

**AN ORDINANCE PLACING A TEMPORARY MORATORIUM ON BUILDING APPLICATIONS, INSPECTIONS, AND PERMITS IN THE CITY AND DIRECTING THAT ORDINANCE MODIFICATIONS BE DRAFTED AND PRESENTED TO THE BOARD OF ALDERMEN FOR ITS CONSIDERATION**

WHEREAS, the Board of Aldermen deems it prudent to periodically review its ordinances regulating land use and building within the City; and

WHEREAS, Building permits and inspections are conducted in cooperation and with the assistance of Clay County; and

WHEREAS, The City has received communications from Clay County indicating the need for better communication and coordination of building permits and fees, including fees for inspections; and

WHEREAS, the best interest and welfare of the City and its residents require that the City Board consider whether additional regulations of construction, development, permitting, inspections, and fees in the City are necessary or appropriate to preserve or enhance the cultural, social, and character of the City; and

WHEREAS, the Board of Aldermen have determined that the ordinances related to building within the City need to be updated to better address the permitting and inspections of structures to preserve the nature and character of residential property within the City; and

WHEREAS, continued building and development within the City during the pendency of the Board's consideration of such regulations may frustrate or prevent the implementation of such recommendations to the possible detriment of the City and its residents; and

WHEREAS, in order to prevent irreversible damage to the City prior to the consideration and possible implementation of changes to City laws and regulations regarding building, permits, inspections, and zoning, the Mayor and Board of Aldermen have determined it is necessary and in the best interests of the City and its residents to impose a moratorium on the acceptance and issuance of building and development permits as more specifically set forth in this Ordinance, in order to provide sufficient time for the City to consider the possible adoption of additional regulations;

NOW THEREFORE be it ordained as follows:

**Section 1. RECITALS.** The recitals listed above are incorporated in this Ordinance as the findings of the Mayor and Board of Aldermen.





**Section 2. Temporary Moratorium.**

**Section A. Purpose.**

1. The City has adopted zoning controls and regulations of buildings, permits, fees, and inspections for all structures within the City.

2. Recently, the City has reviewed language within its Ordinances regarding buildings, permits, inspections, and fees to ensure the provisions protect and preserve the residential nature of the City in an economical way.

3. As a result of these important zoning and permitting issues, the City and this Board desire to conduct further review of proposed amendments to the Ordinances for the purpose of consideration of revisions and amendments to the City's official controls to address issues related to buildings, permits, inspections, and fees. The purpose of such revisions and amendments is to create a clearer and more updated regulatory framework.

4. The Board of Aldermen finds that a moratorium is required to protect the permitting and planning process within the City. The Board further finds that it is necessary to preserve within this process the existing structure of the regulatory process. The study period required under the moratorium, including all necessary revisions and amendments to the City's Code, is anticipated to be completed by August 21, 2024.

**Section B. Establishment.** Beginning on the effective date of this Ordinance, no application for a permit for demolition, grading, construction, or any other work requiring a building permit from the City shall be accepted or processed to completion by the City, and no permit authorizing any such demolition, grading, construction, or other work requiring a building permit from the City shall be issued by the City, except as otherwise provided in this Section 2 ("Temporary Moratorium").

**Section C. Limited Time Period.** The Temporary Moratorium shall remain in full force and effect for a limited period of 65 days from the effective date of this Ordinance, unless sooner terminated by ordinance duly adopted by the City Board without the need for further notice or hearing.

**Section D. Exceptions.** The Temporary Moratorium shall not apply in the following circumstances and the City may accept, process, and, if appropriate, approve permit applications for the following types of work:

1. Utility and Right-of-Way Work. This Temporary Moratorium shall not prohibit installation, repair, replacement, or relocation of utility facilities, including water lines, storm sewers, sanitary sewers, telecommunications lines and equipment, and gas and electric lines and work in public rights-of-way.
2. Threats to Public Health and Safety. This Temporary Moratorium shall not prohibit the issuance of permits for demolition, repair, or reconstruction of buildings, structures, or natural features that, in the sole discretion of the Mayor, present a threat to public health and safety.





the conduct of demolition, construction, or grading work pursuant to: (i) current permits applied for and issued by the City as of the effective date of this Ordinance or any permitted extension or renewal thereof; (ii) any amendment to a current permit; and (iii) any amendment to a current permit where the request for amendment is due to site conditions discovered during construction

**Section E. Moratorium Established and Scope.**

1. In accordance with the findings set forth within Section 1 and Section 2(A) of this Ordinance and pursuant to the directive of this Board of Aldermen, there is hereby established a moratorium on the consideration of applications for and the issuance of new permits for any structures within the City.

2. During the period of time of the moratorium, permits previously issued for the accessory structures shall continue under the existing regulations established by the City.

**Section F. Applicability.**

The moratorium shall be applied throughout the City of Glenaire from the Effective Date.


**Section G. Conditional Processing of New Applications.** Any proposal to conduct demolition, grading, or construction work may be presented to the City for consideration during the pendency of the Temporary Moratorium, and such applications will be processed conditionally during the pendency of the Temporary Moratorium. However, no such application shall be finally approved: (i) until the expiration of the Temporary Moratorium, and (ii) unless the application complies with the applicable regulations in effect following the expiration of the Temporary Moratorium. Persons filing applications pursuant to this **Section 2.F** shall do so at their own risk.

**Section 2. Effective Date.**

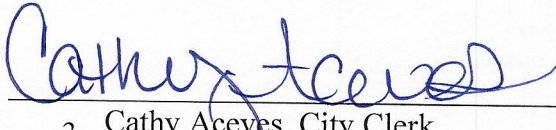
This Ordinance shall be in full force and effect from and after its passage and publication according to law and shall remain effective until August 21, 2024, unless further extended by order of this Board.

PASSED AND ADOPTED by the Board of Aldermen of the City of Glenaire, Clay County, Missouri, on this 18<sup>th</sup> day of June 2024.

**CITY OF GLENAIRE, MISSOURI**

  
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Frankie Petty, Mayor

**ATTEST:**

  
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3 Cathy Aceves, City Clerk

