. Section 521 Supp., as it may be amended or superseded.

## **The City of Iron Mountain Lake, Missouri**

- D. Cable service shall mean (1) the one-way transmission to Subscribers of (a) video programming, or (b) other programming service, and (2) Subscriber interaction, if any, which is required for the selection or use of such video programming or other programming service.
- E. “Cable System” or “System” means a system of antennas, cables, wires, lines, towers, microwaves, wave guides, laser beams or any other conductors, converters, equipment or facilities designed, constructed, or operated for the purpose of producing, receiving, amplifying, modifying and distributing audio, video, and other forms of communication or electronic signals for the purpose of providing Cable services to and from residential and business subscribers and locations within the jurisdictional limits of the Grantor.
- F. Franchise means the authorization granted hereunder of a franchise, privilege, permit, license or otherwise to construct, operate and maintain a cable System within the jurisdictional limits of the Grantor
- G. Grantee means Falcon Tele-cable, a California Limited Partnership d/b/a Charter Communications, and its permitted successors and assigns.
- H. Grantor means the City of Iron Mountain Lake, Missouri
- I. Gross Revenues means any revenue received by the Grantee from the operation of the Cable System to provide Cable Services within the jurisdictional boundaries of the Grantor, provided, however, that such phrase shall not include any taxes, fee or assessment of general applicability collected by the Grantee from Subscribers for pass-through to a government agency, including the FCC User Fee, franchise fees or unrecovered bad debt.
- J. School means at any educational level operated within the City by any accredited public, private or parochial school system, but limited to elementary, junior high school, and high school (K-12)
- K. Streets and dedicated easements means the public streets, avenues, highways, boulevards, concourses, driveways, bridges, tunnels parks, parkways, waterways, alleys all other rights-of-way and easements, and the public grounds, places or water within the jurisdictional boundaries of Grantor.
- L. Subscriber means a lawful purchaser of any cable Service delivered over the Cable System.

### **Section 2. Granting of Franchise.**

The Grantor hereby grants to Grantee a non-exclusive Franchise for the use of the streets and dedicated easements within the Grantor for the construction, operation and maintenance of the Cable System, upon the terms and conditions set forth herein.

### **Section 3. Term.**

## **The City of Iron Mountain Lake, Missouri**

The Franchise shall be for a term of twenty (20) years, commencing on the effective date of this Ordinance. Subsequent renewals shall be pursuant to the renewal provisions of the Cable Act as it shall provide.

### **Section 4. Use of the Streets and Dedicated Easements.**

Grantee shall have the right to use the streets and dedicated easements of the Grantor for the construction, operation and maintenance of the Cable System.

- A. Grantee, at its own cost, shall have the right pursuant to the provisions of this ordinance to construct, erect, suspend, install, renew maintain and otherwise own and operate throughout the streets and dedicated easements of the Grantor, as now laid out or dedicated and all extensions thereof and additions thereto in the Grantor, the Cable System, either separately or in conjunction with any public utility operating within the Grantor. The Franchise shall further include the right, privilege, easement and authority to construct, erect, suspend, install, lay, renew, repair, maintain and operate such poles, wires, cable, underground conduits, manholes, ducts trenches, fixtures, appliances and appurtenances for the purpose of distribution to inhabitants within the jurisdictional limits of the Grantor. Without limiting the generality of the foregoing, the Franchise shall and does hereby include the right to repair, replace and enlarge and extend the Cable System, provided that Grantee shall utilize the facilities of utilities whenever practicable.
- B. Grantee shall have the right to remove, trim, cut and keep clear of the Cable System, the trees in and along the streets and dedicated easements of the Grantor, provided that in the exercise of such right, the Grantee shall not, cut, remove, trim or otherwise injure such trees to any greater extent than is necessary for the installation, maintenance and use of the Cable System.
- C. Grantee in the exercise of any right granted to it by the Franchise shall at no cost to the Grantor, promptly repair or replace any facility or service of the grantor which Grantee damages including but not limited to any street or dedicated easement or sewer, electric facility, water main, fire alarm, police communication or traffic control.

### **Section 5. Maintenance of the System.**

- A. Grantee shall at all times employ ordinary care in the maintenance and operation of the Cable system so as not to endanger the life, health or property of any citizen of the Grantor or the property of the Grantor.

## **The City of Iron Mountain Lake, Missouri**

The Cable system shall at all times be kept in good repair and in safe and acceptable condition.

- B. Grantee shall install and maintain the Cable System so as not to interfere with the equipment of any utility of the Grantor or any other entity lawfully and rightfully using the streets and dedicated easements of the Grantor.
- C. All conductors, cables, towers, poles and other components of the Cable system shall be located and constructed by Grantee so as to reasonably minimize interference with access by adjoining property owners to the streets and dedicated easements. No pole or other fixtures of Grantee placed in the streets and dedicated easements shall interfere with the usual travel on such public way.

### **Section 6. Service.**

- A. Grantee shall provide to its Subscribers broad categories of video programming services.
- B. Grantee shall extend the Cable System to new developments within the jurisdictional limits of the Grantor, subject to a minimum density requirement of forty (40) homes per cable mile.
- C. Grantee shall provide Basic Service and one free outlet to each of the following public facilities located within one hundred twenty-five (125) feet of existing service lines of the Grantee and within the jurisdictional limits of the Grantor: City Hall, each fire station and police station, public libraries and Schools, No monthly service fee shall be charged for such outlet. Grantee shall provide Basic Service to new construction hereafter for similar public facilities; provided they are within one hundred twenty-five (125) feet of the existing service lines of Grantee.

### **Section 7. Insurance/ Indemnity.**

- A. From and after the effective date of this Ordinance, Grantee shall maintain in full force and effect at all times for the full term of the Franchise, at the expense of the Grantee, a comprehensive general liability insurance policy, written by a company authorized to do business in the state, protecting against liability for loss or bodily injury and property damage occasioned by the installation, removal, maintenance or operation of the Cable System by grantee in the following minimum amounts:
  - 1. One Million Dollars (\$1,000,000) for property damage in any one occurrence
  - 2. One Million Dollars (\$1,000,000) per occurrence and two-million dollars (\$2,000,000) aggregate for general liability insurance.
  - 3. Worker's compensation coverage in accordance with state law.

## **The City of Iron Mountain Lake, Missouri**

- B. The Grantor and its officials and employees shall be named as additional insured's on said policy. The grantor shall be notified by the insurance company at least thirty (30) days [prior to the expiration or cancellation of such insurance policy or policies.
- C. Grantee hereby agrees to indemnify and hold the Grantor, including its agents and employees, harmless from any claims or damages resulting from the actions of Grantee in constructing, operating or maintaining the Cable System. Grantor agrees to give the Grantee written notice of its obligation to indemnify Grantor within ten (10) days of receipt of a claim or action pursuant to this section. Notwithstanding the foregoing, the grantee shall not be obligated to indemnify grantor for any damages, liability or claims resulting from the willful misconduct or negligence of Grantor or for the Grantor's use of the Cable System.

### **Section 8. Cancellation and Expiration.**

- A. Unless earlier terminated in accordance with this Ordinance, the Franchiser shall expire twenty (20) years after the effective date of this Ordinance.
- B. Prior to revocation or termination of the Franchise, the Board shall give written notice to the Grantee of its intent to revoke the Franchise on the basis of a pattern of noncompliance by the Grantee, including one or more instances of substantial noncompliance with a material provision of the franchise. The notice shall set forth the exact nature of the noncompliance. The Grantee shall have sixty (60) days from such notice to either object in writing and to state its reason for such objection and provide any explanation or to cure the alleged noncompliance. If the Board has not received a satisfactory response from Grantee, it may then seek to revoke the Franchise at a public hearing. The Grantee shall be given at least thirty (30) days prior written notice of such public hearing, specifying the time and place of such hearing and stating its intent to revoke the Franchise.
- C. At the hearing, the Grantor shall give the Grantee an opportunity to state its position on the matter, present evidence and question witnesses, after which it shall determine whether or not the franchise shall be revoked. The public hearing shall be held to determine whether or not the Franchise shall be revoked. The public hearing shall be on the record and a written transcript shall be made available to the Grantee within ten (10) business days. The Grantee may appeal such determination to an appropriate court, which shall have the power to review the decision of the Grantor *de novo*.
- D. Upon termination of the Franchise, Grantee agrees to remove the Cable System from the streets and dedicated easements of the Grantor.

### **Section 9. Enforcement of Terms and Conditions.**

## **The City of Iron Mountain Lake, Missouri**

Either the Grantor or Grantee may institute proceedings in a court of competent jurisdiction to enforce the terms and conditions of this Ordinance.

### **Section 10. Equal Protection.**

The Grantor shall not authorize or permit any person providing video programming services and/or Cable Services to enter into any part of the Grantor's Streets on terms or conditions more favorable or less burdensome to such persons than those applied to the Grantee pursuant to this Franchise, in order that one operator not to be granted an unfair competitive advantage over another and to provide all parties equal protection under the law.

### **Section 11. Notices, Miscellaneous.**

- A. Every notice served upon the Grantor shall be delivered or sent by certified mail, return receipt requested, to:

City of Iron Mountain Lake  
Attn: City Clerk  
591 N. Lakeshore  
Bismarck, Missouri 63624

And every notice served upon Grantee shall be delivered or sent by certified mail, return receipt requested, to:

Charter Communications  
Attn: Vice President of Operations  
12405 Powerscourt Drive, 4<sup>th</sup> Floor – Outer MO  
St. Louis, Missouri 63131

With a copy to:

Charter Communications  
Attn: Corporate Government Affairs  
12405 Powerscourt Drive, 4<sup>th</sup> Floor  
St. Louis, Missouri 63131

- B. All provisions of this Ordinance shall apply to the respective parties, their successors and assigns.
- C. If any particular section of this Ordinance shall be held invalid, the remaining provisions and their application shall not be affected thereby.

### **Section 12. Franchise Fee.**

Grantee shall pay to the Grantor, within ninety (90) days after each calendar year, an amount equal to five percent (5%) of the Gross Revenues for such calendar year. The Grantor shall have the right to review the previous year's books of the Grantee to ensure proper payment of the fees payable hereunder.

### **Section 13. Effective Date.**

## **The City of Iron Mountain Lake, Missouri**

This Ordinance shall take effect sixty (60) days after adopted by the Council.

PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE,  
MISSOURI, ON THE 13<sup>TH</sup> DAY OF SEPTEMBER, 2004

Bill Skaggs

Mayor

ACCEPTED THIS 1<sup>ST</sup> DAY OF OCTOBER, 2004, SUBJECT TO APPLICABLE FEDERAL,  
STATE AND LOCAL LAW.

FALCON TELECABLE, A CALIFORNIA LIMITED PARTNERSHIP D/B/A CHARGER  
COMMUNICAITONS

Michael Lovett

EVP of Operations

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 65 – SALE OF TIMBER**  
Original Ordinance

Bill Number 65

Ordinance Number 65

**AN ORDINANCE AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR SALE OF  
TIMBER OWNED BY THE CITY OF IRON MOUNTAIN LAKE, MISSOURI.**

**BE IT ENACTED BY THE BOARD OF ALDERMAN OF THE CITY OF IRON  
MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**Section 1.**

Pursuant to Section 79.010 RSMO, a Fourth Class City may “hold, lease, sell or otherwise dispose of any property real or personal, it now owns or may hereafter acquire.”

**Section 2.**

The City shall advertise for bid concerning the sale of timber on 31 acres owned by the City of Iron Mountain Lake, Missouri.

**Section 3.**

This ordinance shall become effective upon date of passage.

DATE OF FIRST READING 03/13/06

DATE OF SECOND READING 3/13/06

DATE PASSED AND APPROVED 3/13/06

Bill Skaggs

Mayor

## **The City of Iron Mountain Lake, Missouri**

Attest:

Christina Lincoln

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 66 – CITY ADMINISTRATOR**  
Original Ordinance

Bill Number: 08-001

Ordinance Number: 66

**ORDINANCE NUMBER 66: OFFICE OF CITY ADMINISTRATOR:**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**Article I: Authorization: Section 79.230 RSMO. States:**

“The Mayor, with the consent and approval of the majority of the members of the board of Alderman, shall have power to appoint a treasurer, city attorney, city assessor, street commissioner and night watchman, and such other officers as he may be authorized by ordinance to appoint, and if deemed for the best interests of the City.

**Article II: Office of City Administrator:**

The Mayor and the City Council have determined that it is in the best interests of the City to create an office of City Administrator and for the Mayor, with the consent and approval of the majority of the members of the Board of Aldermen, to appoint a person to said office.

**Article III: Duties of the City Administrator:**

The City Administrator shall consult with the Mayor concerning the day to day operations of the City of Iron Mountain Lake. In particular, the City Administrator shall work with the Mayor, City Council and other city officers to apply for and obtain grants for and obtain grants for the benefit of the City and its residents. The City Administrator shall also consult with and assist with projects for the City as designated by the Mayor.

**Article IV: compensation of the City Administrator:**

The City Administrator for the City of Iron Mountain Lake shall be an unpaid consultant, and not paid employee of the City of Iron mountain Lake.

## **The City of Iron Mountain Lake, Missouri**

### **Article V: Removal from Office:**

The City Administrator serves at the pleasure of the Mayor and City Council.  
The City Administrator shall also be subject to the impeachment and/or removal ordinances of the City of Iron Mountain Lake.

### **Article VI: Effective Date:**

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

DATE OF FIRST READING: 03/10/08

DATE OF SECOND READING: 3/10/08

PASSED AND APPROVED THIS 10<sup>TH</sup> DAY OF MARCH 2008

Bill Skaggs

Mayor

Attest:

Christina Lincoln

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 67 – FIRE PROTECTION**

### **Original Ordinance**

Bill Number 08-002

Ordinance Number 67

**AN ORDINANCE DIRECTING THE CITY ATTORNEY TO SEEK THE APPROVAL OF THE GOVERNING FIRE PROTECTION ENTITY FOR THE FORMATION OF A MUNICIPAL FIRE DEPARTMENT FOR THE CITY OF IRON MOUNTAIN LAKE**

**BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

#### **Section One:**

Pursuant to Section 320.210 (3) RSMO, the City of Iron Mountain Lake, Missouri must seek the approval of the governing body of the fire protection district or volunteer fire association within which the boundaries City of Iron Mountain Lake lies to form a municipal fire department organized as a volunteer fire association.

#### **Section Two:**

The City hereby authorizes the City Prosecutor to seek approval of the appropriate fire protection district or volunteer fire association for the formation of a municipal fire department for the City of Iron Mountain Lake, Missouri

#### **Section Three:**

The City hereby authorizes the City Prosecutor to file, pursuant to Section 320.310 (4) RSMO, an appeal for trial denovo with the Circuit Court of St. Francois County if the governing body of the appropriate fire protection district or volunteer fire association denies approval to operate within the boundaries of the fire protection district or volunteer fire association.

#### **Section Four:**

This ordinance shall be in full force and effect upon its passage and approval.

## **The City of Iron Mountain Lake, Missouri**

DATE OF FIRST READING: 3/26/08

DATE OF SECOND READING: 3/26/08

PASSED AND APPROVED THIS 26<sup>TH</sup> DAY OF MARCH, 2008

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 68 – MISSING**

**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 69 – MISSING**



**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 70 – TEMPORARY CITY CLERK**  
Original Ordinance

Bill Number 08-023

Ordinance Number 70

**ORDINANCE NUMBER 70: APPOINTMENT OF TEMPORARY CITY CLERK**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**Article I: Authorization:**

Section 79.230 RSMO states: “the Mayor, with the consent and approval of the majority of the members of the Board of Aldermen, shall have power to appoint a Treasurer, City Attorney, City Assessor, Street Commissioner and Night Watchman, and such other officers as he may be authorized by ordinance to appoint, and if deemed of the best interest of the City.

**Article II: Temporary City Clerk:**

In the absence of the City Clerk for whatever reason, the Mayor with the consent of a majority of the Board of Alderman, may appoint a temporary City Clerk to discharge the duties of the City Clerk in his or her absence. The temporary City Clerk shall discharge the duties of the City Clerk until the return of the City Clerk, or in the case of death, disability, impeachment, resignation or other permanent removal from office, until the appointment of a new City Clerk in accordance with the ordinances of the City of Iron Mountain Lake, Missouri.

**Article III: Compensation of the Temporary City Clerk:**

The temporary City Clerk shall receive the same hourly rate of pay as the City Clerk for the hours spent discharging his or her duties as temporary City Clerk.

**Article IV: Effective Date:**

This ordinance shall be in full force affect from the date of its passage.

## **The City of Iron Mountain Lake, Missouri**

DATE OF FIRST READING NOVEMBER 13, 2008

DATE OF SECOND READING: NOVEMBER 13, 2008

PASSED AND APPROVED THIS 13<sup>TH</sup> DAY OF NOVEMBER 2008

Jody Niccum

Mayor

Attest:

Paul Powell

Witness

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 71 – POLICE PERSONNEL BOARD**  
Original Ordinance

Bill Number 08-026

Ordinance Number 71

**POLICE PERSONNEL BOARD**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**Article I. Police personnel board established: appointment; terms.**

Appointment. Term of office – a police personnel board is hereby established. The board shall be composed of three (3) members of the City council of the City of Iron Mountain Lake, Missouri and be approved by a majority of the elected council members, of the City of Iron Mountain Lake, after a suggested list submitted by the Mayor. The Mayor being entitled, at his discretion, to break a tie vote, of the initial three (3) members, one shall be appointed as chairman, hereinafter designated as “commissioner of Police.” His appointment shall be for his term of office, providing that he is not removed from office for just cause. Members of the board shall serve until their successors shall have been appointed and qualified.

**Article II. Powers and duties.**

The Board shall have the following powers and duties:

- A. Registers – the board shall keep an application and promotional register, in which shall be entered the names and addresses, the order and date of application of all applicants for competitive examinations, and the positions in the police department sought by the applicants. All applications shall be on forms prescribed by the board.
- B. Rules and regulations – the board shall formulate and adopt all necessary rules and regulations reasonably necessary for the appointment of members to the City police department. The rules shall include provisions for:

## **The City of Iron Mountain Lake, Missouri**

1. Standardization and classification of all positions in the police department on the basis of duties and responsibilities, and so arranged as to promote the filing of the higher grades through promotion as far as practicable.
  2. Certification to the appointing authority of eligible persons for the purpose of filling vacancies.
  3. Temporary or emergency appointments, in the absence of an eligibility list.
- C. Certification of eligible – The commission with the advice of the Chief of Police, shall certify a list of all eligible persons for membership in the police department to the Mayor and the City council as often as in necessary for the good of the department and the interest of the public.
- D. Emergency powers – The commission shall have the power to approve promotion and/or hiring of full or part time officers until such time that approval or disqualification by the full board of alderman can made.

### **Article III. Effective Date:**

This ordinance shall be in full force and effect from date of its passage.

DATE OF FIRST READING: DECEMBER 8, 2008

DATE OF SECOND READING: DECEMBER 8, 2008

PASSED AND APPROVED: THIS 8<sup>TH</sup> DAY OF DECEMBER, 2008

Jody Niccum

Mayor

Attest:

Julie Bennett

City Clerk

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## **The City of Iron Mountain Lake, Missouri**

### **Appointments to Police Board – 2009**

Commission

State of Missouri

City of Iron Mountain Lake

Pursuant to Ordinance Number 71 Phil Fox has been duly appointed as Board Member for the Police Personnel Board of the City of Iron Mountain Lake, county of St. Francois, State Missouri and has filed his or her oath of office.

Now therefore, I, Jody Niccum by the authority invested in me as Mayor of the City of Iron Mountain Lake do hereby appoint and commission Phil Fox to the police Personnel Board serving until his successor has been appointed and qualified.

Given under my hand with the corporate seal of said City affixed this 5<sup>th</sup> day of January 2009

Jody Niccum

Mayor

Attest:

Julie Bennett

City Clerk

Commission

State of Missouri

City of Iron Mountain Lake

Pursuant to Ordinance Number 71 Glen Smith has been duly appointed as Board Member for the Police Personnel Board of the City of Iron Mountain Lake, county of St. Francois, State Missouri and has filed his or her oath of office.

Now therefore, I, Jody Niccum by the authority invested in me as Mayor of the City of Iron Mountain Lake do hereby appoint and commission Glen Smith to the police Personnel Board serving until his successor has been appointed and qualified.

Given under my hand with the corporate seal of said City affixed this 5<sup>th</sup> day of January 2009

## **The City of Iron Mountain Lake, Missouri**

Jody Niccum

Mayor

Attest:

Julie Bennett

City Clerk

Commission

State of Missouri

City of Iron Mountain Lake

Pursuant to Ordinance Number 71 Brian Schmaltz has been duly appointed as Board Member for the Police Personnel Board of the City of Iron Mountain Lake, county of St. Francois, State Missouri and has filed his or her oath of office.

Now therefore, I, Jody Niccum by the authority invested in me as Mayor of the City of Iron Mountain Lake do hereby appoint and commission Brian Schmaltz to the police Personnel Board serving until his successor has been appointed and qualified.

Given under my hand with the corporate seal of said City affixed this 5<sup>th</sup> day of January 2009

Jody Niccum

Mayor

Attest:

Julie Bennett

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 72 – PUBLIC SAFETY ADVISORY BOARD**  
Original Ordinance

Ordinance Number 72

Bill Number 08-27

**NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**Public Safety Advisory board established; Duties.**

- A. The public Safety Advisory Board (“Board”) is hereby established. The Board shall consist of three (3) citizen’s members, one from each Ward, appointed by the Mayor and approved by the City Council, and one member of the City Council with voting rights appointed by the Mayor with the consent of the City Council. Citizen members shall serve three-year terms, which shall be staggered. The Board shall elect a Chair, vice serve three-year terms, which shall be staggered. The Board shall elect a chair, Vice-Chair and shall appoint one of its citizens members as City Traffic Engineer to serve without compensation in that position for the duration of their term of office, annually following the annual appointments to the Board. Citizen Board members shall serve without compensation. Board meetings shall be open to the public and shall be conducted pursuant to Missouri Sunshine Law 610.010 et seq. RSMO Robert’s Rules of Order shall govern procedural matters of the Board.
- B. The Board shall perform the following duties:
  1. Serve as the Traffic Commission of the City.
  2. Advise the Mayor, the Police Commissioner and the Chief of the Fire Department on methods and procedures to improve public relations and public image.
  3. Upon request of the Mayor, the Police Commissioner or the Chief of the Fire Department assist with long range and ongoing planning efforts. The Board may make recommendations to the City Council for improving services of the Fire or Police Departments within reasonable budget restraints. All recommendations for improvement of services shall also include a budget impact statement prepared by the Director of Finance.

## **The City of Iron Mountain Lake, Missouri**

4. Review the study the City's traffic and parking activities, including receiving complaints related to traffic regulations, receiving reports on traffic activities, and recommending to the City Council and the Mayor ways and means for improving both traffic conditions and regulations.
5. Review and study fire prevention, fire safety, law enforcement and animal control ordinances and make recommendations to the Mayor and the City Council.

DATE OF FIRST READING: DECEMBER 22, 2008

DATE OF SECOND READING: DECEMBER 22, 2008

PASSED AND APROVED THIS 22<sup>ND</sup> DAY OF DECEMBER, 2008

Jody Niccum

Mayor

Attest:

Julie Bennett

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 73 – TERMINATION OF WATER FOR DELINQUENT**  
**SEWER**

Original Ordinance

Bill number 08-28

Ordinance Number 73

**SEWERAGE SYSTEMS AND WATERWORKS – CITY OR DISTRICT**

Termination of water services for nonpayment of sewer charges, allowed when:

1. Any city, town, or village may contract with a private or public water company to terminate water services, at the direction of the City, because a customer fails to pay his sewer bill. When charges for sewer services are in arrears for more than three months and after the City sends notice to the customer by certified mail, the City may disconnect the customer's sewer line or request in writing that the private or public water company discontinue water service until such time as the sewer charges and all related costs are paid.
2. A private or public water company acting pursuant to a written request from the City as provided in subsection 1 of this section is not liable for damages related to termination of water services. All costs related to disconnection and reconnections shall be reimbursed to the private water company by the City.

DATE OF FIRST READING: DECEMBER 22, 2008

DATE OF SECOND READING: DECEMBER 22, 2008

PASSED AND APPROVED THIS 22<sup>ND</sup> DAY OF DECEMBER, 2008

Jody Niccum

Mayor

Attest:

Julie Bennett

## **The City of Iron Mountain Lake, Missouri**

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 74 – LICENSE PLATES**  
Original Ordinance

Bill Number 08-29

Ordinance Number 74

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**License Plates.**

- A. No person shall operate or park any motor vehicle or trailer upon any street or highway of this city, unless such motor vehicles or trailer has properly displayed a valid license plate or temporary permit, issued to the lawful owner of the vehicle by the state license plate or temporary permit, issued to the lawful owner of the vehicle by the state department of revenue, except that any person who is an non-resident of the state may operate or park any motor vehicle or trailer open any street or highway of this city, provided the motor vehicle or trailer has been duly registered for the current year in the state, county or other place of which the owner is a resident, provided that at all times such motor vehicle or trailer displays the valid license plate or temporary permit.
  - 1. It shall be unlawful of any person to make a replica, facsimile or counterfeit of any license tag or license sticker issued by the state director of Revenue, evidencing the payment of a license fee issued on account of any motor vehicle, or to erase or change by any means the numbers of any license tag or license ticker, or to knowingly use any replica, facsimile or counterfeit of any such license tag or sticker.
  - 2. No person shall operate or park any motor vehicle or trailer upon any street or highway of this City on which there is displayed a plate, tag, sticker, sign or placard bearing the words “license lost,” “license applied for,” or words of similar import, as a substitute for a valid license plate or temporary permit.
- B. The required license plates or temporary permit shall be fastened to a vehicle in such a manner as to be entirely unobstructed, unobscured, all parts thereof plainly visible and kept reasonably clean, fastened so that the letters or numerals are right side up and the plates do not swing. On all motor vehicles, one (1) plate shall be displayed on the front and the other on the rear of such

## **The City of Iron Mountain Lake, Missouri**

motor vehicles, not less than eight (8) and not more than forty-eight (48) inches above the ground, except that on trailers, motorcycles, and motor driven cycles, one (1) plate shall be displayed on the rear thereof. If only one (1) plate is issued to a vehicle licensed in excess of twelve thousand (12,000) pounds, such license shall be displayed on the front of the vehicle. At nighttime, the rear plate shall be illuminated with a white light so as to be clearly visible from a distance of fifty (50) feet to the rear.

DATE OF FIRST READING: DECEMBER 22, 2008

DATE OF SECOND READING: DECEMBER 22, 2008

PASSED AND APPROVED THIS 22<sup>ND</sup> DAY OF DECEMBER, 2008

Jody Niccum

Mayor

Attest:

Julie Bennett

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 75 – DWELLING UNFIT FOR HUMAN HABITATION**  
Original Ordinance

Bill Number 09-003

Ordinance Number 75

**AN ORDINANCE DEFINING DWELLINGS UNFIT FOR HUMAN HABITATION AND  
DECLARING SUCH DWELLINGS AS DANGEROUS.**

**NOW, THEREFORE BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS  
FOLLOWS:**

**Article I. Building Inspector**

President of the Board and other city employees so designated by the Board of Aldermen shall be the Building Inspector(s) within the meaning of this Ordinance.

**Article II. Housing Committee.**

The Board of Aldermen shall act as Housing Committee under this Ordinance.

**Article III. Nuisances.**

The designation of dwellings or dwelling unit as unfit for human habitation shall be carried out in compliance with the following requirements:

- A. The City Building inspector, or his/her deputy, may determine that a dwelling is unfit for human habitation if he/she finds that conditions exist in such dwelling which are dangerous or injurious to the health, safety, or morals of the occupants of such dwelling; the occupants of neighboring dwelling or other residents of the City; or which have a blighting influence on properties in the area. Such conditions may include the following without limitations.
  1. Defects therein increasing the hazard of fire, accidents, or other calamities, lack of adequate ventilation, light or sanitary facilities, dilapidation, disrepair, structural defects, uncleanliness, overcrowding, inadequate drainage, or any violations relating to the use of land and the use of occupancy buildings and improvements.

## **The City of Iron Mountain Lake, Missouri**

2. The determination that dwelling is unfit for human habitation shall be predicated on the fact such defects are as afore stated are a serious hazard to the health and safety of the occupants, or of the public; or that such defects constitute violations of several of the standards in the other sections of this ordinance or are continued violations of such standards.

### **B. Dwelling determined unfit – notice**

1. Whenever the City Building inspector, or his/ her deputy, has determined that nay dwelling is unfit for human habitation, he/she shall notify in writing the owner occupant, lessee, mortgagee, agent, and all other persons having an interest in said building as shown by the land records of the Recorder of Deeds of the County of St. Francois advising of such findings and which notice shall set forth the violation found to exist and what must be done to correct same. Said notice may provide that:
  - a. The owner must vacate, or repair, or demolish said building in accordance with the terms of the notice;
  - b. The occupant or lessee must vacate said building or may have it repaired in accordance with the notice and remain in possession;
  - c. The mortgagee, agent, or other persons having an interest in said building may at his/her own risk repair, vacate, or demolish said building or have such work or act done. Any persons notified to repair, vacate or demolish any dwelling unit shall be given such reasonable time, not less than thirty (30) days, as may be necessary to perform the work or act required by the notice herein.
2. Notice as provided herein shall be served by either personal service, certified or registered mail with return receipt requested. Should any of the persons entitled to notice be unknown as shown by the land records of St. Francois County or should certified or registered mail not reach said persons, the notice may be served by publication in any newspaper, published in St. Francois County and circulated within the boundaries of the City of Iron Mountain Lake.
3. Set forth in the notice provided for herein, shall be a description of the building or structure deemed unfit for

## **The City of Iron Mountain Lake, Missouri**

human habitation, a statement of the particulars which make the building or structure “unfit for human habitation” and an order requiring the same to be put in such condition as to comply with the terms of this chapter within such length of time, not less than thirty (30) days, as is reasonable.

### **C. Procedure for failure to comply with notice of building inspector:**

1. Upon failure of any person notified under this section of this ordinance to comply with said notice by commencing work of reconditioning or demolition within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the City Building Inspector, or his/her deputy, shall advise the City Attorney of such fact and the City Attorney shall then file a petition with Court setting forth that there has been a failure of persons to comply with the notice served under this section. The court shall then conduct a hearing to determine if there has been a failure of the effected parties, after notice to repair or demolish a dwelling unit for human habitation as defined in this ordinance and if the building or structure in question is a nuisance and detriment to the health, safety, or welfare of the residents of the City of Iron Mountain Lake. Notice of said hearing shall be served on the effected parties as provided for in this section of this ordinance and shall include a copy of the petition filed by the City Attorney and all affected parties shall have at least twenty-one (21) days’ notice of such hearing.
2. At said hearing, the City and all affected persons shall be represented by counsel and have an opportunity to be heard.
3. If the evidence presented at the hearing supports a finding that the building or structure is a dwelling unfit for human habitation as defined by this ordinance and is a nuisance or detrimental to the health, safety, or welfare of the residents of the City of Iron mountain Lake, the Court shall issue an order making specific findings of fact based upon substantial evidence which shows the building or structure to be a dwelling unfit for human habitation as defined by this ordinance and to be a nuisance and detrimental to the health, safety, and welfare of the residents of the City of Iron Mountain Lake and shall order the building or structure to be demolished and removed, or repaired.

## **The City of Iron Mountain Lake, Missouri**

4. Any person aggrieved by the findings of the Court as set forth in this ordinance may appeal said findings as set forth in Chapter 536 Revised statutes of Missouri.
5. If the Court issued an order whereby the building or structure is demolished and removed, or repaired, the City Building Inspector, or his/her deputy, shall proceed to carry out the order of the Court and following the completion of said demolition and removal, or repair shall certify to the City Clerk the cost of such performance and the City Clerk shall cause a special tax bill therefore to be issued against the real estate on which the building existed and said tax bill shall be collected by the City Collector as other real estate taxes. At the written request of the taxpayer made within one (1) year following the nuisance of the original tax bill, said bill may be paid in installments over a period as requested by the owner of said real estate but installments shall not exceed more than five (5) years. The tax bill for the date of issuance shall be a lien on the property in question until paid.
6. If the court finds that the building or structure is in violation of this ordinance and orders the owner to correct the matter; if it is not corrected within thirty (30) days then the owner shall be subjected to a fine not exceeding five hundred (\$500.00) per day that the matter is not corrected if the court finds the owner is at fault in not correcting the matter.

### **Article IV. Enforcement.**

- A. Whenever the City Building Inspector, or his/her deputy, determines that there has been a violation of any provision of this ordinance, except as has been provided for in Article I. Notice of such alleged violation shall be given to the persons responsible therefore as hereinafter provided. Such notice shall:
  1. Be in writing.
  2. Particularize the violations alleged to exist or have been committed.
  3. Allow a reasonable time for the correction of the violation particularized.
  4. Be addressed to and served upon the owner of the property and/or the operator of the dwelling, or the occupant of the dwelling unit or rooming unit concerned if the occupant is or may be responsible for the violations; provided, that such



## **The City of Iron Mountain Lake, Missouri**

notice shall be deemed to be properly served upon such owner, operator of the dwelling, or the occupant for the dwelling unit or rooming unit concerned if the occupant is or may be responsible for the violations; provided, that such notice shall be deemed to be properly served upon such owner, operator, or occupant if a copy thereof is served upon him/her personally or of the copy thereof is sent by certified or registered mail to his/her last known address. If the notice cannot be conveniently served by the aforesaid, service of the notice may be made upon such person or persons by posting the notice in a conspicuous place in or about the dwelling by the notice, in which event the City Building inspector, or his/her deputy, shall make a statement for inclusion in the record as to why such posting was necessary, such notice may contain an outline of remedial action which, if taken, will effect correction of the particularized alleged violations.

5. Statement of that occupancy will be revoked unless the alleged violation is corrected.
- B. In addition to giving notice of alleged violations, as herein provided, the City Building Inspector may appropriately placard such dwellings, dwelling units, and rooming units that have been determined to be in violation of any provisions of this ordinance. The placard shall include, but not limited to, a statement that the dwelling, dwelling units, or rooming unit is in violation of provisions of the minimum standards of dwelling of the City of Iron mountain Lake, Missouri. The City Building Inspector, or his/her deputy shall remove such placard whenever the violations particularized in the notice have been corrected. No unauthorized person shall deface, remove, or obscure any placard affixed under the provisions of the subsection. If the dwelling, dwelling unit, or rooming unit is vacant at the time of placarding, it shall not be used for human habitation until the violations particularized in the notice have been corrected. No unauthorized person shall deface, remove, or obscure any placard affixed under the provisions of the subsection. If the dwelling, dwelling unit, or rooming unit is vacant at the time of placarding, it shall not be used for human habitation until the violations particularized in the notice have been corrected and written approval secured from, and placard removed by, the City Building Inspector, or his/her deputy.
- C. Any person affected by any notice which has been issued in connection with the enforcement of any provisions of this ordinance, except as has been provided for in Section 1, who is aggrieved thereby, and who believes the same to be contrary to the policies or regulations of the City

## **The City of Iron Mountain Lake, Missouri**

may request and shall be granted a hearing on the matter, before the Housing committee, acting as representative of the City Building Inspector; provided such person shall file in the office of the City Clerk a written petition requesting such hearing and setting forth a brief statement of the grounds petition requesting such hearing and setting forth a brief statement of the grounds therefore within ten (10) days after the notice was served. Upon receipt of such petition, the Housing Committee shall set a time and a place for such hearing and shall give the petitioner notice that he/she shall be given an opportunity to be heard shall give the petitioner notice that he/she shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn.

- D. After such hearing, the housing Committee may sustain, modify, or withdraw the notice, depending upon their findings as to whether the provisions of the ordinance have been complied with. If the Housing Committee sustains or modifies such notice, it shall be deemed to be an order. Any notice served to this ordinance shall become an order if a written petition for a hearing is not filed in the office of the City Clerk within ten (10) days after such notice is served.
- E. After a hearing in the case of any notice suspending any permit required by this ordinance, when, such notice has been sustained by the housing Committee, the permit shall be deemed to have been revoked. Any such permit which has been suspended by a notice shall be deemed to be automatically revoked if the petition for hearing is not filed in the office of the City Clerk within ten (10) days after such notice is served.
- F. The proceedings at such hearing before the Housing Committee shall be recorded and the findings and decision of the housing 'committee shall be reduced to writing and entered as a matter of public record in the office of the City Building inspector. Such record shall also include a copy of every notice or order issued in connection with the matter.
- G. Whenever the City Building inspector, or his/her designated representative, finds that an emergency exists which requires action to protect the public health, he/she may without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he/she deems necessary to meet the emergency. Notwithstanding the other provisions of this ordinance, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately but upon petition to the City Building Inspector, or his/her deputy, shall be afforded a hearing as soon as possible. After such hearing, depending on his/her findings, as to whether the provisions of the ordinance and the rules and regulations adopted pursuant thereto have been complied with, the City Building

## **The City of Iron Mountain Lake, Missouri**

Inspector, or his/her deputy, shall continue such order in effect, or modify it, or revoke it Any person to whom an emergency order is directed may then request a hearing before the housing committee as provided for herein.

- H. Any person failing to comply with an order of the City Building Inspector, or his/her deputy, or Housing Committee shall be referred to the City Attorney for prosecution and if found guilty, the punishment shall be a fine not exceeding five hundred dollars (\$500.00) for each offense and each and every day of such failure to comply shall be deemed a separate offense.

### **Article V. Conflict with Other Ordinances.**

This ordinance established minimum standards for dwelling units and other residential building and does not replace or modify standards otherwise established for the construction, replacement, or repair of building, except such as in conflict with the provisions of this ordinance.

THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND APPROVAL.

DATE OF FIRST READING: 2/9/09

DATE OF SECOND READING: 2/9/09

PASSED AND APPROVED THIS 23<sup>RD</sup> DAY OF FEBRUARY, 2009

Jody Niccum

Mayor

Attest:

Julie Bennett

City Clerk

[Top](#)

## **The City of Iron Mountain Lake, Missouri**

# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 76 – HOUSING CODE**

Original Ordinance

Bill Number 09-004

Ordinance Number 76

### **HOUSING CODE.**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE AS FOLLOWS:

#### **Article 1. Application**

This ordinance shall be applicable to all dwelling now in existence of hereinafter constructed in the City, and to all dwellings which become incorporated into the City because of annexation; provided that the construction of new dwellings and remodeling of existing dwellings in the City shall comply with the provisions of the City. No owner shall occupy or let to any other occupant any vacant dwelling unit, or rooming unit unless it is clean, sanitary, and fit for human occupancy and unless it complies with all provisions of this ordinance and a fee of fifty dollars (\$50.00) has been paid for inspection. The City Building Inspector shall ascertain at the time a building permit is issued for a proposed new dwelling or for a proposed major remodeling of an existing dwelling that such new building or remodeling complies with the applicable minimum standards contained in this Ordinance and other applicable city ordinances.

#### **Article 2. Administration and Enforcement**

The City Building Inspector is hereby designated to administer and enforce this Ordinance.

#### **Section 3. Adoption of Rules and Regulations by the City Building Inspector**

The City Building Inspector is hereby authorized to make and adopt such rules and written regulations as may be necessary for the property enforcement of the provisions of this ordinance; provided that such rules and regulations shall not be in conflict with the provisions of this Ordinance. All such rules as the City Building Inspector may deem necessary for the property and effective enforcement of the provisions of this Ordinance shall be subject to the approval of the Board of

## **The City of Iron Mountain Lake, Missouri**

Aldermen and shall be binding and effective when filed in the office of the City Clerk.

### **Article 4. Definitions**

The following shall apply in the interpretation and enforcement of this Ordinance:

- A. Basement or Cellar: That portion of a dwelling between floor and ceiling which is partly or wholly below grade.
- B. City: the City of Iron Mountain Lake
- C. City Building Inspector: President of the Board and other city employees so designated by the Board of Aldermen shall be the Building inspector (s) within the meaning of this Ordinance.
- D. Dwelling: any building which is wholly or partly used or intended to be used for living or sleeping by human occupants; provided that temporary housing as hereinafter defined shall not be regarded as a dwelling.
- E. Dwelling Unit: Any room or group of rooms located within a dwelling and forming a single habitable unit with facilities that are used or intended to be used for living, sleeping, cooking, eating and a part of which is exclusively or occasionally appropriated to cookery.
- F. Extermination: The control and elimination of insects, rodents, vermin, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, trapping; or by any other recognized legal pest control methods.
- G. Fire chief: the Chief of the fire department or his/her authorized representative.
- H. Garbage: the animal and vegetable waste resulting from the handling, preparations, cooking, or consumption of food.
- I. Habitable Room: a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, toilet room, laundries, pantries, foyers, communicating corridors, closets storage spaces, and basement rooms used only for recreational purposes.
- J. Hotels: See rooming house.
- K. Housing Committee: The Board of Aldermen shall act as Housing Committee under this Ordinance.
- L. Infestation: the presence within or around a dwelling, of any insects, rodents, vermin, or other pests.
- M. Motel: See rooming house.
- N. Occupant: Any person living, sleeping, cooking, or eating in, or having actual possession of, a dwelling unit or rooming unit.

## **The City of Iron Mountain Lake, Missouri**

- O. Operator: Any person who has charge, care of control of a building or part thereof, in which dwelling units or rooming units are let.
- P. Owner: Any person who, alone, or jointly, or severally, with others:
  - 1. Shall record legal title to any dwelling or dwelling unit with or without accompanying actual possession thereof.
  - 2. Shall have charge, care, or control of any dwelling or dwelling unit as owner or agent of the owner, or as executor, executrix, administrator, trustee, guardian of the estate of the owner. Any such person representing the owner shall be bound to comply with the provisions of this Ordinance and of rules and regulations adopted pursuant there to the same extent as if he/she were the owner.
- Q. Person: A natural person for the purpose of the occupancy standards hereof, and for other purposes shall mean a natural person or a legal entity, such as a firm, corporation, association, or partnership.
- R. Plumbing; shall mean and include all of the following supplied facilities and equipment; gas pipes, gas-burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths installed clothes-washing machines, catch basins, drains, vents and other similar supplied fixtures, together with all connections to water, sewer, or fuel lines.
- S. Premises: A lot, plot or parcel of land including the dwelling and structures located thereon.
- T. Rooming House: Any dwelling, group of dwelling, located on one (1) premise, or that part of any dwelling containing one (1) or more rooming units in which space is available and used or intended to be used, to let by the owner or operator to five (5) or more persons who are not husband or wife, son or daughter, mother or father, or sister or brother, of the owner or the operator; provided that any portions of a dwelling containing one (1) or more dwelling units in which is located one (1) or more rooming units shall not be deemed a rooming house, unless one (1) or more of the dwelling units has space available and used or intended to be used, to let by the owner or operator to five (5) or more persons who are not husband and wife, son or daughter, mother or father, sister or brother of the owner or operator.
- U. Supplied: Paid for, furnished, or provided by or under the control of the owner or operator.
- V. Temporary Housing: Any trailer or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utilities system on the same premises for more than thirty (30) consecutive days, provided

## **The City of Iron Mountain Lake, Missouri**

that any such trailer parked as authorized by the City shall be deemed as temporary housing.

- W. Trash: Combustible and non-combustible waste materials, except garbage and sewage, normally produced by occupants of a dwelling; it shall include, but not be limited to household wastes, and yard and tree trimmings.
- X. Meaning of Certain words: Whenever the words ‘dwelling,’ “dwelling unit”, “rooming house”, “rooming unit”, “premises”, are used in this ordinance, they shall be construed as though they were the followed by the word “or any part thereof.”

### **Article 5. Occupancy Permit Required.**

- A. No person shall occupy, rent, or lease to another for occupancy any dwelling, dwelling unit, rooming unit or temporary housing without having procured from the City Clerk, an occupancy permit.
- B. Any application of an occupancy permit shall be in such form as required by the City Building Inspector.
- C. The City Clerk shall not issue an occupancy permit unless such premises have been inspected by the City Building Inspector and he/she has certified on the application that said premises meeting the minimum standards set forth in this Ordinance.
- D. Premises presently occupied by owner, being leased, or rented not require an occupancy permit until such time as there is a change in the present occupant.
- E. Landlords of rental property shall notify the building Inspector within seven (7) days of a vacancy in their rental property.

### **Article 6. Minimum Standards for Basic Equipment and Facilities.**

No person shall occupy as owner-occupant or let to another for occupancy and dwelling unit, for the purpose of living, sleeping, cooking, or eating therein, which does not comply with the following requirements:

1. Every dwelling unit shall contain a kitchen sink good working condition and properly connected to a water and sewer system approved by the City Building Inspector.
2. Every dwelling unit, except as otherwise permitted under Subsection (4), shall contain a room separate from the habitable rooms, which affords privacy to a person within said room and which is equipped with a flush water closet and lavatory basin. Such lavatory basin may be located outside the room containing the flush water closet provided it is



## The City of Iron Mountain Lake, Missouri

convenient to said room and such location is approved by the City Building inspector.

3. Every dwelling unit, except as otherwise permitted under Subsection (4), shall contain a room separated from the habitable rooms, which affords privacy to a person within said room and which is equipped with a bathtub or shower.
4. The occupants of two (2) dwelling units in the same structure or building may share a single flush water closet, a single lavatory basin and a single bathtub or shower if:
  - a. Neither of the two (2) dwelling units contain more than three (3) rooms; provide, that for the purposes of this subsection, a kitchenette or an efficiency kitchen with not more than sixty (60) square feet of floor areas shall not be counted as a room;
  - b. The habitable areas of each of such dwelling units is equal to not more than three hundred fifty (350) square feet of floor area;
  - c. Such water closet, lavatory basin, and bathtub or shower is located so that the occupants of neither dwelling are required to pass through any room of the other dwelling unit to reach the facilities;
  - d. Such water closet, lavatory basin, and bathtub or shower shall be in good working conditions and property connected to a water and sewer system approved by the City Building Inspector;
  - e. Such water closet, lavatory basin, and bathtub or shower shall be in good working conditions and property connected to a water and sewer system approved by the City building inspector;
  - f. Such dwelling units are in the same building arranged so that the occupants of neither dwelling unit are required to go outdoors to reach the facilities.
5. Every kitchen sink, lavatory basin, and bathtub and shower required under the provision of Subsections (1,2,3, and 4) of this section shall be properly maintained in safe and good working conditions, and are capable of heating water to such temperature as to permit an adequate amount of hot water to be drawn at every kitchen sink, lavatory, and bathtub or shower, even when the heating facilities required by this ordinance are not in operation. Water heater shall be supplied

## The City of Iron Mountain Lake, Missouri

with a temperature/pressure relief valve and three-fourths (3/4) inch drip leg.

6. All plumbing fixtures required by this Section or otherwise provide shall be in good working condition and property connected to a water system and sewage system approved by the City Building Inspector.
7. Every dwelling unit shall:
  - a. Be supplied with adequate trash storage facilities whose type and location are approved by the City Building Inspector.
  - b. Have adequate garbage disposal facilities or garbage storage containers, whose type and location are approved by the City Building Inspector.
  - c. Have approved, safe, unobstructed direct means of egress leading to safe and open space at ground level which is accessible to a public street or alley.
  - d. Contain at least one (1) smoke/fire detector in operating condition for each floor of living area.

### Article 7. Minimum Standards for Light, Ventilation and Heating.

No person shall occupy as owner-occupied or let to another for occupancy any dwelling unit for the purpose of living therein, which does not comply with the following requirements:

1. Every habitable room with an exterior wall shall have at least one (1) window facing outdoors. The minimum total window area, measured between stops for every habitable room, shall be ten percent (10%) of the floor area of such room; provided that the City Building Inspector may accept less window area if it can be reasonably demonstrated that adequate ventilation can be provided by other means and that adequate natural daylight illumination will be available.
2. Every habitable room shall have at least one (1) window required in subsection (1) which can be easily opened and such operable window space shall equal at least forty-five (45%) of the minimum window area required in subsection (1); or provided that such other device will adequately ventilate the room may be approved by the City Building Inspector.
3. Every bathroom and toilet room shall comply with the light and ventilation requirements for habitable rooms contained in Subsection (1 and 2), except that no window shall be required in bathrooms and toilet rooms equipped with a ventilation

## **The City of Iron Mountain Lake, Missouri**

system which is approved by the City Building Inspector. An operable skylight, approved by the City Building Inspector may be used in lieu of a window in bathrooms and toilet rooms.

4. Every dwelling shall be supplied with electricity. Every habitable room of any existing dwelling shall contain at least two (2) separate wall type electric convenience outlets or one (1) such convenience outlet and one (1) ceiling electric light fixture. Every toilet room, bathroom, laundry room, furnace room, and public Hall shall contain at least one (1) ceiling or wall type electric light fixture. Every such outlet and fixture shall be properly installed; shall be maintained in good and safe working condition, and shall be connected to the source of said electric power in a safe manner.
5. Every dwelling and dwelling unit shall have heating facilities which are installed in an approved manner, are maintained in safe and good working condition, and are capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms located herein to a temperature of at least seventy degrees (70°) Fahrenheit; provided that bedrooms in existing dwelling may be excluded for this requirement as approved by the City Building Inspector. Such heating equipment shall be operated as reasonable necessary to maintain a temperature in all habitable rooms of seventy degrees (70°) Fahrenheit, a distance of three (3) feet above floor level, under ordinary minimum winter conditions.
6. Every public hall or stairway in or leading into a dwelling containing two (2) or more dwelling units or rooming house shall be adequately lighted.
7. During that portion of each year when the City Building Inspector deems it necessary for protection against mosquitoes, flies and other insects, every window or other direct opening to outdoor space from the dwelling; used or intended to be used for ventilation, shall likewise be supplied with screens; provided that screens shall not be required in windows or other openings above the third floor of any dwelling. All screens shall be adequate to exclude insects.
8. Every basement window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with a screen or other such device as will effectively prevent their entrance.

## **The City of Iron Mountain Lake, Missouri**

### **Article 8. General Requirements for Construction and Maintenance.**

No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

1. Every foundation, floor, exterior wall, and roof shall be reasonably watertight, weather-tight, and rodent proof, and shall be kept in sound conditions and good repair; provided that all wood composition and metal siding shall be surface-coated as required to prevent deterioration.
2. Every floor, interior wall, and ceiling shall be kept in sound condition and good repair, and constructed of a building material recognized for that purpose.
3. Every window and exterior door shall be reasonably watertight, weather-tight, and rodent proof, and shall be kept in sound working condition and in good repair.
4. Every inside and outside stair, every porch and every appearance thereto, shall be capable of supporting the load that normal use may cause to be placed thereon; and shall be kept in sound conditions and good repair. Structurally sound handrails shall be provided on any steps containing four (4) risers or more. Porches, patios and/or balconies located more than thirty (30) inches higher than the adjacent areas shall have structurally sound protective guard or handrails.
5. Every plumbing fixture and water and waste pipe shall be properly installed and in good sanitary working condition, free from defects, leaks and obstruction.
6. Every toilet room floor surface and bathroom floor surface shall be constructed and installed that it will function safely and effectively and shall be maintained in satisfactory working condition.
7. Every supplied facility, piece of equipment, or utility shall be constructed and installed that it will function safely and effectively and shall be maintained in satisfactory working condition.

### **Article 9. Minimum Space, Use and Location Requirements.**

No person shall occupy or let to another for occupancy any dwelling units, for the purpose of living therein, which does not comply with the following requirements:

1. Every dwelling unit shall contain at least seventy-five (75) feet of floor space for the first occupant thereof and at least fifty (50) additional square feet of floor space for the first occupant thereof and at least fifty (50) additional square feet of floor space for the first occupant

## **The City of Iron Mountain Lake, Missouri**

thereof and at least fifty (50) additional square feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of total habitable room area. For the purpose of this Section, an infant under the age of twelve (12) months shall be deemed to be an occupant.

2. At least one-half (1/2) of the floor area of every habitable room shall have a ceiling height of at least seven (7) feet; and the floor area of that part of any room where the ceiling is less than five (5) feet shall not be considered as part of the floor area in ceiling is less than five (5) feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.
3. No basement shall be used as an habitable room or dwelling unit unless, in addition to complying with subsection (2), in complies with the following requirements:
  - a. The floor and walls are impervious to leakage of underground and surface runoff water.
  - b. The window area in each room is equal to the minimum window area required in Section 7 (1) of this ordinance; and such required window area is located entirely above the grade of the ground adjoining such window areas; provided that the window area below grade may be acceptable according to the provisions and design of a window well as determined by the City Building inspector.
  - c. The facilities for ventilation in each room area equal to at least the minimum as required under Section 7(2) of this ordinance, except where there is supplied some other device according adequate ventilation and approved by the City Building Inspector.

### **Article 10. Responsibilities of Owners and Occupants.**

- A. Every owner of a dwelling containing two (2) or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof. The owner shall keep the shared or public areas of the premises free of liger, trash salvage materials, junk, and unless stored properly, building materials. The owner shall keep such premises reasonably free of breeding, harboring and feeding places for rodents and insects and shall maintain such premises free of weed nuisances.
- B. Every occupant of a dwelling or dwelling unit shall:
  1. Keep in a clean and sanitary conditions that part of the dwelling, dwelling unit and premises thereof which he/she occupies and control.

## **The City of Iron Mountain Lake, Missouri**

2. Keep such premises free of litter, trash, salvage materials, junk and unless stored properly building materials.
  3. Keep such premises reasonably free of breeding, harboring, and feeding places for rodents and insects, and shall keep such premise free of weed nuisances.
  4. Dispose of all his/her trash in a clean and sanitary manner by placing it in the trash containers required in this ordinance.
  5. Dispose of all his/her garbage and any other organic waste which might provide food for rodents, in a clean and sanitary manner, by placing it in the garbage disposal facilities or garbage storage containers required in this ordinance.
  6. Keep all plumbing fixtures, therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.
- C. Every owner of a dwelling unit shall be responsible for:
1. Maintaining all accessory, auxiliary, or minor structures on the premises in a clean and sanitary manner, free of rodents and so as not to constitute a fire hazard.
  2. Supplying screens as required under the provisions of this ordinance or of any rule or regulation adopted pursuant thereto.
  3. Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises and every occupant of a dwelling unit in a dwelling containing more than one (1) dwelling unit shall be responsible for such extermination whenever his/her dwelling unit is the only one infested. Notwithstanding the foregoing provisions of this Section, whenever infestation is caused by the failure of the owner or operator to maintain a dwelling in a rat-proof or reasonably insect-proof condition, extermination shall be the responsibility of the owner or operator. Whenever infestation exists in two (2) or more of the dwelling units in any dwelling or in the shared or public parts of any dwelling containing two (2) or more of the dwelling units in any dwelling or in the shared or public parts of any dwelling containing two (2) or more dwelling units, extermination thereof shall be in the responsibility of the owner or operator.

### **Article 11. Rooming Houses.**

- A. No person shall operate a rooming or boarding house unless he/she holds a valid permit issued by the City Building Inspector in the name of the operator and for the specific dwelling or dwelling unit. The operator shall apply to the City Building inspector for such permit, which shall be issued by the City Building Inspector upon compliance by the operator

## **The City of Iron Mountain Lake, Missouri**

with the applicable provisions of this or any other applicable code and of any rules and regulations adopted pursuant thereto. This permit shall be displayed in in a conspicuous place at all times. No permit shall be transferable. Every such permit shall expire at the end of one (1) year following its date of issuance unless sooner suspended or revoked as hereinafter provided.

- B. Whenever upon inspection of any rooming or boarding house the City Building inspector finds that conditions of practices exist which are in violation of any provisions of this or any other applicable code or of any rule or regulation adopted pursuant thereto, the City Building Inspector shall give notice in writing to the operator of such rooming or boarding house that unless such conditions or practices are corrected within a reasonable period, to be determined by the City Building Inspector, the operator's permit will be suspended. At the end of such period, the City Building Inspector, shall re-inspect such rooming or boarding house, and if he/she finds that such conditions or practices have not been corrected, he/she shall give notice to the operator that the latter's permit has been suspended. Upon receipt for notice of suspension, such operator that the latter's permit has been suspended. Upon receipt for notice of suspension, such operator shall immediately cease operation of such rooming or boarding house, and no person shall occupy for sleeping or living purposes any rooming until therein.
- C. Any person whose permit to operate a rooming or boarding house has been suspended, or who has received notice from the City Building Inspector that his/her permit is to be suspended unless existing conditions or practices at his/her rooming or boarding house are corrected, may request and shall be granted a hearing on the matter before the housing committee under the procedure provided by this Ordinance; provide that if no petition for such hearing is filed within ten (10) days following the day on which the permit was suspended, such permit shall be deemed to have been automatically revoked.
- D. There shall be supplied at least one (1) water closet, lavatory basin, and bathtub or shower, properly connected to a water system and a sewage system approved by the City Building Inspector and in good working condition for each eight (8) persons or fraction thereof, residing within a rooming house, including members of the operator's family wherever they share the use of such facilities, provided that in a rooming house where rooms are let only to males, flush urinals may be substituted for not more than one-half (1/2) of the required number of water closets. All facilities shall be located within the dwelling so as to be reasonably accessible from a common hall or passageway to all persons sharing such

## **The City of Iron Mountain Lake, Missouri**

facilities. Every lavatory basin, bathtub or shower shall be supplied with hot water at all times.

- E. The operator of every rooming house shall:
  - 1. Supply clean and sanitary bed linen and towels.
  - 2. Change bed linen and towels therein at least once each week and prior to the letting of any room to any occupant.
  - 3. Be responsible for the maintenance of all parts of the rooming house and the premise thereof, in a clean and sanitary condition.
- F. Every room occupied for sleeping purposes by one (1) person, shall contain at least seventy (70) feet of floor space and every room occupied for sleeping purposes by more than one (1) person shall contain at least fifty (50) square feet of floor space for each occupant thereof.
- G. Every rooming unit shall have approved, safe, unobstructed direct means of egress leading to safe and open space at ground level which is accessible to a public street or alley.
- H. Every provision of this Ordinance which applies to rooming houses, shall also apply to hotels and motels, provided that motel units containing cooking facilities or kitchens shall be deemed to be dwelling units and shall comply with the applicable provisions of this Ordinance.
- I. Every rooming house shall contain at least one (1) smoke/fire detector in operating condition for each floor or living area.

### **Article 12. Inspection**

The City Building Inspector is hereby authorized and directed to make inspections to determine the condition of dwellings, dwelling units, rooming units, and premises within the City, in order that he/she may perform his/her duty to safeguarding the health and safety of the occupants of dwellings and of the general public, and in order that he/she may ascertain that the standards for dwellings, as set forth in this ordinance, are properly maintained. For the purposes of making such inspection, the City Building inspector is hereby authorized to enter, examine, and survey at any reasonable times for the purpose of inspection examination, and survey... In the event of necessity the City Building Inspector shall procure right to entry and inspection by application to and proper orders from a court of competent jurisdiction. Every occupant of a dwelling or dwelling unit shall give the owner thereof, of his/her agent or employee, access to any part of such dwelling units or its premises at all reasonable times for the purposes of this ordinance, or with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this ordinance.

### **Section 13. Conflict with other ordinances.**



## **The City of Iron Mountain Lake, Missouri**

This ordinance establishes minimum standards for dwelling units and other residential buildings and does not replace or modify standard otherwise established for the construction, replacement, or repair of buildings, except such as in conflict with the provisions of this ordinance.

THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND APPROVAL.

DATE OF FIRST READING: 02/23/2009

DATE OF SECOND READING: 02/23/2009

PASSED AND APPROVED THIS 23<sup>RD</sup> DAY OF FEBRUARY, 2009

Jody Niccum

Mayor

Attest:

Julie Bennett

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 77 – PURCHASING PROCEDURES**  
Original Ordinance

Bill 09-005

Ordinance Number 77

**PURCHASING PROCEDURES.**

WHEREAS, THE CITY OF IRON MOUNTAIN LAKE DEEMS IT NECESSARY TO HAVE PRUDENT FINANCIAL PROCEDURES. THE FOLLOWING FINANCIAL PROCEDURES ARE INTENDED TO SAVE PUBLIC MONIES AND CERTAIN PROCEDURES NEED TO BE ESTABLISHED IN ORDER TO FACILITATE PRUDENT SPENDING.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**Article I. Purchasing Procedures.**

- A. Purchase Orders: All purchases require the completion, submittal, and approval of a purchase order. Purchase orders shall be completed according to the instructions included.
- B. The Mayor or his designee shall be responsible for reviewing and approving all supporting documentation has been completed. The City Treasurer shall also be responsible for monitoring purchases and bringing to the attention of the Mayor any purchases or purchasing practices that may be considered unethical, improper, in violation of the stated procedures, or could be construed as a conflict of interest.
- C. Responsibilities of the Mayor/City Treasurer/ Board of Aldermen: the City Treasurer shall have the authority to reject any purchase order that has not been completed according to the stated procedures, or return to the department any purchase order that requires additional attention. The City Treasurer shall provide guidance to city personnel on purchasing procedures and guidelines. Any questions or instances not addressed by this procedure shall be referred to the Mayor for determination on whether to refer to the Board of Aldermen for consideration or amendment of the policy.

# **The City of Iron Mountain Lake, Missouri**

## **Article II. Purchasing Guidelines:**

The following guidelines shall apply to purchases of items that have been approved, either generally or specifically, in the budget.

- A. Purchases of less than \$50.00 requires a purchase order. The department placing the order should ensure, when possible, that such items are acquired at the lowest possible price, considering all relevant factors.
- B. Purchases over \$50.00 are required to solicit at least 3 competitive quotes, and obtain a purchase order approved by the Mayor. Quotes may be solicited verbally, and may be submitted verbally, and documented on the purchase order or may be submitted in writing, via mail, fax, or hand deliver, and attached to the purchase order.

## **Article III. Exceptions/Deviations from the stated purchase procedures:**

The following situations may require deviation from the stated procedures. All such deviations shall be approved by the Mayor.

- A. Sole Source purchases: In the event there is only one acceptable vendor capable of furnishing a particular service or commodity, the Mayor shall be authorized to approve a purchase order requesting such a purchase. The requesting department shall be required to document the reasons why there are no other vendors capable of supplying the service or commodity on the Purchasing worksheet. The City treasurer shall have the authority to require additional quotes if these reasons are not sufficient to warrant a sole source purchase, and shall consult with the Mayor as necessary. Any disputes between the department and City Treasurer shall be directed to the Mayor.
- B. Emergency Purchases: Emergency situations allowing emergency purchases shall be defined as those in which the operation of a department would be hampered, or when the protection and preservation of public property or life would not be possible without action requiring an emergency purchase, and required procedures are not possible. Such purchases, not exceeding \$500.00 may be made after Mayor Approval. Any emergency purchase in excess of \$500.00 must be approved by the Mayor and Board of Aldermen with a completed purchase order.

## **Article IV. Subdivision of Contract:**

No purchase, agreement, or contract for services may be subdivided to avoid the requirements of this policy.

## **The City of Iron Mountain Lake, Missouri**

### **Article V.**

No one may encumber the City of Iron Mountain Lake without a purchase order.

### **Article VI.**

Any and all ordinances and resolution of the City of Iron Mountain Lake found to be in conflict with the provisions of this ordinance, whole or in part are hereby repealed.

### **Article VII.**

This ordinance shall be in full force and effect upon its passage.

DATE OF FIRST READING: 2/23/09

DATE OF SECOND READING: 2/23/09

PASSED AND APPROVED THIS 23<sup>RD</sup> DAY OF FEBRUARY, 2009.

Jody Niccum

Mayor

Attest:

Julie Bennett

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 78 – FIREWORKS**

### **Original Ordinance**

Bill Number 09-25

Ordinance Number 78

#### **ORDINANCE NUMBER 78: AN ORDINANCE PERTAINING TO FIREWORKS WITHIN CITY LIMITS:**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS  
FOLLOWS:**

#### **Article I: Definitions/Fireworks Generally Prohibited:**

##### **Section 1:**

As used in this ordinance the term “fireworks” means any composition or device for producing a visible, audible, or both visible and audible effect by combustion, deflagration, or detonation and that meets the definition of consumer, proximate, or display fireworks as set forth by 49 CFR Part 171 to end, United States Department of Transportation hazardous materials regulations, and American pyrotechnics Association 87-1 standards including “consumer fireworks,” explosive devices designed primarily to produce visible or audible effects by combustion and includes aerial devices and ground devices, all of which are classified as fireworks, UNO 336, 1.4G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class C common fireworks by regulation of the United States Department of Transportation and “Display Firework,” explosive devices designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This term includes devices containing more than two grains (130 mg) of explosive composition intended for public display. These devices are classified as fireworks, UNO 335, 1.3G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class B display fireworks by regulation of the United States Department of Transportation.

##### **Section 2:**

Unless otherwise prescribed in this ordinance, the detonation, use or display of fireworks is prohibited within the City limits of Iron Mountain Lake, Missouri.

#### **Article II: Fireworks Allowed During Certain Dates and Times:**

## **The City of Iron Mountain Lake, Missouri**

### **Section 1:**

Fireworks may be detonated, used or displayed from 10:00 AM on July 3<sup>rd</sup> until 12:00 AM on July 4<sup>th</sup>; from 10:00 AM on July 4<sup>th</sup> until 12:00 AM on July 5<sup>th</sup>; and from 10:00 AM on July 5<sup>th</sup> until 12:00 AM on July 6<sup>th</sup>.

### **Section 2:**

Fireworks may be detonated, used or displayed from 11:00 PM on December 31<sup>st</sup> until 12:30 AM on January 1<sup>st</sup>.

### **Article III: Mayor or Police Chief May Suspend Use of Fireworks:**

During the dates and times specified in Article II, Sections 1 and 2 of this ordinance, the Mayor or Chief of Police may issue an order suspending the detonation, use or display of fireworks due to dry and or windy conditions. If the Mayor or Chief of Police issue an order suspending the detonation, use or display of fireworks, the Mayor or Chief of Police may issue an order allowing the detonation, use or display of fireworks from 10:00 AM to 12:00 AM of the very next day within the month of July or January.

### **Article IV: Public Displays Allowed**

#### **Section 1:**

Nothing in this ordinance shall be construed as prohibition on any Civic, Charitable, or Service group or organization or Governmental or Quasi-Governmental entity from putting on a display of fireworks for the public within city limits on special occasions within reasonable hours.

#### **Section 2:**

Any Civic, Charitable, or Service group or organization or Governmental or Quasi-Governmental entity that wants to put on a public display of fireworks within city limits shall first apply for a permit from the Board of Alderman stating the date, time, and place for the public display of fireworks within city limits. There shall be no cost for this application or permit. Upon approval by a majority of the Board of Alderman, a permit shall be issued for the date, time and location in the application.

#### **Section 3:**

The Mayor or Chief of Police, after consultation with the sponsoring organization or entity, may suspend the permit for public display of fireworks within city limits due to dry and/or windy conditions. Nothing in this section shall be construed to prevent a sponsoring organization or entity from re-scheduling a public display of fireworks due to weather or other reasons under Section 4 of Article IV of this ordinance.

#### **Section 4:**

In the event that weather or other circumstances prevent the public display of fireworks within city limits as specified by permit, the Mayor, in conjunction with the sponsoring organization or entity may re-schedule

## **The City of Iron Mountain Lake, Missouri**

the public display within thirty (30) days without the requirement of applying for a new permit.

### **Article V: Effective Date:**

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

DATE OF FIRST READING: 9, NOVEMBER, 2009

DATE OF SECOND READING: 9, NOVEMBER, 2009

PASSED AND APPROVED: THIS 9<sup>TH</sup> DAY OF NOVEMBER 2009

Eugene Henson  
Mayor

ATTEST:  
Toni Blum  
City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 79 – DONATED REAL PROPERTY**  
Original Ordinance

Bill Number 09-026  
Ordinance Number 79

**ORDINANCE NUMBER 79: AN ORDINANCE ACCEPTING THE DONATION OF  
REAL PRPERTY BY THE CITY OF IRON MOUNTAIN LAKE, MISSOURI**

WHEREAS, MR. THOMAS PEARSON AND CHARLES AND BRENDA ALLEN DESIRE  
AND AGREE TO DONATE CERTAIN LOTS OF REAL PROPERTY TO THE CITY  
OF IRON MOUNTAIN LAKE, MISSOURI TO BE USED BY THE CITY; AND

WHEREAS, THE CITY OF IRON MOUNTAIN LAKE, MISSOURI PLANS TO UTILIZE  
SAID REAL PROPERTY FOR THE BENEFIT OF THE CITY AND THE CITIZENS  
OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI;

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS  
FOLLOWS:**

**Article I:**

The Board of Alderman accept the donation of the real property described as:

All of Lots 1138, 1139, 1140, 1141 and 1142, Iron Mountain  
Lake, as shown on a plat thereof, recorded in Plat Book 5 at  
page 36 of the Land Records of St. Francois County,  
Missouri.

**Article II:**

In accepting the donation of said property, it is noted that they Mayor had a title  
search performed, and will authorize acceptance of a General Warranty Deed  
from the Grantors, Mr. Thomas Pearson and Charles T. Allen and Brenda D.  
Allen.

**Article III:**

The Board of Alderman authorizes the Mayor, on behalf of the City and the Board  
of Alderman, to sign the Donation Agreement as well as any other documents  
connected with this gift transaction. The Board of Alderman authorizes receipts  
to be issued to the Grantors.



## **The City of Iron Mountain Lake, Missouri**

### **Article IV:**

This ordinance shall be in full force and effect upon passage.

DATE OF FIRST READING: 28, DECEMBER 2009

DATE OF SECOND READING: 28, DECEMBER 2009

PASSED AND APPROVED: THIS 28<sup>TH</sup> DAY OF DECEMBER 2009

Eugene Henson  
Mayor

ATTEST:  
Toni R. Blum  
City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 80 – PARK BOARD TAX LEVY**

### **Original Ordinance**

Bill Number 10 -001  
Ordinance Number 80

#### **ORDINANCE NUMBER 80: AN ORDINANCE AUTHORIZING AN ELECTION FOR A PARK TAX AND ESTABLISHMENT OF A PARK TAX FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI**

WHEREAS, Section 90.010 through 90.500 RSMO. Allows an annual tax to be levied for the establishment and maintenance of free public parks and pleasure grounds in the incorporated city or town, and providing for suitable entertainment therein upon an affirmative vote of the citizens of the City; and

WHEREAS The City of Iron Mountain Lake, Missouri is an incorporated city of the fourth class with less than thirty thousand (30,000) residents; and

WHEREAS, a petition containing the signatures of more than one hundred (100) residents of The City of Iron Mountain Lake, Missouri was submitted on January 11, 2010 to the Mayor and Board of Alderman of The City of Iron Mountain Lake requesting that a park tax be placed upon the ballot for the April 6, 2010 Municipal Election. The petition specified the rate of the tax levy is to be two mills per one dollar, which is equal to 0.0002 cents per one hundred dollars assessed valuation; and

WHEREAS no ordinance enacted pursuant to the authority granted by the provisions of said Sections shall be effective until it has been submitted to the qualified voters of The City of Iron Mountain Lake, Missouri and approved by a majority of the qualified voters voting thereon.

#### **NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

**Article I:** That Pursuant to the authority granted by and subject to the provisions of Sections 90.010 and 90.500 RSMO, The City of Iron Mountain Lake, Missouri may levy an annual tax for the establishment and maintenance of parks and pleasure grounds. The City of Iron Mountain Lake shall levy an annual tax in the amount of two mills per dollar or 0.0002 of one cent per one hundred dollars assessed valuation to be used for the establishment and maintenance of parks and pleasure grounds. Said tax shall be levied and collected in like manner with other general taxes of The City of Iron Mountain Lake, Missouri, but the funds received therefrom shall be kept separate and apart from all other funds of the City and shall be deposited into the park fund.

## **The City of Iron Mountain Lake, Missouri**

**Article II:** That the issue of whether The City of Iron Mountain Lake, Missouri shall be submitted to the voters of The City of Iron Mountain Lake at the Municipal Election on April 6, 2010.

**Section 1:** That the question submitted to the voters on the ballot shall read as follows:

**YES**

**Shall a cent tax per one hundred dollars assessed valuation be levied for public parks in The City of Iron Mountain Lake, Missouri?**

**NO**

**Ordinance No. 80 of the City of Iron Mountain Lake, Missouri  
Passed January 25, 2010 imposing a tax to be levied and collected in the same manner as general taxes of the City at the rate of a cent per one hundred dollars assessed valuation.**

**The voter desires to vote in favor of said ordinance shall place a cross mark (x) in the square opposite the word “YES” or in the case of the use of voting machines shall pull the lever so as to place a cross mark (x) in such square opposite such word. The voter who desires to vote against said ordinance shall place a cross mark (x) in the square opposite the word “NO” or in the case of the use of voting machines shall pull the lever so as to place a cross mark (x) in the square opposite said word.**

**Article III:** If the majority of the qualified voters voting at said election shall vote in favor of the approval of this ordinance, then the same shall be binding and in full force and effect.

**Article IV:** Within ten (10) days of after the approval of this ordinance by the qualified voters of The City of Iron Mountain Lake, Missouri by United States registered mail or certified mail, a certified copy of this ordinance together with the certification of the election returns and accompanied by a map of the City clearly showing the boundaries thereof. This ordinance shall be in full force and effect from and after the **25<sup>th</sup>** day of **January, 2010**

Date of First Reading: 25 January 2010

Date of Second Reading: 25 January 2010

## The City of Iron Mountain Lake, Missouri

Passed and Approved: THIS 25<sup>th</sup> DAY OF January 2010

**By the following vote of the Mayor and Board of Aldermen meeting in a duly authorized public meeting.**

**Vote:**

Aye	<b>X</b>	No	Alderman Josh Skaggs
Aye	<b>X</b>	No	Alderwoman Nancy Anderson
Aye	<b>X</b>	No	Alderwoman Connie Beard
Aye	<b>X</b>	No	Alderman Brian Goodman
Aye	<b>X</b>	No	Alderwoman Linda Dicus
Aye	<b>X</b>	No	Alderman Todd Loucks

Eugene Henson  
Mayor

ATTEST:  
Toni Blum  
City Clerk

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### Amendment to Authorize Park Tax

**AN AMENDMENT TO ORDINANCE 80: AN ORDINANCE AUTHORIZING  
AN ELECTION FOR A PARK TAX AND ESTABLISHMENT OF A PARK  
TAX FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI**

## **The City of Iron Mountain Lake, Missouri**

WHEREAS, Section 90.010 through 90.500 RSMO. Allows an annual tax be levied for the establishment and maintenance of free public parks and pleasure grounds in the incorporated city or town, and providing for suitable entertainment therein upon an affirmative vote of the citizens of the City; and

WHEREAS, The City of Iron Mountain Lake, Missouri is an incorporated city of the fourth class with less than thirty thousand (30,000) residents; and

WHEREAS, a petition containing the signatures of more than one hundred (100) residents of The City of Iron Mountain Lake, Missouri was submitted on January 11, 2010 to the Mayor and Board of Alderman of The City of Iron Mountain Lake requesting that park tax be placed upon the ballot for April 6, 2010 municipal election. The petition specified the rate of the tax levy is to be two mills per one dollar, which is equal to 0.0002 cents per one hundred dollars assessed valuation; and

WHEREAS, no ordinance enacted pursuant to the authority granted by the provisions of said sections shall be effective until it has been submitted to the qualified voters of The City of Iron Mountain Lake, Missouri and approved by a majority of the qualified voters voting thereon;

WHEREAS, there were typographical errors on the ordinance and on the ballot that need to be corrected.

WHEREAS, the amount of the tax on the ballot language was less than the maximum allowed statute; and

WHEREAS, the voters approved the tax at the amount of a cent per one hundred dollars assessed valuation, which is less than two mill or twenty cents per one hundred dollar assessed valuation limit imposed by statute<sup>1</sup>

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, THAT ORDINANCE 80 BE FOLLOWS AMENDED AS:**

**Article I:** That Pursuant to the authority granted by and subject to the provisions of Sections 90.010 and 90.500 RSMO. The City of Iron Mountain Lake, Missouri may levy an annual tax for the establishment and maintenance of parks and pleasure grounds. The City of Iron Mountain Lake shall levy an annual tax in the amount of **a cent** per one

## **The City of Iron Mountain Lake, Missouri**

hundred dollars assessed valuation to be used for the establishment and maintenance of parks and pleasure grounds. Said tax shall be levied and collected in like manner with other general taxes of The City of Iron Mountain Lake, Missouri, but the funds received therefrom shall be kept separate and apart from all other funds of the City and shall be deposited into the park fund.

**Article II:** That the issue of whether The City of Iron Mountain Lake, Missouri shall be submitted to the voters of The City of Iron Mountain Lake at the Municipal Election on April 6, 2010.

**Section 1:** That the question submitted to the voters on the ballot shall read as follows:

**YES**

**Shall a cent tax per one hundred dollars assessed valuation be levied for public parks in The City of Iron Mountain Lake, Missouri?**

**NO**

**Ordinance No. 80 of The City of Iron Mountain Lake, Missouri passed January 25, 2010 imposing a tax to be levied and collected in the same manner as general taxes of the City at the rate of a cent per one hundred dollars assessed valuation.**

**The voter desires to vote in favor of said ordinance shall place a cross mark (x) in the square opposite the word “YES” or in the case of the use of voting machines shall pull the lever so as to place a cross mark (x) in such square opposite such word. The voter who desires to vote against said ordinance shall place a cross mark (x) in the square opposite the word “NO” or in the case of the use of voting machines shall pull the lever so as to place a cross mark (x) in the square opposite said word.**

**Article III:** If the majority of the qualified voters voting at said election shall vote in favor of the approval of this ordinance, then the same shall be binding and in full force and effect.

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Ordinance to Accept tax

## **The City of Iron Mountain Lake, Missouri**

BILL NUMBER 80

ORDINANCE NUMBER 10-001

### **AN ORDINANCE TO ACCEPT A 2 MIL TAX LEVY FOR THE PARK BOARD TO BE PUT ON THE APRIL BALLOT**

**NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMAN FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS  
FOLLOWS:**

To accept a 2 mil Tax Levy to be put on the April Ballot

This ordinance shall be in full force and effect upon its passage and approval.

DATE OF FIRST READING: \_\_\_\_\_

DATE OF SECOND READING: \_\_\_\_\_

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 81 -**  
Original Ordinance

Bill Number 10-002

Ordinance Number 81

**ORDINANCE NUMBER 81: AN AMENDMENT TO ORDINANCE 59 AUTHORIZING  
TAX COLLECTION CONTRACT WITH ST. FRANCOIS COUNTY FOR THE PERIOD  
MARCH 1, 2010 THROUGH February 28, 2011**

WHEREAS, the contract with St. Francois County must be renewed annually, and

WHEREAS, the renewal of this contract is in the best interest of the City.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS  
FOLLOWS:**

**Article I:**

Section 1 of ordinance #59 shall be amended to read as follows: **Mayor and City Clerk Authorized to Sign Contract.** The Mayor and City Clerk of The City of Iron Mountain Lake, Missouri are hereby authorized to sign a contract **for the period March 1, 2010 through February 28, 2011** with St. Francois County officials by which the county agrees to collect ad valorem property taxes for the City in return for fees totaling 2% of the amount collected.

**Article II: Clerk to Affix Seal, Record Deed.**

The City Clerk is directed to affix the City's seal to said contract, and to see that the same is promptly returned to the county Collector.

**Article III: Effective Date:**

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

DATE OF FIRST READING: 17 FEBRUARY 2010

DATE OF SECOND READING: 17 FEBRUARY 2010

PASSED AND APPROVED: THIS 17<sup>TH</sup> DAY OF FEBRUARY 2010



## **The City of Iron Mountain Lake, Missouri**

Eugene Henson  
Mayor

ATTEST:  
Toni Blum  
City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 82**

### **Original Ordinance**

Bill Number 11-006  
Ordinance Number 82

#### **ORDINANCE NUMBER 82: AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY OF IRON MOUNTAIN LAKE TO ESTABLISH A SURCHARGE FOR ALL ALLOWABLE CRIMINAL CASES AND TRAFFIC CASES AND ESTABLISHING AN INMATE SECURITY FUND PURSUANT TO SEC 488.5026 RSMO.**

WHEREAS, Section 488.5026 RSMO authorizes The City of Iron Mountain Lake, Missouri to enact an ordinance creating an inmate security fund in the City through the creation of surcharge on certain criminal cases and traffic violations; and

WHEREAS, Iron Mountain Lake Mayor and Board of Aldermen desire to enact such an ordinance to provide for all lawful purposes permitted in the enabling statute; and

WHEREAS, Iron Mountain Lake Mayor and Board of Aldermen determines that such an enactment as in the best interest of the citizens of Iron Mountain Lake, Missouri

#### **NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

##### **Article I:**

The Mayor and Board of Aldermen of Iron Mountain Lake hereby adopts the Ordinance authorizing the surcharge permitted under Sec. 488.5026 RSMO to be placed on the appropriate criminal cases and traffic cases processed in Iron Mountain Lake, Missouri.

##### **Article II:**

The Mayor and Board of Aldermen of Iron Mountain Lake, hereby directs that the court clerk assess the collect such surcharge as authorized by state law and this ordinance; and to pay over to the Iron Mountain Lake treasurer the amounts collected as the surcharge authorized under Sec. 488.5026 RSMO.

##### **Article III:**

The funds are sent to the St. Francois County treasurer, where an account is set up and entitled "Inmate Security Fund." Funds are collected and deposited by the treasurer.

##### **Article IV:**

## The City of Iron Mountain Lake, Missouri

If any part of the Ordinance is determined in court of competent jurisdiction to be invalid or unenforceable, such part shall be severable from the ordinance and the remaining parts shall remain in force and effect.

### Article V: Effective Date:

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

DATE OF FIRST READING: 9 MAY 2011

DATE OF SECOND READING: 9 MAY 2011

PASSED AND APPROVED: THIS 9<sup>TH</sup> DAY OF MAY 2011

**By the following vote of the Mayor and Board of Aldermen meeting in a duly authorized public meeting.**

### Vote:

Aye	<b>X</b>	No	Alderman Bryan Goodman
Aye	<b>X</b>	No	Alderman Dan Edwards
Aye	<b>X</b>	No	Alderman Bob Lincoln
Aye	<b>X</b>	No	Alderman Rodger Stodgell

Eugene Henson  
Mayor

ATTEST:  
Sarah Douglas  
City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 83**  
Original Ordinance

Amendment 1 – change in personnel policies

**AN AMENDMENT TO ORDINANCE NUMBER 83: PERSONNEL POLICIES AND  
PUBLICATION OF PERSONNEL POLICIES IN AN EMPLOYEE HANDBOOK**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS  
FOLLOWS:**

Article III:

Any amendments to the Personnel Policies of the City of Iron Mountain Lake,  
Missouri shall be made by amendment to this Ordinance:

**Section One.**

**That the following shall be added to the Iron Mountain Lake  
Personnel Policies in the Employee Handbook:**

**EMPLOYEE EVALUATION AND ADDITIONAL  
COMPENSATION INCENTIVE PLAN**

Annually, the Board of Aldermen may set aside an amount for additional compensation for all city employees who are evaluated as exceeding or meeting the expectations that come with each employee's job. The Mayor and Chief of Police shall prepare a written evaluation of each employee before the end of each calendar year. Said evaluation shall be shared with the employee. The evaluation shall rate each employee as "Exceeds Expectations;" "Meets Expectations;" or "Does Not Meet Expectations." Each evaluation will become part of the employee's personnel file.

## The City of Iron Mountain Lake, Missouri

Employees who are evaluated as “Exceeds Expectations,” or “Meets Expectations” in his or her employee evaluation shall receive the additional compensation provided that there are funds available. Said additional compensation shall be in addition to the employee’s regular salary or hourly rate.

Employees who are rated “Does Not Meet Expectations” shall be given a plan for meeting expectations within three (3) months.

If there are no funds available for additional compensation at the end of the calendar year, the Mayor and the Board of Alderman shall meet to determine another incentive in lieu of additional compensation for employees who are eligible for additional compensation.

### Article IV: Effective Date:

The amendment contained in this ordinance shall be in full force and effect from the date of its passage.

DATE OF FIRST READING:

DATE OF SECOND READING:

PASSED AND APPROVED: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

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## **The City of Iron Mountain Lake, Missouri**

**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 84**  
Original Ordinance

Bill Number 11-008  
Ordinance 84

**ORDINANCE NUMBER 84: ADOPTION OF PERSONNEL POLICIES AND  
PUBLICATION OF PERSONNEL POLICIES IN AN EMPLOYEE HANDBOOK**

WHEREAS, The City of Iron Mountain Lake, Missouri seeks to clarify and publish its Personnel Policies; and

WHEREAS, The City of Iron Mountain Lake, Missouri shall publish these Personnel Policies;

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS  
FOLLOWS:**

**Article I:**

The Personnel Policies of the City of The City of Iron Mountain Lake, Missouri are contained in a document entitled Personnel Policies for The City of Iron Mountain Lake, Missouri.

**Article II:**

A copy of said document is incorporated by reference into this ordinance, and a copy of said document shall be included in this Ordinance.

**Article III:**

Any amendments to the Personnel Policies of The City of Iron Mountain Lake, Missouri shall be made by amendment to this Ordinance:

**Article IV: Effective Date:**

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

DATE OF FIRST READING: 18 AUGUST 2011

DATE OF SECOND READING: 18 AUGUST 2011

## **The City of Iron Mountain Lake, Missouri**

PASSED AND APPROVED: THIS 18<sup>TH</sup> DAY OF AUGUST 2009

Eugene Henson

Mayor

ATTEST:

Sarah Douglas

City Clerk

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# **The City of Iron Mountain Lake, Missouri**

## **PERSONNEL POLICIES FOR THE CITY OF IRON MOUNTAIN LAKE, MISSOURI**

### **FORWARD**

This document containing the Employee Policies of the City of Iron Mountain Lake, Missouri is a reference both for the Mayor & Board of Aldermen of the City of Iron Mountain Lake, Missouri & employees of Iron mountain Lake City government, as well as the other appointed officers of Iron Mountain Lake whose offices represent the basic functions of government in the City. It is intended to establish an efficient, equitable, and functional system of discipline, and other related conditions of employment. This manual and its policies are not intended to be a contract between The City of Iron Mountain Lake, Missouri and its employees, and does not create contractual rights for employees.

Such a document cannot be entirely specific for that defeats its long-range usefulness. This personnel policy manual has been designed to focus on general policies with a viewpoint toward making its text useful for many years to come. Even though the policies contained in this manual are intended to be comprehensive, any omissions do not restrict future legislative or administrative authority. From time to time, it will be necessary to make changes in content or application of the policies as the Mayor and Board of Aldermen deem appropriate, and these changes may be implemented even if they have not been communicated, reprinted or substituted in this handbook.

This document has been prepared as a guide to assist you during your employment with Iron Mountain Lake. It is understood that nothing in the manual or any other policy or communication changes the fact that employment is at-will for an indefinite period unless terminated at any time by you or the City of Iron Mountain Lake.

These policies are designed to avoid conflict with existing State statutes as well as with applicable federal regulations. Adherence to the United States Department of Labor Wage and interpreted to be in conflict with the United States Constitution, the Missouri Constitution, Federal Labor Law, and the Statutes of Missouri or interpretation of the law by federal courts. Should such omission or conflict appear, the appropriate state or federal laws or constitutions should take precedent.

### **EQUAL EMPLOYMENT OPPORTUNITY (EEO)**

The City of Iron Mountain Lake is an equal opportunity employer and complies with all applicable federal and state civil rights statutes, laws, and regulations. Discrimination is prohibited against any personal in employment or application of employment based on religion, race, color, national origin, ancestry, age, sex, marital status, disability, or political affiliation. All elected officials, supervisors and employees are responsible for compliance with all such laws governing equal employment opportunity. If for any reason you believe you are subject to discrimination, immediately contact your supervisor or the Mayor.

## **The City of Iron Mountain Lake, Missouri**

### **AT-WILL EMPLOYMENT**

Employees of The City of Iron Mountain Lake are employed on an at-will basis, which means that either the City or the employee may terminate employment at any time without restriction.

### **ALCOHOL & CONTROLLED SUBSTANCE USE, ABUSE, & TESTING**

It is the policy of the City to provide safe, dependable, and economical services to its citizens, to provide safe working conditions for its employees, and to comply with the requirements of federal law and regulations related to the Drug Free Work Place Act of 1988 and the Omnibus Transportation Employee testing Act of 1991. In addition, it makes the required certification for City grantees that may be the recipient of specific funds made available by the Federal Government and for which such a policy must be in effect.

To meet these goals, it is the policy of the City to ensure that its employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner; to create a workplace environment free from the adverse effects of alcohol & controlled substance abuse or misuse; to prohibit the unlawful manufacture, distribution, dispensing, possession or use of alcohol and controlled substances; and to encourage employees to seek professional assistance when personal problems, including alcohol and controlled substance dependency, adversely affect their ability to perform assigned duties

It is also the purpose of this policy to comply with all applicable federal and state regulations governing workplace alcohol and controlled substance abuse programs mandated and their above noted acts. These acts mandate urine drug testing and Breathalyzer alcohol tests for safety-sensitive functions when there is a positive test result. The federal law has also established standards for the collection and testing of urine and breath specimens for the reporting of certain drug-related offenses, for protective measures for certain employees tested, for the preservation of confidentiality, and for certain reporting.

The City requires that all employees behave in conformance with all requirements established by afore-mentioned acts, and any deviation will result in disciplinary action up to, and including, termination. Employee must notify the employer of any criminal drug statute conviction or plea of guilty to a violation occurring in the workplace no later than two (2) working days after such conviction. The City may, whenever deemed appropriate, authorize drug testing of employees to ascertain compliance. Each employee must abide by the above policy and realize compliance is a condition of their employment.

Any employee whose job performance requires the possession of a current and valid driver's or commercial driver's license and who loses said license for a violation or as a consequence of the law shall be subject to disciplinary action up to and including termination from employment. The employee shall notify the immediate supervisor of the loss of said license. Failure to notify the supervisor of the loss of said license shall result in immediate termination from the service.

# **The City of Iron Mountain Lake, Missouri**

## **HEALTH AND SAFETY**

All employees shall be responsible for performing work assignments in a safe manner. Prime consideration shall be given to safety requirements and practices applicable to their respective work assignments; actively observe safety practices, and report unsafe or potentially dangerous conditions and accidents or injuries to their supervisor immediately; refrain from engaging in horseplay, wrestling hazing of co-workers, and any other unsafe practice under penalty of disciplinary action up to and including dismissal; wear protective equipment; use protective devices and wear safety belts in all City vehicles so equipped; and report to supervisors any and all unsafe conditions of the work place.

## **APPLICANTS AND EMPLOYEES WITH DISABILITIES**

Assistance shall be available to applicants with disabilities who may require personal assistance to participate in the selection process. Such assistance shall include but not be limited to providing readers for the vision-impaired and written materials for the hearing impaired.

In determining whether an applicant or employee with a disability shall be accommodated, the following shall apply: the applicant or employee must make a documented request for reasonable accommodation; the elected official shall consult with the disabled individual regarding an appropriate accommodation; if the accommodation does not impose an undue hardship, the accommodation shall be implemented.

Assessing the reasonableness of the possible accommodations shall include the following factors:

- 1.) How well it accommodates the needs of the individual with a disability;
- 2.) How reliable it is;
- 3.) Whether it can be made available in a timely manner; and
- 4.) Whether it imposes an undue hardship defined as an action requiring significant difficulty or expense.

The Mayor shall make the final decision as to whether the accommodation is reasonable and does not present an undue hardship

## **ATTITUDE AND APPEARANCE**

A friendly and courteous attitude by City employees toward the public and coworkers is required at all times, similarly, employees are expected to deliver prompt, thorough, and efficient service to consumers to the best of their ability.

## **OVERTIME AND COMPENSATORY TIME**

The Mayor, Police Chief and any other supervisor employed by the City shall develop methods and procedures to maximize productivity and reduce or avoid the need for overtime. It is the responsibility of each employee to work as efficiently as possible to accomplish job tasks during regularly scheduled work hours. The Mayor shall approve arrangements for overtime work in

## **The City of Iron Mountain Lake, Missouri**

advance. A determining factor in the approval of overtime work is whether the work could be accomplished through rescheduling of employee work hours and allowance of time off in the same work period.

Overtime is based on work hours in excess of forty hours in the standard work week, except for law enforcement employees. Under provisions of the Fair Labor Standards Act (FLSA), work hours in excess of forty-three hours in the standard work week are adopted for law enforcement employees. Hours worked in excess of a standard work week covered by the provisions of the Fair Labor Standards Act (FLSA) shall be compensated monetarily at the rate of one and one-half (1.5) times for overtime worked Monday through Saturday, including Holidays. An employee must meet the 40 – hour plus work week, not simply exceed an 8-hour day, before being eligible for overtime compensation.

It is the prerogative of the Board to determine whether time worked in excess of 40 hours in a workweek, 43 hours for law enforcement employees, will be compensated monetarily or in the form of compensatory time. In so determining, the Mayor or Chief of Police shall issue a memorandum stating why the hours worked in excess of 40 hours in a workweek, or 43 hours for law enforcement employees, should be compensated monetarily or in the form of compensatory time.

### **PAY PERIOD**

Employees of The City of Iron Mountain Lake shall be paid weekly.

### **OFFICIAL TIMESEETS**

Every employee shall complete, on a daily basis, an official timesheet distributed by the City Clerk. The employee will complete it accurately and truthfully and all information on the timesheet will be verified by the employee and elected official of each office prior to submission to the City Clerk.

Reporting time period shall begin on the first day of the week and end on the last day of the week with the compensation payment to be made no later than the fifth day of the following month. Late timesheets, incomplete timesheets, inaccurate timesheets, and/or timesheets with projected time worked may result in the employee not receiving a paycheck for that timesheet until the next scheduled pay period.

The City Clerk shall maintain a record of any days taken and the number of days remaining for each that is entitled to the employee, and shall periodically submit copy of same to each employee. Upon request, employees shall have access to review their own records maintained by the City Clerk.

### **REGULAR WORK HOURS**

The work week for Employees of The City of Iron Mountain Lake shall begin at 12:01 a.m. on Sunday and end at 11:59 p.m. on Saturday. Regular working hours for all full-time employees shall be forty (40) hours and forty-three (43) hours for law enforcement employees as defined by FLSA. The Mayor, Police Chief and any other supervisor employed by the City shall

## **The City of Iron Mountain Lake, Missouri**

arrange work schedules to meet the needs of the City on a current basis and give reasonable notice of changes in work schedules. Regular and punctual attendance at work shall be required of all employees who fail to observe attendance requirements and procedures for recording and reporting of attendance shall be subject to disciplinary action.

### **CITY HALL HOURS AND CLOSINGS**

With the exception of the Police Department Offices the Iron Mountain Lake City Hall shall be open Monday through Thursday from 8:00 a.m. to 4:00 p.m., with remaining open during the noon hour strongly recommended. It may sometimes be necessary to order the City Hall closed. The authority for reaching such a decision lies with the Mayor. Every attempt will be made, in ordering closure to notify every person affected in ample time to prepare. City Hall closure for non-weather reasons, such as some funerals and some elections, will receive ample prior notification.

### **HOLIDAYS**

All full-time employees who have been employed for a year shall receive compensation for the following holidays:

First day of January	New Year's Day
Last Monday in May	Memorial Day
Fourth Day of July	Independence Day
First Monday in September	Labor Day
Fourth Thursday in November	Thanksgiving Day
Twenty-fifth of December	Christmas Day

Employees must be on the job the day before and the day following a holiday to be eligible for holiday pay, or on an approved leave of absence. Although regular employees receive a full day's pay for holidays, these are not "hours worked" for overtime calculation purposes. Holidays falling during an employee's approved leave of absence will not be counted as leave days.

### **SPECIAL LEAVE**

#### *Military Leave*

An employee who is a member of National Guard, a reserve component of the Armed Forces of the United States, or who is inducted into the Armed Services of the United States shall be provided military leave pursuant to Section 105.270 of the Missouri Revised Statutes (Veterans Perform Military Duties) and Title 38, Chapter 43 of the Federal Statutes (Veterans Reemployment Rights). Employees are encouraged to refer to the above referenced sections of the state and federal statutes for details regarding military leave or consult with the appointing authority.

## The City of Iron Mountain Lake, Missouri

### *Family and Medical Leave of Absence*

An employee who is employed by the City for at least 12 months and have worked at least 1,250 hours during the previous consecutive 12-month period, you are eligible for leave under the Family and Medical Leave Act. Leave may be taken:

- a.) Upon birth of your child;
- b.) Upon the placement of a child with you for adoption or foster care;
- c.) When you are needed to care for your child, spouse, or your parent who has a serious health condition; or
- d.) When you are unable to perform the functions of your position because of a serious health condition.

A serious health condition requires inpatient care or continuing treatment by a health care provider. A serious health condition does not include such things as the common cold, the flu, earaches, upset stomachs, minor ulcers, and routine dental or orthodontia problems.

Eligible employees are entitled to take up to 12 weeks of Family and Medical Leave in a rolling twelve- month period if the leave is taken for the birth and care of a newborn child, placement of child for adoption or foster care or to care for a parent with a serious health condition.

When foreseeable, employee must request this leave in writing to the Mayor or Police Chief at least thirty days before the leave is to take effect. If unforeseeable, employee must provide notice within two business days of learning of the need for leave. The employee will be required to report periodically to the elected official during the leave period to update the leave status and intention to return to work. Employee will be required to provide medical certification to the elected official supporting the need for leave based on a serious health condition. When the leave is foreseeable, employee should provide certification before the leave begins. When this is not possible, employee will be allowed 15 days to provide the required medical certification.

Employees on approved family or medical leave are allowed:

- 1.) To continue group health and cancer insurance during the leave on the same conditions as would have been provided if the employee had been continuously employed; and
- 2.) To return to the prior job or equivalent one in terms of salary, accrued benefits and other job conditions.

Employees must attempt to schedule family and medical leave so as not to disrupt operations.

Employees returning from medical leave shall provide a certification from a health-care provider that they are able to resume work. If leave is requested to care for family members, a certification may be required to state that the employee is unable to perform the function of the job, that the leave will assist in the family member's recovery, or that there is medical need for a reduced schedule. Employees may substitute accrued vacation and/or sick leave for any part of

## **The City of Iron Mountain Lake, Missouri**

the twelve (12) week period to which they are entitled under the Family and Medical Leave provisions. An employee who fails to return from family and Medical leave shall repay the premiums the City paid for the employee to keep insurance in effect during the leave.

### *Maternity Leave*

Maternity shall be treated as any other non-duty temporary disability covered under the rules pertaining to sick leave and family and medical leave. If at any time during the pregnancy, and employee is aware that her and/or her unborn child's health is endangered by her job, she shall immediately make this fact known in writing to the Mayor or Chief of Police. At such times as deemed necessary by the elected official, pregnant employees shall submit to their elected official a health-care provider's statement indicating the employee's physical ability to perform her job. Employees returning to work after childbirth shall submit to their elected official a healthcare provider's statement indicating that the employee's physical ability to return to the job. The duration of maternity leave shall be determined by reference to the family and medical leave Provisions.

### *Occupational Injury leave*

An employee who sustains an on-the-job injury shall immediately report such injury, regardless of severity, to their immediate supervisor. The employee and the immediate supervisor shall prepare required reports of such injuries and submit to the Mayor or Chief of Police within twenty-four (24) hours of the accident or the next business day after notification by the injured employee. The employee is also required to take a drug/alcohol test.

The Missouri State Workers' Compensation Act covers employees injured on the job. This law provides specific benefits including payment of approved medical expenses and partial payment for loss of wages. An employee eligible for Workers' Compensation may elect to coordinate benefits with accrued sick leave eligible not to exceed their regular salary. The Mayor shall be responsible for the investigation of accidents or injuries involving employees assigned to their work units. Every effort shall be made to determine the causes of accidents or injuries and preventive measures taken as appropriate.

### *Funeral Leave*

Full-time and part-time employees are eligible to use funeral leave in the event of a death in the immediate family provided no more than three (3) consecutive days are taken per funeral. Immediate family shall be defined as spouse, children, stepchildren, parents, grandparents, grandchildren, brother, sister, father-in-law, mother-in-law, brother-in-law, or sister-in-law.

### *Leave without Pay*

An employee may request in writing at least thirty days prior to the expected time of departure a desire to be granted by the Mayor and the Board, a leave without pay. The request must state the reason or reasons for the leave and the requested beginning and ending date of said leave. In the event of an emergency, the request must be made in writing within a reasonable and practical time period.



## **The City of Iron Mountain Lake, Missouri**

Eligible employees include those who have met their introductory time and are regular full time employees of the City.

An employee who has been granted a leave without pay may return with the same rate of pay and with the same or different position so long as that position is consistent with good employment practice. The designation of the position to which the employee returns is at the discretion of the Mayor. Employee will not earn sick leave, holiday leave, or other benefits during the period of leave of absence without pay.

### *Absence without Leave*

Any unauthorized absence of an employee from duty shall be deemed to be an absence without pay and may be grounds for disciplinary action. In the absence of such disciplinary action, any employee who is absent for three (3) or more days without authorized leave shall be deemed to have resigned.

### *Training*

Any and all training required of an employee for performance of job duties or enhancement of job duties, shall be paid by the City. Time spent in obtaining the instruction and performing the requirements of the course shall be considered hours worked. All training is to be approved in advance by the Mayor. Any training paid for by the City will require a contract work agreement.

## **APPEALS AND GRIEVANCES**

It shall be the policy of the City to give individual employees an opportunity to discuss their grievances with their supervisors in order to find mutually satisfactory solutions as rapidly as possible. In the preparation of grievances at any supervisory level, employees are assured of freedom from restraint, interference, discrimination, or reprisal. Appeals of disciplinary actions shall begin with the second step of the grievance procedure as set forth below, and shall be in the form of a written grievance report. If an employee has access to more than one (1) complaint process, the employee must choose which process to pursue at the beginning of the grievance and may only utilize one (1) process.

- A. Representation. An employee may be accompanied by another employee of the employee's choosing in the presentation of a grievance.
- B. Grievance Procedure.
  - 1.) Oral Report. An employee who has a grievance shall first present to the immediate supervisor within three (3) working days of the action or incident in question. If the grievance is against the immediate supervisor, the employee may report it to the next level of supervision as outlined in number 3 below, within five (5) working days of the incident.
  - 2.) Written Report. If the oral grievance presentation fails to settle the grievance, the employee may within six (6) working days submit a written grievance report of the action or incident in question to the immediate supervisor. Within three (3) working



## **The City of Iron Mountain Lake, Missouri**

days after receiving such grievance, the immediate supervisor shall furnish the employee with a written reply to the grievance.

- 3.) Appeal to the Mayor. If the written reply to the grievance is not satisfactory, the employee may within five (5) working days after receiving the reply, submit an appeal in writing to the elected official. The elected official shall confer with the aggrieved employee before rendering a decision. Such decision shall be reduced to writing and shall be delivered to the aggrieved employee within five (5) working days of the date on which the elected official received the appeal.
- 4.) Appeal to Board of Alderman. If the appeal to the Mayor fails to resolve the grievance, the employee may within five (5) working days of the receipt of the decision on the grievance, submit an appeal in writing to the Board of Aldermen. Within fifteen (15) working days of the receipt of such an appeal, the Board of Aldermen or a designee shall meet with the employee to discuss matters pertinent to the grievance. The decision of the Board of Aldermen shall be final and no further right of appeal shall be provided employees. The Board of Aldermen shall forward one (1) copy of the course of action to be followed to the employee concerned and to the elected official within fifteen (15) working days after the meeting with the employee.

In connection with the review of grievance, appeal, or for any other purpose necessary to determine the adherence to any provision of these rule, the Board of Aldermen may conduct such investigation involving the production of records of reports by a City department.

### **RECORDS AND REPORTS**

#### *Personal Records*

The Board of Aldermen shall designate central repository for all such personnel files and records.

#### *Service Register*

The City Clerk shall cause to be maintained a service register of all employees of the City identifying for each title, salary rate, dates of employment, employment history, and such other data as appropriate.

#### *Reports*

Every appointment, transfer, promotion, demotion, dismissal, sick leave, vacation leave, and other temporary or permanent changes in the status of employees in the City service shall be reported in writing. The Mayor shall prescribe the time, manner, form, and method of making any written report as may be stipulated in any of these rules

#### *Public Records*

Except for disciplinary action, records involving investigations, correspondence, and data related to the moral character and reputation of applicants for employment or connections with and related to investigations of violations of these rules and regulations; examination materials, questions, data, and examinations and tests conducted by the City; and such other confidential

## **The City of Iron Mountain Lake, Missouri**

papers as specified in these rules or by action of the City; personnel records shall be public records. Such records shall be open to inspection by the public during regular office hours, at reasonable times, and in accordance with such procedures as the City may provide. Salary and position information, as well as basic employment information, shall in all cases be made available to the public on request at reasonable times.

### **USE OF CITY VEHICLES**

Employees who are assigned take-home vehicles from the City are prohibited from using the vehicle for any use outside of City business.

Employees shall report immediately to the police department any accidents involving a City vehicle and the property or vehicle of another party. Employees shall report any accident involving damage to a City vehicle to the Mayor, the Police Chief in a timely manner. Accident reports must be turned in to the City Clerk within 24 hours (unless extenuating circumstances as approved by the Mayor or Police Chief in writing). Failure to report damage of City vehicles as prescribed may result in disciplinary action.

Employees required to use their personal vehicles for official City business shall be compensated at a rate set by the Board of Aldermen. All departments are encouraged to promote the use of City vehicles in lieu of personal vehicles for City business, and the Mayor.

### **PROHIBITIONS AND PENALTIES**

#### *Participation in Political Activities*

Employees are prohibited from bringing their political affiliations to bear on their official duties. Specifically, the following political activities of employees are prohibited:

- a. Campaign fundraising or other partisan political activities on City premises while in the performance of duties and responsibilities as an employee of the City.
- b. Abuse of official position for political ends
- c. Use of official working time or unauthorized use of City resources for political activity.
- d. Promising any employment, position, work, compensation, or other benefits as consideration, favor, or reward for political activity.
- e. Performing political activities at the direction of a supervisor or other City official

#### *Discrimination and Sexual Harassment*

No appointment, promotion, demotion, removal or advancement in employment shall be made on the basis of race, religion, creed, national origin, sex, age, or non-disqualifying physical or mental disability.

Sexual harassment of employees is a serious matter and is prohibited in the work place by any person and in any form. No elected official, supervisor, or other employee shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, performance appraisal, wages, advancement, assigned duties, or any condition of employment or career development. Other sexually

## **The City of Iron Mountain Lake, Missouri**

harassing conduct whether committed by elected officials, supervisors, or non-supervisory personnel is also prohibited. Such conduct includes, but is not limited to: sexual actions, advances or propositions, verbal or written abuse of sexual nature, or sexually degrading words used to describe an individual.

Any official, supervisor, or other employee who is found after appropriate investigation, to have discriminated against an employee or harassed any employee as prohibited in the preceding paragraphs shall be subject to appropriate disciplinary actions up to and including discharge.

It is the policy of the City to provide an environment free from unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct or communication constituting sexual harassment. The purpose of this policy is to establish clearly and unequivocally that the City prohibits sexual harassment by and of its employees. Sexual harassment is a prohibited practice and in violation of the law. The U.S. Equal Employment Opportunity Commission has issued guidelines interpreting Section 703 of title VII of the Civil Rights Act prohibiting sexual harassment. The Missouri Commission on Human Rights has also issued regulations regarding sexual harassment under the Missouri Human Rights Acts.

If the aggrieved person does not wish to communicate directly with the person whose conduct or communication is offensive or if direct communication with the offending person has been ineffective, the aggrieved person should report the conduct or communication to the Mayor, Police Chief, or Board of Aldermen. If the supervisor is the offending person, the aggrieved person should report the conduct or communication to the Mayor, Police Chief, or Board of Aldermen. If the supervisor is the offending person, the aggrieved person should report to the next higher level of management.

Employees are encouraged to use the City's grievance procedure to address sexual harassment problems. Regardless of the means selected for resolving the problem, the initiation of a complaint of sexual harassment will not adversely reflect on the person complaining nor will it affect the employee's employment, compensation, or work assignments.

### *Nepotism: Restriction on Employment of Relatives*

A City employee may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion, or advancement in or to any position of the City service over which the employee exercises jurisdiction or control, any person who is a member of the immediate family of the employee.

### *Outside Employment*

Outside employment is prohibited if such employment would have an adverse effect on the employee's performance of official duties with the City or be prejudicial to the reputation of the County. Employees shall inform department heads of the existence of, or acceptance of any outside employment.

## The City of Iron Mountain Lake, Missouri

### *Conflict of Interest*

No employee of the City shall hold a financial interest in a firm, institution, corporation, or other establishment supplying goods or services to the City. No employee shall be employed in any capacity with a firm, institution, corporation or other establishment supplying goods or services to the City when that capacity means the possession, direct or indirect, of the powers to direct or cause the direction of the management and policies of that organization. No employee shall receive any payment, gifts, favors, or other consideration from any person, firm, institution, corporation, or other establishment supplying goods or services to the City.

### *Penalties*

Any employee found guilty of any violation of this section shall be subject to any disciplinary action up to and including dismissal as defined by these rules, and such other penalties as may be deemed appropriate and consistent with the Ordinances of St. Francois County, Missouri, Ordinances of The City of Iron Mountain Lake, Missouri laws of the state of Missouri, and laws of the United States of America.

## MANAGEMENT RIGHTS

### *Retained Rights*

The City shall retain the sole right and authority to operate and direct the affairs of the City in all its various aspects. Among these rights are the City's right to determine its mission and set standards for service offered the public; to direct the working forces; to plan, direct, control, and determine the operations or services to be conducted in and by the employees of the City; to assign and transfer employees; to hire, promote and demote employees; to suspend, discipline, or discharge employees; to relieve employees due to lack of work or for other reasons, such layoffs being normally accomplished through attrition; to make and enforce rules and regulation; and to change methods, equipment, or facilities.

### *Saving Clause*

Invalidation of any part, rule, or section of these personnel rules and regulations shall not affect the validity of the other rules and regulations.

### *Amendment*

Amendment of these rules and regulations shall be approved by a majority vote of the Board of Alderman through amendment of the enacting ordinance.

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## The City of Iron Mountain Lake, Missouri

I acknowledge receipt of The City of Iron Mountain Lake, Missouri's Personnel Policies and understand that my continued employment constitutes acceptance of my changes that may be made in content or application of the Personnel Policies. I understand that no employee of The City of Iron Mountain Lake, Missouri, other than the Mayor and Board of Aldermen, has any authority to enter into an employment contract or to change the at-will employment relationship, which exists, or to make any agreement contrary to the foregoing.

Further, I acknowledge that any confidential and/or private information I have access to or become aware of during my employment with The City of Iron Mountain Lake, Missouri will not use or shared for any reason other than to properly perform my employment duties.

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Printed Name of Employee

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Signature of Employee

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Date

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# **The City of Iron Mountain Lake, Missouri**

## **CITY ORDINANCE 85**

### **Original Ordinance**

Bill Number 01

Ordinance number 85

#### **ORDINANCE NUMBER 85: AN ORDINANCE ESTABLISHING: BUILDING INSPECTIONS; ISSUANCE OF BUILDING PERMITS; ISSUANCE OF OCCUPANCY PERMITS; VIOLATIONS; PENALTIES FOR VIOLATIONS; AND, FEES FOR BUILDING AND OCCUPANCY PERMITS.**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

#### **Article I: General Provisions:**

The City of Iron Mountain Lake, Missouri, in order to insure the general health and welfare of its citizens, enacts this ordinance to provide for Building Inspections for issuance of an occupancy permit, issuance of building permits, and determination of dangerous structures.

#### **Section One: Definitions:**

The following terms have the following definitions under this ordinance.

**Building Inspector:** An official of the City who is licensed to do building inspections and is employed by the Mayor and approved by a vote of the Board of Aldermen. Said inspector may be affiliated with or employed by a Building Inspection Company if said company is employed by the Mayor and approved by a vote of the Board of Aldermen to be the Building Inspector. The employment of a Building Inspector shall be reviewed every year. The building inspector may be paid, in part or wholly by inspection fees paid to the City.

## The City of Iron Mountain Lake, Missouri

**Building Permit:** A permit issued after an inspection or inspections by the Building Inspector to determine whether the erection and construction of a building is within code standards and in compliance with the ordinances of the City of Iron Mountain Lake. Also a permit issued after an inspection or inspections by the Building Inspector to determine whether improvements and additions to homes and structures within the City Limits of Iron Mountain Lake are within code standards and in compliance with the ordinances of the City of Iron Mountain Lake.

**Code:** A recognized building code, occupancy code, or other type of code adopted by the City of Iron Mountain Lake at the direction of the Building Inspector. Said Code or Codes shall be adopted by Resolution of the Board of Aldermen. A change of the Code or Codes shall only occur upon the request of the Building Inspector or after change of Building Inspector.

**Fabricated Structure:** A structure such as a cabin, shed, or other such building that is fabricated or manufacture prior to its placement on real property and remodeled or altered to be used as a place of human habitation.

**Occupancy Permit:** A permit issued by the Building Inspector certifying that a structure, rental room or rooms, mobile home, manufactured home, or prefabricated structure intended to be used as a residence meets minimum standards for occupancy as established by a Code and/or ordinances of the City of Iron Mountain Lake.

**Property (rental):** A rental house including the yard, garage, and any outbuilding connected with the rental house. This also includes rental mobile homes, manufactured homes, or fabricated structures.

## The City of Iron Mountain Lake, Missouri

**Room or Rooms (rental):** A room and or rooms that are leased to an individual or individuals for use as a residence for more than five (5) consecutive which are enclosed inside a house or other building that may or may not be a private residence or rental property.

**Stop Work Order:** An order issued by the Building Inspector requiring a resident and/or any contractors or sub-contractors to stop work being done either pursuant to a permit or without a permit. The Stop Work Order will be in effect until the violations of or nonconformity with the Code is corrected or the proper permit is obtained. Upon compliance with the Code or obtaining the proper permit, the Building Inspector will issue a Release of the Stop Work Order. Violation of a Stop Work Order is punishable by fine.

**Unit (rental):** An apartment, duplex, room or rooms which are leased to an individual or individuals for use a residence.

### Section Two: Qualifications and Appointment of Building Inspector:

The Mayor shall appoint a qualified person or company employing qualified persons to be Building Inspector. Said person or employees of a Building Inspection Company shall be licensed and trained to conduct building inspections and occupancy inspections. The Board of Aldermen shall approve the Mayor's appointment.

- A. The Mayor and the Board of Aldermen shall review the appointment every year during an April meeting of the Board of Aldermen. The Mayor and Board of Aldermen shall issue a resolution affirming the appointment of the Building Inspector.
- B. The Mayor and the Board of Aldermen may discharge the Building Inspector for good cause. Should a vacancy arise in the position of Building Inspector, the Mayor shall make an effort to appoint a new Building Inspector before thirty (30) days after the vacancy occurs.



## **The City of Iron Mountain Lake, Missouri**

- C. The Building Inspector's compensation may be derived in part or in whole, from permit fees charged by the City of Iron Mountain Lake, Missouri. Should the amount of fees not be sufficient to pay the Building Inspector, the Board of Aldermen shall budget an amount to pay the Building Inspector, if needed.

### **Section Three: Codes:**

After appointment and approval of the Building Inspector, said Building Inspector shall recommend to the City certain Code or Codes for adoption by the City of Iron Mountain Lake. Said Code or Codes shall be adopted by Resolution of Mayor and the Board of Aldermen. A change of the Code or Codes shall only occur upon the request of the

Building Inspector or after change of Building Inspector. The Change of Code will be adopted by Resolution of Mayor and the Board of Aldermen. Nothing in this Ordinance shall prohibit the

City from adopting standardized or model Codes. Nothing in this Ordinance shall prohibit the City from drafting its own Code or Codes.

## **Article II: Building Permits and Inspections:**

The Issuance of Building Permits and Building Inspections shall be conducted as follows:

### **Section One: Building Permits for New Construction:**

A Building Permit shall be issued by the Building Inspector prior to the construction of a new structure.

- A. The resident wishing to build the new structure or a contractor or architect or engineer working on that resident's behalf shall apply for a building permit with the City Clerk. The application shall include the name of the applicant, the name of the contractor undertaking construction, the name of any architect or engineer involved in the project, a general description of the building including total square feet under roof including attached garage, any unattached garages and/or

## The City of Iron Mountain Lake, Missouri

outbuildings, the type of driveway, and an affirmation that the project will abide by sewer connection, setbacks, and other applicable ordinances. The applicant shall pay the fee for a Building Permit for New Construction.

- B. The Building Inspector shall review the application and request and review from the applicant any and all blueprints, schematics, or design drawings. The Building Inspector will issue a permit.
- C. The Building Inspector shall periodically check on the progress of the construction to determine if the work is in compliance with the applicable Code or Codes.
- D. Should the Building Inspector find a violation of the Code or Codes or the ordinances of the City, the Building Inspector can issue a Stop Work Order. Said Stop Work Order will be in effect until the Building Inspector determines the Code violation or Ordinance violation has been remedied and issues a Release of the Stop Work Order.
- E. Upon completion of the construction, the Building Inspector will make an occupancy inspection and, if in compliance with the Code or Codes and Ordinances of the City, will issue an occupancy permit. The cost of an occupancy permit will be included in the Building Permit.

### **Section Two: Building Permits for Addition, Remodeling, or Renovation:**

A Building Permit shall be issued by the Building Inspector prior to the beginning of any addition to a structure or any remodeling or renovation that would involve matters covered by the Code or Codes adopted by the City. This includes remodeling, renovating, or altering a Fabricated Structure that has been affixed to Real Property with the intent to make the Fabricated Structure a residence.

- A. The resident wishing to make an addition, remodeling or renovation or a contractor or architect or engineer working on that resident's behalf shall apply for a Building Permit for

## The City of Iron Mountain Lake, Missouri

Additions, Remodeling, or Renovation with the City Clerk. The application shall include the name of the applicant, the name of the contractor undertaking construction, the name of any

Architect or engineer involved in the project, a general description of the addition, remodeling or renovation and an affirmation that the project will abide by sewer connection, setbacks, and other

Applicable ordinances. The applicant shall pay the fee for a Building Permit for Additions, Remodeling or Renovation.

- B. The Building Inspector shall check on the progress of the work to determine if the work is in compliance with the applicable Code or Codes.
- C. Should the Building Inspector find a violation of the Code or Codes or the ordinances of the City, the Building Inspector can issue a Stop Work Order. Said Stop Work Order will be in effect until the Building Inspector determines the Code violation or Ordinance violation has been remedied and issues a Release of the Stop Work Order.
- D. Should the resident or residents of the home vacate the home until completion of the work, or inhabitants move into the remodeled or renovated home, or an addition to the building be used in whole or in part as a rental room or unit, then the Building Inspector shall conduct an occupancy inspection and, if in compliance with the Code and Ordinances of the City, shall issue an occupancy permit. In the case of a Fabricated Structure, the Building Inspector shall conduct an occupancy inspection and, if is in compliance with the Code and Ordinances of the City, shall issue an occupancy permit. The cost of an occupancy permit will be included in the Building Permit.

### **Article III: Occupancy Inspections and Permits:**

The issuance of Occupancy Permits shall be conducted as follows:

## **The City of Iron Mountain Lake, Missouri**

### **Section One: Occupancy Permits required new structures or additions, remodeling or renovation:**

An Occupancy Permit will be required when a residence is established by new construction or substantially changed by renovation or remodeling

- A. In the case of a newly constructed residence, the Occupancy Inspection and Permit will be conducted pursuant to Article II, Section One, Paragraph (e) of this Ordinance.
- B. In the case of a residence in which either existing or new occupants are taking residence after an Addition, Remodeling, or Renovation of an existing residence, the Occupancy Inspection and Permit will be conducted pursuant to Article II, Section Two, Paragraph (d) of this Ordinance.

### **Section Two: Occupancy Permits required rental houses, duplexes, apartments, room or rooms, mobile homes, manufactured homes or fabricated structures:**

An Occupancy Permit is also required when new residents move into a rental home, apartment, room or rooms, mobile home, manufactured home, or fabricated structure.

- A. The owner of rental homes, duplexes, apartments, room or rooms, mobile homes, manufactured homes, or fabricated structures shall have an Occupancy inspection conducted and will be required to have an Occupancy Permit before new tenants take residence.
- B. The owner shall fill out an application for an Occupancy Permit. The application shall include the name of the applicant, the address and location of the rental property or unit or room, the number of persons who will be residing in the rental property, unit or room, the date and nature of any major repairs, upgrades or changes to the residence, unit, or room, and, if applicable, the date of the last Occupancy Inspection.
- C. The Building Inspector shall conduct an occupancy inspection to determine if the property, unit, or room is

## **The City of Iron Mountain Lake, Missouri**

in compliance with the Occupancy Code and the Ordinances of the City of Iron Mountain Lake, Missouri. If the property, unit, or room is in compliance with the Code and Ordinances, the Building Inspector shall issue an Occupancy Permit.

- D. If the rental property, unit or room has passed an occupancy inspection within six (6) months of the date of application and no major repairs, upgrades, or changes have been made to the property, unit, or room, then the Building Inspector shall make an inspection to verify compliance. The cost of that permit shall be reduced from the standard Occupancy Permit fee.

### **Section Three: Occupancy Permits required for mobile homes, manufactured homes and fabricated structures:**

An Occupancy Permit is required before individuals may take up residence in any Mobile Home, manufactured home, fabricated structure placed on real property within the City limits of the City of Iron Mountain Lake, Missouri to be used as a residence.

- A. A person or persons desiring to place a mobile home or manufactured home shall make application and pay the fee prescribed in Ordinance
- B. Upon placement of a mobile home, manufactured home, or fabricated structure on real property within the City limits of the City, the Building Inspector shall conduct an Inspection and, if the mobile home, manufactured home, or fabricated structure is in compliance with the Code and the Ordinances of the City, the Building Inspector shall issue an Occupancy Permit.
- C. If a person or persons place a fabricated structure upon real property prior to undertaking remodeling or alterations to the fabricated structure before taking up residence therein, the person or persons shall follow the procedure outlined in the Article II, Section Two of this Ordinance and the paragraphs contained therein.

## **The City of Iron Mountain Lake, Missouri**

### **Section Four: Occupancy Permits after the sale of existing Houses, Mobile Homes, Manufactured Homes, or Fabricated Structures:**

An Occupancy Permit is required before individuals may take up residency in any house, mobile home, manufactured home, or fabricated structure that has been sold after the passage of this ordinance. A house, mobile home, manufactured home, or fabricated structure that has had an Occupancy inspection and Occupancy Permit issued within Six (6) months of the date of new occupants taking possession, shall be exempt from the requirements of this section.

### **Article V: Violations and Penalties:**

The following violations of this Ordinance shall be punished as stated:

#### **Section One: Failure to Obtain a Building Permit:**

A person commits the ordinance violation of Failure to Obtain a Building Permit if he or she undertakes construction of a building within the City limits of the City of Iron Mountain Lake without obtaining a Building Permit from the City of Iron Mountain Lake. Undertaking Construction means breaking ground, forming, pouring footings, foundations, and/or basements, framing, and/or any other activities associated with construction of a permanent structure. The punishment for violation of this Section is a fine of up to three hundred dollars (\$300.00). A separate violation of this Section may be charged for every day construction is undertaken without a Building Permit.

#### **Section Two: Failure to Observe a Stop Work Order:**

A person commits the ordinance violation of Failure to Observe a Stop Work Order if he or she undertakes construction addition, improvement or work on a project after the Building Inspector has issued a Stop Work

Order and before the Building Inspector has issued a Release of a Stop Work Order. Undertaking Construction means breaking ground, forming, pouring footings, foundations, and/or basements, framing, and/or any other activities associated with construction of a permanent structure. The punishment for violation of this Section is a fine of up to three hundred dollars (\$300.00). A separate violation of this Section may be charged for every day construction

## **The City of Iron Mountain Lake, Missouri**

is undertaken after a Stop Work Order is issued and before a Release of a Stop Work Order is issued.

### **Section Three: Failure to Obtain an Occupancy Permit:**

A person commits the ordinance violation of Failure to Obtain and Occupancy Permit if he or she:

- A. takes occupancy as a residence of any new structure without an Occupancy Permit issued by the Building Inspector;
- B. takes occupancy as a residence of any structure substantially altered by addition, remodeling or renovation in which the residents vacated the structure during the addition, remodeling or renovation or in which new residents are taking up residence after the addition, remodeling or renovation as required in Article II, Section Two, paragraph (d) of this Ordinance and Article III, Section One, paragraph (b) of this Ordinance without an Occupancy Permit issued by the Building Inspector.
- C. Takes occupancy as a residence of any mobile home, manufactured home or fabricated structure without an Occupancy Permit issued by the Building Inspector.
- D. As a landlord and/or property owner allows any person or persons to take up residence in a rental home, duplex, apartment, unit, mobile home, manufactured home or fabricated structure without an Occupancy Permit issued by the Building Inspector.
- E. The punishment for violation of this Section is a fine of up to three hundred dollars (\$300.00). A separate violation of this Section may be charged for every day any person or persons occupy the structure, house, unit, duplex, apartment, room(s), mobile home, manufactured home, or fabricated structure without an Occupancy Permit.

### **Article VI: Fees:**

The Fees charged pursuant to this Ordinance shall be as follows:

# **The City of Iron Mountain Lake, Missouri**

## **Section One: Building Permit for New Construction:**

The fee for a Building Permit for New Construction shall be \$ .  
This includes the fee for an Occupancy Permit.

## **Section Two: Building Permit for Addition, Remodeling, or Renovation:**

The fee for a Building Permit for Addition, Remodeling, or Renovation, including This includes remodeling, renovating, or altering a Fabricated Structure that has been affixed to Real Property with the intent to make the Fabricated Structure a residence, shall be \$ . This includes the fee for an Occupancy Permit.

## **Section Three: Occupancy Permits for Rental Houses, Duplexes, Apartments, Room or Rooms, Mobile Homes, Manufactured Homes, or Fabricated Structures:**

Occupancy Permits for Rental Houses, Duplexes, Apartments, Room or Rooms, Mobile Homes, Manufactured Homes, or Fabricated Structures shall be \$ .

## **Section Four: Occupancy Permits for Rental Houses, Duplexes, Apartments, Room or Rooms, Mobile Homes, Manufactured Homes, or Fabricated Structures which have had an Occupancy Inspection and Permit issued within Six (6) Months:**

Occupancy Permits for Rental Houses, Duplexes, Apartments, Room or Rooms, Mobile Homes, Manufactured Homes, or Fabricated Structures which have had an Occupancy Inspection and Permit issued within Six (6) Months shall be \$ .

## **Section Five: Occupancy Permits for Mobile Homes, Manufactured Homes and Fabricated Structures that are not to be Remodeled or Renovated:**

Occupancy Permits for Mobile Homes, Manufactured Homes, (and Fabricated Structures that are not to be Remodeled or Renovated) shall be \$ .



## **The City of Iron Mountain Lake, Missouri**

### **Section Six: Occupancy Permits after the Sale of Existing Houses, Mobile Homes, Manufactured Homes, or Fabricated Structures:**

Occupancy Permits issued after the sale of Existing Houses, Mobile Homes, Manufactured Homes, or Fabricated Structures which have not had an Occupancy Inspection and Occupancy Permit within Six (6) months of the date the new occupants take possession of the house, mobile home, manufactured home, or fabricated structure shall be \$ .

### **Article VII: Effective Dates:**

This Ordinance shall be in full force and effect at date of passage.

DATE OF FIRST READING: 5/13/13

DATE OF SECOND READING: 5/13/13

PASSED AND APPROVED: THIS 13TH DAY OF MAY 2013

Brian Goodman

Mayor

ATTEST:

Lanette Kunz

City Clerk

[Top](#)

Building Code – A resolution to Ordinance 85

**CITY OF IRON MOUNTAIN LAKE**

**BUILDING CODE**

**RESOLUTION 13.006 TO ORDINANCE 85**

# The City of Iron Mountain Lake, Missouri

## CHAPTER 1 ADMINISTRATION

### SECTION 101

#### GENERAL

##### 101.1 Title.

These regulations shall be known as the *Property Maintenance Code* of the City of Iron Mountain Lake hereinafter referred to as “this code.”

##### 101.2 Scope.

The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators, and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

##### 101.3 Intent.

This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

##### 101.4 Severability.

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

### SECTION 102

#### APPLICABILITY

##### 102.1 General.

The provisions of this code shall apply to all matters affecting or relating to new structures and new residents, as set forth in Section 101. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

##### 102.2 Maintenance.

Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility, equipment

## The City of Iron Mountain Lake, Missouri

or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protections and safety systems and devices in existing structures. Except as otherwise specified herein, the owner of the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.

### 102.3 Existing remedies.

The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

### 102.4 Workmanship.

Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.

### 102.5 Referenced Code and Standards.

The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

### 102.6 Requirements not covered by code.

Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

## SECTION 103

### DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION

#### 103.1 General.

The department of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the code official or Building Inspector.

#### 103.2 Appointment.

The code official (Building Inspector) shall be appointed by the Mayor with the approval of the Board of Aldermen...

#### 103.3 Liability.

The code official (Building Inspector) while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in

## The City of Iron Mountain Lake, Missouri

pursuance of the provisions of this code; and any officer of the department of property maintenance inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

### SECTION 104

#### DUTIES AND POWERS OF THE CODE OFFICIAL (Building Inspector)

##### **General.**

The code official (Building Inspector) shall enforce the provisions of this code

##### **Rule Making Authority.**

The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and procedures; to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code; or of violating accepted engineering methods involving public safety.

##### **Inspections.**

The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise; subject to the approval of the Mayor.

##### **Right of Entry.**

The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. In entry is refused or not obtained, the code official is authorized to pursue recourse as provide by law.

##### **Identification.**

The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

##### **Notices and Orders.**

The code official shall issue all necessary notices or orders to ensure compliance with this code.

##### **Department Records.**

The code official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records as long as the building or structure to which such records relate remains in existence, unless otherwise provided for by other regulations.

##### **Coordination of Inspections.**

Whenever the enforcement of this code or another code or ordinance, the responsibility of more than one code official of the jurisdiction is involved, it shall be the duty of the code officials involved to coordinate their inspections and administrative orders as fully

## The City of Iron Mountain Lake, Missouri

practicable so that the owners and occupants of the structure shall not be subjected to visits by numerous inspectors or multiple or conflicting orders. Whenever an inspector from any agency or department observes an apparent or actual violation of some provision of some law, ordinance or code not within the inspector's authority to enforce, the inspector shall report the findings to the code official having jurisdiction.

### SECTION 105

#### APPROVAL

##### 105.1 Modifications.

Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, provided the code official shall first find that special individual reason make the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

##### 105.2 Alternative materials, methods and equipment.

The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code; provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

##### 105.3 Required Testing.

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

###### 105.3.1 Test Methods.

Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall be permitted to approve appropriate testing procedures performed by an approved agency.

###### 105.3.2 Test Reports.

Reports of tests shall be retained by the code official for the period required for retention of public records.

## The City of Iron Mountain Lake, Missouri

### 105.3.3 Material and equipment re-use.

Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved.

## SECTION 106

### VIOLATIONS

#### 106.1 Unlawful Acts.

It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

#### 106.2 Notice of Violation.

The code official shall serve a notice of violation or order in accordance with Section 107.

#### 106.3 Prosecution of Violation.

Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

#### 106.4 Violation Penalties.

Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

#### 106.5 Abatement of Violation.

The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent legal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

## SECTION 107

### NOTICES AND ORDERS

#### 107.1 Notices to person responsible.

Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as

## The City of Iron Mountain Lake, Missouri

specified in this code. Notices for condemnation procedures shall also comply with Section 108.3

### 107.2 Form.

Such notice prescribed in Section 107.1 shall be in accordance with all of the following: 1. be in writing. 2. Include a description of the real estate sufficient for identification. 3. Include a statement of the violation or violations and why the notice is being issued. 4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code. 5. Inform the property owner of the right to appeal. 6. Include a statement of the right to file a lien in accordance with Section 106.3.

### 107.3 Method of Service.

Such notice shall be deemed to be properly served if a copy thereof is: 1. Delivered Personally; 2. Sent by certified or first class mail addressed to the last known address; or 3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

### 107.4 Penalties.

Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4

## SECTION 108

### UNSAFE STRUCTURES AND EQUIPMENT

#### 108.1 General.

When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

##### 108.1.1 Unsafe Structures.

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

##### 108.1.2 Unsafe Equipment.

Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device; flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

## **The City of Iron Mountain Lake, Missouri**

### **108.1.3. Structure unfit for human occupancy.**

A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code; or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

### **108.1.4 Unlawful Structure.**

An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

### **108.2 Closing of Vacant Structures.**

If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

### **108.3 Notice.**

Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with section 107.3. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2.

### **108.4 Placarding.**

Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word "CONDEMNED" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

#### **108.4.1 Placard Removal.**

The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated.



## The City of Iron Mountain Lake, Missouri

Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

### 108.5 Prohibited Occupancy.

Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operated placarded equipment shall be liable for the penalties provided by this code.

## SECTION 109

### EMERGENCY MEASURES

#### 109.1 Imminent Danger.

When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "THIS STRUCTURE IS UNSAFE AND ITS OCCUPANCY HAS BEEN PROHIBITED BY THE CODE OFFICIAL." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing same.

#### 109.2 Temporary Safeguards.

Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

#### 109.3 Closing Streets.

When necessary for public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

# The City of Iron Mountain Lake, Missouri

## SECTION 110

### DEMOLITION

#### 110.1 General.

The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

#### 110.2 Notices and Orders.

All notices and orders shall comply with Section 107.

#### 110.3 Failure to Comply.

If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with a private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

#### 110.4 Salvage Materials.

When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the terms of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

## SECTION 111

### MEANS OF APPEAL

#### 111.1 Application for Appeal.

Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Board of Aldermen, provided that a written application for appeal is filed within 20 days after the day of the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

#### 111.2 The Appeals Board.

## **The City of Iron Mountain Lake, Missouri**

The Board of Alderman of the City of Iron Mountain Lake will listen to the filed appeals. The code official shall be an ex-officio member but shall have no vote on any matter before the board. If any member of the Board has a personal, professional or financial interest in an appeal, they will be disqualified for that appeal.

### **111.3 Open hearing.**

All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds of the board membership.

### **111.4 Board Decision.**

The board shall modify or reverse the decision of the code official only by a concurring vote of a majority of the total number of appointed board members.

#### **111.4.1. Records and Copies.**

The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the code official.

#### **111.4.2 Administration.**

The code official shall take immediate action in accordance with the decision of the board.

### **111.5 Court Review.**

Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision at City Hall.

### **111.6 Stays of Enforcement.**

Appeals of notice and orders (other than Imminent Danger Notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

## **CHAPTER 2 DEFINITIONS**

### **SECTION 201**

#### **GENERAL**

##### **201.1 Scope.**

Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

##### **201.2 Interchangeability.**

Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

# The City of Iron Mountain Lake, Missouri

## 201.3 Terms defined in other codes.

Where terms are not defined in this code and are defined in *the International Building Code, International Fire Code, International Zoning Code, International Plumbing Code, International Mechanical Code, International Existing Building Code or the ICC Electrical Code*, such terms shall have the meanings ascribed to them as in those codes.

## 201.4 Terms not defined.

Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

## 201.5 Parts.

Whenever the words “dwelling unit,” “dwelling,” “premises,” “building,” “rooming house,” “rooming unit,” “housekeeping unit” or “story” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”

## SECTION 202

### GENERAL DEFINITIONS

**APPROVED.** Approved by the code official.

**BASEMENT.** That portion of a building which is partly or completely below grade.

**BATHROOM.** A room containing plumbing fixtures including a bathtub or shower.

**BEDROOM.** Any room or space used or intended to be used for sleeping purposes.

**CODE OFFICIAL.** The official who is charged with the administration and enforcement of this code, the building Inspector, or any duly authorized representative.

**CONDEMN.** To adjudge unfit for occupancy.

**DWELLING UNIT.** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**EASEMENT.** That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

**EXTERIOR PROPERTY.** The open space on the premises and on adjoining property under the control of owners or operators of such premises.

**EXTERMINATION.** The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serves as their food; by poison spraying, fumigating and trapping or by any other approved pest elimination methods.

**GARBAGE.** The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**GUARD.** A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

## The City of Iron Mountain Lake, Missouri

**HABITABLE SPACE.** Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

**HOUSEKEEPING UNIT.** A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

**IMMINENT DANGER.** A condition which could cause serious or life-threatening injury or death at any time.

**INFESTATION.** The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

**INOPERABLE MOTOR VEHICLE.** A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

**LABELED.** Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

**LET FOR OCCUPANCY OR LET.** To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

**OCCUPANCY.** The purpose for which a building or portion thereof is utilized or occupied.

**OCCUPANT.** Any individual living or sleeping in a building, or having possession of a space within a building.

**OPENABLE AREA.** That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

**OPERATOR.** Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

**OWNER.** Any person, agent, operator, firm or corporation having a legal or equitable interest in the property, or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

**PERSON.** Any individual, corporation, partnership or any other group acting as a unit.

**PREMISES.** A lot, plot or parcel of land, easement or public way, including any structures thereon.

**PUBLIC WAY.** Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

## The City of Iron Mountain Lake, Missouri

**ROOMING HOUSE.** A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one or two family dwelling.

**ROOMING UNIT.** Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

**RUBBISH.** Combustible and non-combustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

**STRICT LIABILITY OFFENSE.** An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

**STRUCTURE.** That which is built or constructed or a portion thereof.

**TENANT.** A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

**TOILET ROOM.** A room containing a water closet or urinal but not a bathtub or shower.

**VENTILATION.** The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

**WORKMANLIKE.** Executed in a skilled manner; e.g. generally plumb, level, square, in line, undamaged and without marring adjacent work.

**YARD.** An open space on the same lot with a structure.

### CHAPTER 3

#### GENERAL REQUIREMENTS

##### SECTION 301

###### GENERAL

###### 301.1 Scope.

The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

###### 301.2 Responsibility.

The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

## The City of Iron Mountain Lake, Missouri

### 301.3 Vacant structures and land.

All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

## SECTION 302

### EXTERIOR PROPERTY AREAS

#### 302.1 Sanitation.

All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

#### 302.2 Grading and drainage.

All premises shall be graded and maintained to prevent the erosion of soil to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

EXCEPTION: Approved retention areas and reservoirs.

#### 302.3 Exhaust Vents.

Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

#### 302.4 Accessory Structures.

All accessory structure, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

#### 302.5 Defacement of Property.

No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

## SECTION 303

### SWIMMING POOLS, SPAS AND HOT TUBS

#### 303.1 Swimming Pools.

Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

#### 303.2 Enclosures.

Private swimming pools, hot tubs and spas, containing water more than 24 inches in depth shall be completely surrounded by a fence or barrier at least 48 inches in height above the finished ground level measured on the side of the barrier way away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54

## The City of Iron Mountain Lake, Missouri

inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

### SECTION 304

#### EXTERIOR STRUCTURE

##### 304.1 General.

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

##### 304.2 Protective treatment.

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surface, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

##### 304.3 Street Numbers.

Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 3 inches high with a minimum stroke width of 0.5 inch for residences and 6 inches for all other structures.

##### 304.4 Foundation walls.

All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

##### 304.5 Exterior walls.

All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

##### 304.6 Roofs and drainage.

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters, and downspouts shall be maintained in good repair and free from



## The City of Iron Mountain Lake, Missouri

obstruction. Roof water shall not be discharged in a manner that creates a public nuisance, or into the public sewer system.

### **304.7 Decorative features.**

All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

### **304.8 Overhang extensions.**

All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

### **304.9 Stairways, Decks and Porches.**

Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

### **304.10 Chimneys and Towers.**

All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

### **304.11 Handrails and Guards.**

Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

### **304.12 Stairways, decks, porches and balconies.**

Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

### **304.13 Window, skylight and door frames.**

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

### **304.14 Doors.**

All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3

### **304.15 Basement Hatchways.**

Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

### **304.16 Building Security.**

## **The City of Iron Mountain Lake, Missouri**

Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

### *SECTION 305*

#### **INTERIOR STRUCTURE**

##### **305.1 General.**

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

##### **305.2 Structural Members.**

All structural members shall be maintained structurally sound, and be capable of supporting imposed loads.

##### **305.3 Stairs and walking surfaces.**

Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

### *SECTION 306*

#### **RUBBISH AND GARBAGE**

##### **306.1 Accumulation of rubbish or garbage.**

All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

### *SECTION 307*

#### **EXTERMINATION**

##### **307.1 Owner.**

The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

## **CHAPTER 4**

### **VENTILATION**

#### **401.1 Clothes Dryer Exhaust.**

## The City of Iron Mountain Lake, Missouri

Clothes dryers exhaust systems shall be independent of all other systems and shall be exhausted in accordance with the manufacturer's instructions.

### CHAPTER 5 GENERAL

#### SECTION 501 REQUIRED FACILITIES

##### 501.1 Dwelling Units.

Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

#### SECTION 502 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

##### 502.1 General.

All plumbing fixtures shall be properly installed and maintained in good working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

#### SECTION 503 WATER SYSTEM

##### 503.1 General.

Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water.

#### SECTION 504 SANITARY DRAINAGE SYSTEM

# The City of Iron Mountain Lake, Missouri

## **504.1 General.**

All plumbing fixtures shall be properly connected to the public sewer system in accordance with Ordinance 35 Sec. 5 of the City of Iron Mountain Lake.

## *SECTION 505*

### **STORM DRAINAGE**

## **505.1 General.**

Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged into the sewer system.

## *CHAPTER 6*

### **MECHANICAL AND ELECTRICAL REQUIREMENTS**

## *SECTION 601*

## **601.1 Scope.**

The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

## *SECTION 602*

### **HEATING FACILITIES**

## **602.1 Heat Supply.**

Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1<sup>st</sup> to April 1<sup>st</sup> to maintain a temperature of not less than 65 degrees F in all habitable rooms, bathrooms, and toilet rooms.

## *SECTION 603*

### **MECHANICAL EQUIPMENT**

## **603.1 Safety Controls.**

# The City of Iron Mountain Lake, Missouri

All safety controls for fuel-burning equipment shall be maintained in effective operation.

## SECTION 605

### ELECTRICAL FACILITIES

#### 605.1 Electrical system hazards.

Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

## SECTION 606

### ELECTRICAL EQUIPMENT

#### 606.1 Installation.

All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

#### 606.2 Ground Fault Interrupter Circuit.

GFIC outlets must be in bathroom, and kitchen area near the kitchen sink.

## SECTION 607

### DUCT SYSTEMS

#### 607.1 General.

Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

## CHAPTER 7

### FIRE SAFETY REQUIREMENTS

## SECTION 701

# The City of Iron Mountain Lake, Missouri

## 701.1 Protection General.

All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times.

## *SECTION 702*

### **MEANS OF EGRESS**

## **702.1 General.**

A safe, continuous and unobstructed path or travel shall be provided from any point in a building or structure to the public way.

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# **The City of Iron Mountain Lake, Missouri**

## **Resolution to Building Code**

Bill Number

Resolution Number

**RESOLUTION NUMBER 2013-006: A RESOLUTION BY MAYOR AND BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, TO REQUIRE BUILDING INSPECTIONS AND OCCUPANCY PERMITS FOR ALL NEW RESIDENTS MOVING INTO RENTAL OR OTHER PROPERTY.**

WHEREAS, the City of Iron Mountain Lake will now require an Occupancy Permit on all new move-ins, a Building Code will be used to conduct such inspections. NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:

### **Section One.**

The new Building Code will be used for all such inspections and shall become part of Ordinance 85 Resolution Number 2013-.006.

Date of First Reading \_\_\_\_\_

Date of Second Reading \_\_\_\_\_

Passed and Approved: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Clerk

## **The City of Iron Mountain Lake, Missouri**

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**The City of Iron Mountain Lake, Missouri**  
**CITY ORDINANCE 86 – FIRE STATION AGREEMENT**  
Original Ordinance

Bill Number: 86

Ordinance Number: 86

**ORDINANCE NUMBER 86: AN ORDINANCE APPROVING AN AGREEMENT FOR THE DONATION OF REAL PROPERTY BY THE CITY OF IRON MOUNTAIN LAKE, MISSOURI TO THE BISMARCK FIRE PROTECTION ASSOCIATION, INC.**

WHEREAS, The City of Iron Mountain Lake, Missouri will donate certain Real Property located within the City limits of the City of Iron Mountain Lake to the Bismarck Fire Protection Association, Inc.; and

WHEREAS, The Bismarck Fire Protection Association, Inc. plans to utilize said real property as a fire station which will be for the benefit of the City and the citizens of the City of Iron Mountain Lake, Missouri;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:

**Article 1:**

The Board of Aldermen authorize the Mayor to enter into an agreement for the donation of real property (Real Estate Donation Agreement) for real property as described as:

Section 32, Township 35, Range 004, Lots 1138, 1139, 1140, 1141 and 1142, Iron Mountain Lake, as shown on a plat thereof, recorded in Plat Book 5 at page 36 of the Land of Records of St. Francois County, Missouri.

**Article II:**

## **The City of Iron Mountain Lake, Missouri**

The Board of Aldermen authorizes the Mayor, on behalf of the City and the Board of Aldermen, to sign the Real Estate Donation Agreement as well as any other documents connected with this transaction.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON PASSAGE.

DATE OF FIRST READING 3/24/2014

DATE OF SECOND READING: 3/24/2014

PASSED AND APPROVED THIS 24<sup>TH</sup> DAY OF MARCH 2014

Brian Goodman

Mayor

Attest

Lanette Kunz

City Clerk

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Agreement with Bismarck Fire Protection Association, Inc.

### **AGREEMENT FOR DONATION OF REAL PROPERTY BY THE CITY OF IRON MOUNTAIN LAKE, MISSOURI TO THE BISMARCK FIRE PROTECTION ASSOCIATION, INC.**

AN AGREEMENT BETWEEN THE CITY OF IRON MOUNTAIN LAKE (HEREINAFTER REFERRED TO AS DONOR), AND THE BISMARCK FIRE PROTECTION ASSOCIATION, INC. (HEREINAFTER REFERRED TO AS DONEE).

## **The City of Iron Mountain Lake, Missouri**

Donor desires to donate and transfer to donee any and all interest donor may have in certain real property located in the City limits of the City of Iron Mountain Lake more particularly described as:

Section 32, Township 35, Range 004, Lots 1138, 1139, 1140, 1141, and 1142,  
Iron Mountain Lake, as shown on a plat thereof, recorded in Plat Book 5 at page  
36 of the Land Records of St. Francois County, Missouri.

Donor's Board of Aldermen have passed and approved, and Donor's Mayor has signed an Ordinance authorizing said donation and transfer of real property.

Donee is willing to accept said donation and to note receipt of said property as a donation. It is understood that Donee seeks to use said real property as a firehouse/fire station, and will utilize said real property for said purpose(s). Donee agrees that it will have a firehouse/fire station in operation after five (5) years from the date of recording of the deed Donee shall transfer the real property back to the Donor.

WHEREFORE, Donor agrees and covenants to transfer any and all interest it has in said real property to Donee.

Witnesseth:

For Donor:

Brian Goodman

Mayor

Attest: Lanette Kunz

City Clerk

3/24/2014

For Donee

Seth A.R.

4/1/2014

## **The City of Iron Mountain Lake, Missouri**

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**The City of Iron Mountain Lake, Missouri**  
**ORDINANCE 87 – MISSING**

**The City of Iron Mountain Lake, Missouri**  
**ORDINANCE 88 – MISSING**

# **The City of Iron Mountain Lake, Missouri**

## **ORDINANCE 89**

### **Original Ordinance**

Bill Number

Ordinance Number

#### **ORDINANCE NUMBER 89: AN ORDINANCE IMPOSING A USER CHARGE FOR NONRESIDENTS LAUNCHING BOATS INTO IRON MOUNTAIN LAKE**

WHEREAS, The City of Iron Mountain Lake, Missouri is managing Iron Mountain Lake;  
and

WHEREAS, The City of Iron Mountain Lake maintains and provides a place for the  
launching of boats into the lake; and

WHEREAS, Iron Mountain Lake taxpayers help fund the upkeep of Iron Mountain Lake;  
and

WHEREAS, a number of Nonresident and Non-taxpayer users enjoy Iron Mountain Lake  
and launch boats into Iron Mountain Lake.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS  
FOLLOWS:**

#### **Section One:**

As to this Ordinance, the following terms are defined as follows

- A. Nonresident: A person who is not a resident or taxpayer of the City of Iron Mountain Lake, Missouri.
- B. Boat: Any watercraft that is launched from a trailer.
- C. User Charge: a charge paid at the time of launching the boat.

#### **Section Two:**

## **The City of Iron Mountain Lake, Missouri**

Each Nonresident who launches a boat into Iron Mountain Lake shall pay a User Charge set by the Board of Alderman of the City of Iron Mountain Lake. Said User Charge shall be paid prior to launching any boat into the lake and shall be made at a box or other receptacle set up at or near the boat launch area of Iron Mountain Lake. At the box or receptacle, there shall be envelopes or other enclosures designed to enclose the fee. The Nonresident shall place the fee in an envelope or enclosure designed to enclose the fee and place said fee in the box or receptacle at or near the boat launch area. The envelope or enclosure shall include a tear off tab that shall be placed on the dashboard of the Nonresident's vehicle in a place visible from the outside. Said tear off tab shall be proof of payment of the User Charge and must have the date and time of the launching of the boat written upon it.

### **Section Three:**

A Nonresident launching a boat into Iron Mountain Lake must pay the User Charge each time he or she launches a boat into Iron Mountain Lake. Upon request of the City Police Chief, City Police Officer, City Reserve Police Officer or Mayor, a Nonresident who has launched a boat shall be required to show proof of payment of the User Charge. Failure to display or to produce upon request the tab from the envelope or other enclosure for the fee shall be construed as *prima facie* evidence that the User Charge was not paid.

### **Section Four:**

Failure to pay a user charge for launching a boat when payment of a User Charge is required under this ordinance shall be a violation of this ordinance and be punishable by a fine.

### **Section Five:**

The User Charge for a Nonresident launching a boat into Iron Mountain Lake shall be Three Dollars (\$3.00).

### **Section Six:**

This ordinance shall be in full force and effect upon passage.

DATE OF FIRST READING:

DATE OF SECOND READING:

PASSED AND APPROVED: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_



## **The City of Iron Mountain Lake, Missouri**

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Mayor

ATTEST:

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City Clerk

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**The City of Iron Mountain Lake, Missouri**  
**ORDINANCE 90**  
Original Ordinance

Bill Number 90

Ordinance Number 90

**ORDINANCE NUMBER 90 OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI,  
TO ESTABLISH THE USE OF A CITY ISSUED BURN PERMIT.**

**NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE BOARD OF  
ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

Residents of the City of Iron Mountain Lake shall be required to obtain a burn permit from City Hall before burning on their property.

1. The permit will be issued for six month increments: January 1 through June 30 and July 1 through December 31 of each year.
2. The permit must be signed by property owner and city clerk.
3. Property owner will agree to the following:
  - a. Clean up debris resulting from burning within a reasonable time period.
  - b. The City of Iron Mountain Lake is released from any and all liability.
  - c. Resident agrees to keep the fire contained and supervised at all times.
  - d. The permit has an expiration date clearly listed.
  - e. Yard debris only. No trash, wiring, Styrofoam, metal, spray cans, shingles, carpeting, drywall, or any other hazardous materials may be burned.
  - f. Recommendation that central dispatch be contacted to make sure a no burn order has not been issued due to dry or windy conditions.
4. The permit is issued at no charge to city residents and property owners.

This ordinance shall be in full force and effect upon passage.

DATE OF FIRST READING \_\_\_\_\_

DATE OF SECOND READING \_\_\_\_\_

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

## **The City of Iron Mountain Lake, Missouri**

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Mayor Pro Temp, Dustin Steinc

ATTEST:

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City Clerk, Lanette Kunz

# **The City of Iron Mountain Lake, Missouri**

## **ORDINANCE 91**

### **Original Ordinance**

Bill Number 91

Ordinance Number 91

### **AN ORDINANCE TO INCREASE COURT COSTS BY TWO DOLLARS (\$2) WITH FUNDS TO PAY FOR CONTINUING EDUCATION FOR POLICE DEPARTMENT.**

### **NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

The City of Iron Mountain Lake will assess a surcharge of two dollars in each criminal case involving violations of municipal ordinances, provided that no such fee shall be collected in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county or municipality.

For violations of municipal ordinances, no such surcharge shall be collected unless it is authorized by the municipal government where the violation occurred. If imposed by the municipality, such surcharges shall be collected by the clerk of the municipal court responsible for collecting court costs and fines.

Such surcharges shall be in addition to the court costs and fees and limits on such court costs and fees established by section 66.110 and section 479.260.

Each municipality shall use all funds received under this section only to pay for the training required as provided in sections 590.100 to 590.180 provided that any excess funds not allocated to pay for such training may be used to pay for additional training of peace officers or for training of other law enforcement personnel employed or appointed by the municipality. No municipality shall retain more than one thousand five hundred dollars of such funds for each certified law enforcement officer, candidate for certification employed by that agency. Any excess funds shall be transmitted quarterly to the general revenue fund of the municipality which assessed the costs.

**The City of Iron Mountain Lake, Missouri**  
**THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON PASSAGE.**

DATE OF FIRST READING \_\_\_\_\_

DATE OF SECOND READING \_\_\_\_\_

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
**Mayor Pro Tem, Dustin Steinc**

**ATTEST:**

\_\_\_\_\_  
**City Clerk, Lanette Kunz**

## **The City of Iron Mountain Lake, Missouri**

### **Resolution 1**

Bill Number: 1984 - 01

Ordinance Number: 1984-01

### **RESOLUTION**

**A RESOLUTION OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, ADDING TO BILL NO. 1 ORDINANCE NO 1. REGARDING VEHICULAR VIOLATIONS. THE FOLLOWING SHALL BE ADDED TO SECTION 10 OF SAID ORDINANCE.**

5. Out of State license Missouri resident in accordance with Missouri State statute 302.020
6. Expired license or failed to register annually in accordance with Missouri State Statute 302.020
7. Fail to signal or improper signal in accordance with Missouri State Statute 304.341
8. Improper left or right turn in accordance with Missouri State Statute 304.341

### **EQUIPMENT VIOLATION MO PART 104**

6. Inadequate muffler. MO state statute 307.170
7. Defective lights, MO state Statute 307.040
8. No mud flaps on trucks, MO State Statute 307.010
9. No cover on Truck, MO State Statute 307.010
10. Defective brakes, MO State Statute 307.170

### **MOTOR VEHICLE MISDEMEANORS**

8. Following too closely, MO State Statute 304.
9. Fail to stop at stop sign or signal, MO. State Statute 304.351
10. Fail to stop for a school bus, MO State Statute
11. Fail to dim lights, MO State Statute 307.070
12. Failure to obey reasonable request, MO State Statute 343.170
13. Failure to display certificate of inspection, MO State Statute 307.350
14. Obstructing traffic, Mo. State Statute 338.170

Joyce pearl

City Clerk

Pearl Pirtle

Mayor

10/1/84

## **The City of Iron Mountain Lake, Missouri**

**The City of Iron Mountain Lake, Missouri**  
**CDBG Sewer Resolution**  
Additional Resolution

Bill Number

Resolution Number

**RESOLUTION NUMBER 2013-00\_\_ : A RESOLUTION BY MAYOR AND BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI,**

WHEREAS, the fee for acquiring a building permit in the City of Iron Mountain Lake had been previously set at the rate of \$125.00, the Mayor and Board of Alderman have amended that amount and lowered it to the rate of \$50.00 per building permit.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**Section One.**

The fee for acquiring a building permit is now and shall be \$50.00, payable to the City of Iron Mountain Lake.

DATE OF FIRST READING\_\_\_\_\_

DATE OF SECOND READING\_\_\_\_\_

PASSED            AND            APPROVED:            THIS\_\_\_\_\_DAY            OF  
\_\_\_\_\_20\_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_



## **The City of Iron Mountain Lake, Missouri**

City Clerk

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## **The City of Iron Mountain Lake, Missouri**

### **Resolution to Back Hoe Fee**

BILL NUMBER 2013-00

RESOLUTION NUMBER 2013-00

#### **RESOLUTION NUMBER 2013-00: A RESOLUTION BY MAYOR AND BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, TO AMEND THE BACK HOE RENTAL FEE.**

WHEREAS, the fee for renting the back hoe in the City of Iron Mountain Lake had been previously set at the rate of \$50 per hour, the Mayor and Board of Alderman have amended that amount and lowered it to the rate of \$25.00 minimum per half hour.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

#### **Section One.**

The fee for renting the back hoe and labor involved is now and shall be \$25.00 per thirty minutes, with a \$25 minimum charge, payable to the City of Iron Mountain Lake.

DATE OF FIRST READING

DATE OF SECOND READING

PASSED AND APPROVED: THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## The City of Iron Mountain Lake, Missouri

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### Resolution to Building Permit Fee

Bill Number

Resolution Number

**RESOLUTION NUMBER 2012-00\_\_ : A RESOLUTION BY MAYOR AND BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, TO AMEND THE BUILDING PERMIT FEE.**

WHEREAS, the fee for acquiring a building permit in the City of Iron Mountain Lake had been previously set at the rate of \$125.00, the Mayor and Board of Alderman have amended that amount and lowered it to the rate of \$50.00 per building permit.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:**

**Section One.**

The fee for acquiring a building permit is now and shall be \$50.00, payable to the City of Iron Mountain Lake.

DATE OF FIRST READING \_\_\_\_\_

DATE OF SECOND READING \_\_\_\_\_

PASSED AND APPROVED: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

## **The City of Iron Mountain Lake, Missouri**

City Clerk

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## **The City of Iron Mountain Lake, Missouri**

### **Resolution 13.006 Building Code**

BILL NUMBER 2013-006

RESOLUTION NUMBER 2013-006

**RESOLUTION NUMBER 2013-006: A RESOLUTION BY MAYOR AND BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, TO REQUIRE BUILDING INSPECTIONS AND OCCUPANCY PERMITS FOR ALL NEW RESIDENTS MOVING INTO RENTAL OR OTHER PROPERTY.**

Whereas, the City of Iron Mountain Lake will now require an Occupancy Permit on all new move-ins, a Building Code will be used to conduct such inspections. NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI AS FOLLOWS:

Section One. The new Building Code will be used for all such inspections and shall become part of Ordinance 85 Resolution Number 2013-.006.

DATE OF FIRST READING \_\_\_\_\_

DATE OF SECOND READING \_\_\_\_\_

PASSED AND APPROVED: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

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# The City of Iron Mountain Lake, Missouri

## Resolution to Abolish Building Fund

Bill Number 2012-001

Resolution Number 2012-001

### **RESOLUTION NUMBER 2012-001: A RESOLUTION BY MAYOR AND BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI TO TRANSFER THE BUILDING FUND TO THE GENERAL REVENUE FUND OF THE CITY**

WHEREAS, a Building Fund was established with money transferred into said Building Fund from the General Revenue Fund of the City; and

WHEREAS, The Mayor and the Board of Aldermen of the City of Iron Mountain Lake, Missouri no longer plans to utilize said Building Fund; and

WHEREAS, the Mayor and Board of Aldermen have determined that said funds will be best for the benefit of the City and the citizens of the City of Iron Mountain Lake, Missouri in the General Revenue Fund of the City, in particular to help fund the purchase of rock for City streets;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF IRON MOUNTAIN LAKE, MISSOURI, AS FOLLOWS:**

#### **Section One.**

That all money in the line item known as the Building Fund are to be transferred back into the General Revenue Fund of the City.

#### **Section Two:**

That the line item known as the Building Fund be dissolved with no further transfers being made into that line item.

DATE OF FIRST READING: \_\_\_\_\_

DATE OF SECOND READING: \_\_\_\_\_

PASSED AND APPROVED: THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

## **The City of Iron Mountain Lake, Missouri**

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Mayor

ATTEST:

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City Clerk

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