

BILL NO. 2580

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 29-90(c) OF THE CODE OF ORDINANCES OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, AND ADDING TWO NEW SECTIONS RELATING TO SIGN REGULATIONS.**

**WHEREAS**, an amendment to the language of Article XV of Chapter 29 of the Code of Ordinances of the City of Bellefontaine Neighbors concerning modifications relating to sign regulations in non-residential districts was considered by the Planning and Zoning Commission and the Commission recommended that this amendment be adopted by the Board of Alderpersons; and

**WHEREAS**, the Board of Alderpersons, after providing due notice as required by law, will hold a public hearing on the question of adoption of these amendments on June 18, 2020;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, AS FOLLOWS:**

**Section One.**

Section 29-90(c) of Article XV of Chapter 29 of the Bellefontaine Neighbors, Missouri, Code of Ordinances is hereby repealed and a new Section 29-90(c) is hereby enacted in lieu thereof, in addition to the enactment of a new Section 29-90(f) and (g), each to read as follows:

**Chapter 29 ZONING REGULATIONS**

**ARTICLE XV – OFF-STREET PARKING, LOADING REQUIREMENTS AND SIGNS**

**Sec. 29-90. Sign regulations – non-residential districts.**

[NOTE: All other portions of the Code adopted by Article III of this Chapter are not altered, amended or affected in any way by this amendment and remain in full force and effect. For that reason these materials are not set forth here in full.]

(a) Except as permitted pursuant to Subsection (b) below, a sign or signs may be erected or installed in any non-residential zoning district only when relating to the services, products or identifying name of the business or businesses located on the

property on which the sign or signs are located and further shall conform to the following requirements:

\* \* \*

(c) Signs shall not revolve, flash or be grotesque in appearance. Signs illuminated by internal or exterior light sources which are not steady or on which colors change are prohibited. No signs shall be air-powered, inflated or mechanized in such a way as to wave, move or bring attention to themselves. Scrolling marquees shall be allowable so long as they do not exceed 18 inches in height x 84 inches in width.

\* \* \*

(f) Reasonable security lighting or motion sensors/motion detection systems for security purposes shall be acceptable. Such systems shall be tested, adjusted and calibrated by their installers to avoid nuisance tripping.

(g) Displays for public information operated by the City of Bellefontaine Neighbors, St. Louis County, or non-profit sports facilities shall be allowed. They may include scrolling marquee signs or video signs of any resolution. Size and placement limitations for signs shall apply.

### **Section Two.**

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Bellefontaine Neighbors, Missouri hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

### **Section Three.**

The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered in the process of recodifying or servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

### **Section Four.**

This Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

**PASSED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE NEIGHBORS ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

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Tommie Pierson, Sr., Mayor

**ATTEST:**

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Fran Stevens, City Clerk

INTRODUCED BY ALDERMAN CARROLL

BILL NO. 2581

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTIONS 29-95, 29-112 AND 29-118 OF THE CODE OF ORDINANCES OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, TO ESTABLISH AMENDMENTS TO THE ZONING REGULATIONS TO CONFORM TO INCREASES IN USER FEES FOR BUILDING DEPARTMENT SERVICES, STREET AND SIDEWALK USE AND LAND USE APPLICATIONS.**

**WHEREAS**, the City of Bellefontaine Neighbors requires the payment of user fees for Building, Street and Sidewalk Use, and Zoning Department inspection and permitting services provided by the City; and

**WHEREAS**, the City of Bellefontaine Neighbors has not revised its fee structure for Building and Zoning Department services and permitting for many years; and

**WHEREAS**, the cost of providing such services has risen substantially since such fees were last reviewed; and

**WHEREAS**, the establishment of the increased fees hereby necessitates changes to the City's Zoning Regulations to maintain conformity and consistency between the increased fees and the Zoning Regulations in the City Code of Ordinances; and

**WHEREAS**, amendments to the language of the Planning and Zoning Ordinances of the City of Bellefontaine Neighbors to make the Zoning Regulations conform and be consistent with the increase in fees was considered by the Planning and Zoning Commission and the Commission recommended that these amendments be adopted by the Board of Alderpersons; and

**WHEREAS**, the Board of Alderpersons, after providing due notice as required by law, will hold a public hearing on the question of adoption of these amendments on June 18, 2020;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, AS FOLLOWS:**

**Section One.**

Subsection (1)a.1. of Section 29-95 of Article XVI of Chapter 29 of the Code of Ordinances of the City of Bellefontaine Neighbors, Missouri, is hereby repealed

and a new Subsection (1)a.1. of Section 29-95 is hereby enacted in lieu thereof to read as follows:

**CHAPTER 29            ZONING REGULATIONS**  
**ARTICLE XVI         CONDITIONAL USE REGULATIONS**  
**SECTION 29-95      Same--Procedures.**

[NOTE: Other Subsections are not altered, amended or affected in any way by this amendment and remain in full force and effect. For that reason those portions are not set forth here in full.]

A conditional use permit may be initiated by a verified application of one (1) or more of the owners of record or owners under contract of a lot or tract of land, or their authorized representatives, or by the planning and zoning commission or by the board of aldermen. Procedures for application, review, and approval of a conditional use permit shall be as follows:

(1) Application. Application for a conditional use permit for a specific tract of land shall be addressed to the planning and zoning commission. The application shall be filed on forms prescribed for that purpose and be accompanied by the following:

a. Filing fee.

1. Any applicant seeking a conditional use permit pursuant to the provisions of Chapter 29 of the Code of Ordinances of the City of Bellefontaine Neighbors shall pay an initial fee of five hundred dollars (\$500.00), except that the initial fee for a residential or home child care facilities conditional use permit will be two hundred and fifty dollars (\$250.00).

**Section Two.**

Subsection (c) of Section 29-112 of Article XIX of Chapter 29 of the Code of Ordinances of the City of Bellefontaine Neighbors, Missouri, is hereby repealed and a new Subsection (c) of Section 29-112 is hereby enacted in lieu thereof to read as follows:

**CHAPTER 29            ZONING REGULATIONS**  
**ARTICLE XIX         ZONING CHANGES AND AMENDMENTS**  
**SECTION 29-112    Zoning Changes and Amendments**

[NOTE: The balance of Section 29-112 and Article XIX are not altered, amended or affected in any way by this amendment and

remain in full force and effect. For that reason those portions are not set forth here in full.]

(c) Before any action shall be taken on petition as provided in this article, the party or parties proposing or recommending a change in the district regulations or district boundaries shall pay to the city treasurer an initial filing fee of five hundred dollars (\$500.00) to reimburse the city for expenses incurred in processing the application, including, but not limited to, costs of legal and engineering review, cost of traffic and planning consultants employed by the city, publication expenses, expenses of notification to adjoining property owners, expenses of hearings including rental of a hall, if necessary, court reporter, if requested by either the city or the applicant, and other investigations deemed necessary by the city. applicant.

### **Section Three.**

Subsection (c)(3) of Section 29-118 of Article XIX of Chapter 29 of the Code of Ordinances of the City of Bellefontaine Neighbors, Missouri, is hereby repealed and a new Subsection (c)(3) of Section 29-118 is hereby enacted in lieu thereof to read as follows:

**CHAPTER 29            ZONING REGULATIONS**  
**ARTICLE XX           ENFORCEMENT, VIOLATIONS AND PENALTIES**  
**SECTION 29-118 Enforcement, violations and penalties.**

[NOTE: Other Subsections are not altered, amended or affected in any way by this amendment and remain in full force and effect. For that reason those portions are not set forth here in full.]

(c) Certificate of occupancy.

(1) Subsequent to the effective date of this chapter, no change in the use or occupancy of land, nor any change in the use or occupancy of an existing building, other than for single-family dwelling purposes, shall be made nor shall any new building be occupied for any purpose until an application shall have been made to the city engineer by the owner of the premises or by the tenant and until a certificate of occupancy shall have been issued therefor by the city engineer. Every certificate of occupancy shall state that the new occupancy complies with all provisions of this chapter and no occupancy permit shall be issued to make a change unless such change is in conformity with the provisions of this chapter.

(2) Certificate of occupancy shall be applied for coincidentally with the application for construction permit, and shall be issued within ten (10)

days after the lawful erection, reconstruction, or alteration of the building is completed with the necessary accessory plumbing and compliance with sanitary requirements.

(3) It shall be the duty of the city engineer to cause an inspection to be made of the premises to determine that any new use or occupancy complies with all provisions of this chapter. The fee for a residential certificate of occupancy shall be fifty dollars (\$50.00) and the fee for a commercial certificate of occupancy shall be one hundred fifty dollars (\$150) payable at the time application is made therefor. Said fee shall be paid to the city clerk who shall forthwith pay it over to the city treasurer to the credit of the general revenue fund of the City of Bellefontaine Neighbors.

#### **Section Four.**

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Bellefontaine Neighbors, Missouri hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

#### **Section Five.**

The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered in the process of recodifying or servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

**Section Six.** This Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

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**PASSED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE NEIGHBORS THIS \_\_\_\_ DAY OF JUNE\_\_\_\_\_, 2020.**

\_\_\_\_\_  
Tommie Pierson, Sr., Mayor

**ATTEST:**

\_\_\_\_\_  
Fran Stevens, City Clerk

BILL NO. 2582

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 3-46 OF ARTICLE II OF CHAPTER 3 OF THE CODE OF ORDINANCES OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, RELATING TO ALCOHOLIC BEVERAGE LICENSEES' WINDOW DISPLAYS IN THE SALE OF INTOXICATING LIQUOR.**

**WHEREAS**, the Missouri General Assembly enacted Section 311.660(6), RSMo. allowing the Missouri Supervisor of Liquor Control to establish rules and regulations for the conduct of the business carried on by a liquor licensee; and

**WHEREAS**, the Missouri Supervisor of Liquor Control has promulgated 11 CSR 70-2.010 establishing the conditions of licensing and operation of premises of retail licensees; and

**WHEREAS**, the Board of Alderpersons now finds it in the best interest of the public to amend the language of the Alcoholic Beverages Code of the City of Bellefontaine Neighbors to make the adjustments necessary to maintain the City's prohibition against the display of bottles and other objects in any window on the premises of an alcoholic liquor licensee selling intoxicating liquor at retail;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, AS FOLLOWS:**

**Section One.**

Section 3-46 of Article II of Chapter 3 of the Bellefontaine Neighbors, Missouri, Code of Ordinances is hereby repealed and a new Section 3-46 is hereby enacted in lieu thereof to read as follows:

**Chapter 3 ALCOHOLIC BEVERAGES**

**ARTICLE II INTOXICATING LIQUOR**

**Sec. 3-46. Display of bottles, etc., in show windows prohibited.**

[NOTE: All other portions of the Code adopted by Article II of this Chapter are not altered, amended or affected in any way by this amendment and remain in full force and effect. For that reason these materials are not set forth here in full.]

It shall be unlawful to display in any street window or show window any intoxicating liquor or any package bottle or container bearing the label or brand of any intoxicating liquor. No alcohol bottle or container, or its graphic representation or likeness thereof shall be positioned in, on or by any window, show window or glass door to be visible from the exterior of the premises.

**Section Two.**

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Bellefontaine Neighbors, Missouri hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section Three.**

The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered in the process of recodifying or servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

**Section Four.**

This Ordinance shall take effect and be in full force from and after its passage and approval by the Mayor.

**PASSED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE NEIGHBORS ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

\_\_\_\_\_  
Mayor Tommie Pierson, Sr., Mayor

**ATTEST:**

\_\_\_\_\_  
Fran Stevens, City Clerk

INTRODUCED BY ALDERWOMAN REED

BILL NO. 2583

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTIONS 5-7, 23-17, AND 23-47 OF THE CODE OF ORDINANCES OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, TO ESTABLISH INCREASES IN USER FEES FOR BUILDING DEPARTMENT SERVICES, STREET AND SIDEWALK USE AND LAND USE APPLICATIONS THAT REFLECT THE COST OF SUCH SERVICES.**

**WHEREAS**, the City of Bellefontaine Neighbors requires the payment of user fees for Building, Street and Sidewalk Use, and Zoning Department inspection and permitting services provided by the City; and

**WHEREAS**, the City of Bellefontaine Neighbors has not revised its user fees structure for many years; and

**WHEREAS**, the cost of providing such services has risen substantially since such fees were last reviewed; and

**WHEREAS**, such fees are: (a) paid only on or after provision of service to the individual or entity paying the fee; (b) are charged only to those who actually use the service for which the fee is charged; (c) depend on the level of service provided to the fee payer; (d) are paid in exchange for the service provided; (e) are paid for services historically and exclusively provided by governments, and (f) are commensurate with the cost of providing the services for which the fees are charged;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, AS FOLLOWS:**

**Section One.**

Section 5-7 of Article I of Chapter 5 of the Code of Ordinances of the City of Bellefontaine Neighbors, Missouri, is hereby repealed and a new Section 5-7 is hereby enacted in lieu thereof to read as follows:

**Chapter 5 BUILDINGS AND BUILDING REGULATIONS**

**ARTICLE I IN GENERAL**

**Sec. 5-7. Fees for building department services.**

The following user fees are hereby established for the following services provided by the building department:

The following user fees are hereby established for the following services provided by the building department:

Type of Service	Amount of Fee
New buildings, for the first \$1,000.00	\$100.00
For each additional \$1,000.00	\$5.00
Application fee	\$35.00
Additions, for the first \$1,000.00	\$100.00
For each additional \$1,000.00 or part thereof	\$5.00
Accessory buildings, for the first \$1,000.00	\$100.00
For each additional \$1,000.00 or part thereof	\$5.00
Residential storage shed, for the first \$1,000.00	\$100.00
For each additional \$1,000.00 or part thereof	\$5.00
Siding	\$75.00
Heating and air conditioning	\$100.00
Dumpster permit	\$50.00
Fences	\$70.00
Patio	\$70.00
Swimming pool	\$60.00
Sidewalks	\$70.00
Driveway or parking area	\$70.00

Excavation and grading	\$100.00
Demolition:	
Principal building - Residential	\$120.00
Principal building - Commercial	\$240.00
Accessory building	\$20.00
Roof	\$60.00
Occupancy permit - Residential	\$40.00
Occupancy permit - Commercial	\$125.00
Occupancy permit update	\$25.00
Occupancy Inspection:	
Residential	\$75.00
Commercial	\$150.00
Extra trip Re-inspection - Residential	\$50.00
Extra trip Re-inspection - Commercial	\$75.00
Conditional Use:	
Commercial	\$400.00
Residential and daycare	\$175.00
Application fee (Non-refundable)	\$35.00
Zoning Amendments	\$250.00
Application fee (Non-refundable)	\$35.00
Zoning Maps:	
Small	\$25.00
Large	\$35.00

**Section Two.**

Section 23-17 of Article II of Chapter 23 of the Code of Ordinances of the City of Bellefontaine Neighbors, Missouri, is hereby repealed and a new Section 23-17 is hereby enacted in lieu thereof to read as follows:

**CHAPTER 23           STREETS AND SIDEWALKS**

**ARTICLE II            OBSTRUCTIONS**

**SECTION 23-17      Permit Required**

[NOTE: All other portions of the Code adopted by Article II of this Chapter are not altered, amended or affected in any way by this amendment and remain in full force and effect. For that reason these materials are not set forth here in full.]

Any person desiring to temporarily use any public street or sidewalk for the purpose of placing building material, soil or other objects associated with construction or development of property shall first secure a permit therefor from the city. Such permit may only allow use of such property for a limited time as reasonably required for the project with which the use is associated. A permit may be issued upon application to the city clerk and upon payment of a fee of Seventy dollars (\$70.00) by the applicant.

**Section Three.**

Section 23-47 of Article IV of Chapter 23 of the Code of Ordinances of the City of Bellefontaine Neighbors, Missouri, is hereby repealed and a new Section 23-47 is hereby enacted in lieu thereof to read as follows:

**CHAPTER 23           STREETS AND SIDEWALKS**

**ARTICLE IV           EXCAVATIONS**

**SECTION 23-47      Same-Application; issuance fee**

[NOTE: All other portions of the Code adopted by Article II of this Chapter are not altered, amended or affected in any way by this amendment and remain in full force and effect. For that reason these materials are not set forth here in full.]

Application for an excavation permit shall be filed with the city clerk and referred to the city engineer, who shall issue such permit provided the application meets the requirements of this article. A permit fee of Seventy dollars (\$70.00) must accompany each application, which fee shall be paid into the general fund of the city.



**Section Four.**

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Bellefontaine Neighbors, Missouri hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section Five.**

The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered in the process of recodifying or servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

**Section Six.** This Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

**PASSED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE NEIGHBORS THIS \_\_\_ DAY OF \_\_\_\_\_, 2020.**

\_\_\_\_\_  
Tommie Pierson Sr., Mayor

**ATTEST:**

\_\_\_\_\_  
Fran Stevens, City Clerk

INTRODUCED BY ALDERWOMAN DAILES

BILL NO. 2584

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 19-48 OF THE CODE OF ORDINANCES OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, RELATING TO ILLUMINATION OFFENSES.**

**WHEREAS**, the City of Bellefontaine Neighbors is concerned with offenses against property relating to illumination; and

**WHEREAS**, an amendment to the language of Article III of Chapter 19 of the Code of Ordinances of the City of Bellefontaine Neighbors is necessary concerning modifications relating regulation of the lighting of private property;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI, AS FOLLOWS:**

**Section One.**

Section 19-48 of Article III of Chapter 19 of the Bellefontaine Neighbors, Missouri, Code of Ordinances is hereby repealed and a new Section 19-48 is hereby enacted in lieu thereof to read as follows:

**Chapter 19 OFFENSES – MISCELLANEOUS PROVISIONS**

**ARTICLE III – OFFENSES AGAINST PROPERTY**

**Sec. 19-48. Excessive, unconventional or unorthodox lighting.**

[NOTE: All other portions of the Code adopted by Article III of this Chapter are not altered, amended or affected in any way by this amendment and remain in full force and effect. For that reason these materials are not set forth here in full.]

(a) The lighting of any private property that illuminates or casts glare onto any other property and unreasonably and substantially interferes with the use or enjoyment of such other property is prohibited. In furtherance of this requirement, lighting of private property shall be so arranged or designed to direct light away from adjoining properties as much as possible. Lights shall be arranged, installed or shaded so that no part of the lighting filament is visible and casts glare to any point beyond the property line of the premises so illuminated. Floodlights and spotlights shall be shielded if necessary to prevent illumination or glare onto adjoining properties and streets.

Provided, however, that lighting on existing athletic fields and other recreational facilities need not comply with this Section until such time as such existing lighting systems are replaced.

(b) Anyone who fails or refuses to correct excessive illumination within ten (10) days after written notice from the City Manager or his or her designee shall, upon conviction, be guilty of an offense.

(c) The property owner and occupant shall be responsible for preventing illumination of adjoining property and streets.

(d) No lights shall be attached to a sign, building, canopy or any other outdoor structure that flash, pulsate, change color, or otherwise attract attention from drivers, passersby or nearby residents. Non-flashing, non-projecting, solid color lights used as holiday decorations shall be allowable for up to six contiguous weeks per year.

(e) Any unconventional accent lighting or adornment of buildings, canopies or other outdoor structures shall require the owner apply for and obtain a Conditional Use Permit prior to installation. Unconventional adornment includes, but is not limited to, continuous promotional pennant flags and island-, blade- or sail-pole flags for a period of time longer than allowed in Sec. 29-92 "Regulation of temporary and real estate signs". The Permit application must describe or show the proposed accent lighting and/or adornment in clear detail. The City may require visual aids to fully illustrate the proposed change. Colors and patterns used shall not detract from the character of the surrounding neighborhood. Lewd graphics or artwork of any kind is strictly forbidden. Size and placement limitations for signs shall apply.

## **Section Two.**

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Bellefontaine Neighbors, Missouri hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

## **Section Three.**

The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered in the process of recodifying or servicing the

City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

**Section Four.**

This Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

**PASSED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE NEIGHBORS ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

\_\_\_\_\_  
Tommie Pierson, Sr., Mayor

**ATTEST:**

\_\_\_\_\_  
Fran Stevens, City Clerk

INTRODUCED BY ALDERMAN CHRISTIAN

BILL NO. 2585

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 2-16 OF THE BELLEFONTAINE NEIGHBORS CODE OF ORDINANCES RELATING TO THE MANNER OF PASSAGE OF ORDINANCES.**

**WHEREAS**, Section 2-16 of the Bellefontaine Neighbors, Missouri Code of Ordinances deals with the adoption of ordinances in the City; and

**WHEREAS**, the text of Section 2-16 does not fully reflect the Laws of the State of Missouri governing adoption of ordinances in fourth class cities; and

**WHEREAS**, it is the desire and intent of the Mayor and Board of Alderpersons that the ordinances of the City provide clarity on the procedure for passing Ordinances, and be in conformity with the governing state laws on the same subject;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF BELLEFONTANE NEIGHBORS, MISSOURI, AS FOLLOWS:**

**Section One.**

Section 2-16 of Article II of Chapter 2 of the Code of Ordinances of the City of Bellefontaine Neighbors, Missouri, relating to the manner of passage of ordinances in the City, is hereby repealed and a new Section 2-16 relating to the same subject is hereby enacted in lieu thereof, to read as follows:

**Chapter 2 - - ADMINISTRATION**

**ARTICLE II. BOARD OF ALDERMEN**

**SEC. 2-16. Passage of ordinances.**

- (a) The style of all ordinances shall be: "Be it ordained by the board of aldermen of the City of Bellefontaine Neighbors, Missouri, 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, pursuant to a roll call, and the "ayes" and "nays" with the names 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 (2) times prior to passage; both readings 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 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 provided herein.

(b) Every bill duly passed by the board of aldermen and presented to the mayor and by him approved shall become an ordinance, and every bill presented as aforesaid, but returned with the mayor's objections thereto, shall stand reconsidered. The board of aldermen shall cause the objections of the mayor to be entered at large upon the journal, and proceed at its convenience to consider the question pending, which shall be in this form: "Shall the bill pass, the objections of the mayor thereto notwithstanding?" The vote on this question shall be taken by roll call, with the "ayes" and "nays" and the names entered upon the journal, and if two-thirds (2/3) of all the members-elect shall vote in the affirmative, the city clerk shall certify the fact on the roll, and the bill thus certified shall be deposited with the proper officer, and shall become an ordinance in the same manner and with like effect as if it had received the approval of the mayor. The mayor shall have power to sign or veto any ordinance passed by the board of aldermen; provided, that should he neglect or refuse to sign any ordinance and return the same with his objections, in writing, at the next regular meeting of board of aldermen, the same shall become a law without his signature.

### **Section Two.**

It is hereby declared to be the intention of the board of aldermen that the sections, subsections, paragraphs, sentences, clauses, phrases and words of this ordinance shall be severable, and if any section, subsection, paragraph, sentence, clause, phrase or words of this ordinance shall, for any reason, be held unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Bellefontaine Neighbors, Missouri hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

### **Section Three.**

The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered in the process of recodifying or servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

### **Section Four.**

This Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

**PASSED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE NEIGHBORS THIS \_\_\_\_ DAY OF JUNE, 2020.**

\_\_\_\_\_  
Presiding Officer

Attest:

\_\_\_\_\_  
Fran Stevens, City Clerk

**APPROVED THIS \_\_\_\_ DAY OF JUNE, 2020**

\_\_\_\_\_  
Tommie Pierson Sr., Mayor



**AN ORDINANCE DECLARING RESULTS OF THE GENERAL CITY ELECTION HELD BY THE CITY OF BELLEFONTAINE NEIGHBORS, MISSOURI ON TUESDAY, JUNE 2, 2020**

**WHEREAS**, the City previously provided notice of a General City Election as provided by the Constitution and the Laws of the State and the Ordinances of this City, to be held on the General Municipal election day on June 2, 2020, for the election of one Alderperson for Ward 1; one Alderperson for Ward 2; one Alderperson for Ward 3; and one Alderperson for Ward 4 for a term of four years and/or until the successors of said offices are duly appointed or elected, and qualified and installed into office.

**WHEREAS**, said General City Election was duly held on June 2, 2020, according to law and as provided by the Constitution and laws of this State and the Ordinances of this City; and

**WHEREAS**, the vote count has been taken and ballots as well as the absentee ballots, have been counted as provided by the law and the returns have been canvassed and certified by the St. Louis County Board of Election Commissioners as provided by law;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERPERSONS OF THE CITY OF BELLEFONTANE NEIGHBORS, MISSOURI, AS FOLLOWS:**

**SECTION ONE.**

The results of the General City Election held on June 2, 2020, are hereby declared to be as follows:

<b>Alderperson, Ward 1</b>	<b>Dinah Lynn Tatman</b>	<b>208</b>
	<b>Dannielle James</b>	<b>18</b>
	<b>Ebony Williams</b>	<b>54</b>
<b>Alderperson, Ward 2</b>	<b>James Carroll</b>	<b>129</b>
	<b>Michael Wiese</b>	<b>104</b>
<b>Alderperson, Ward 3</b>	<b>James W. Thomas, Sr.</b>	<b>142</b>
<b>Alderperson, Ward 4</b>	<b>Alease Dailes</b>	<b>217</b>

**SECTION TWO.**

The following are hereby declared to be elected to the offices designated to serve the terms herein set forth or until their successors are duly appointed or elected, qualified and installed:

<b>Aldersperson, Ward 1</b>	<b>Dinah Lynn Tatman</b>	<b>208</b>
<b>Aldersperson, Ward 2</b>	<b>James Carroll</b>	<b>129</b>
<b>Aldersperson, Ward 3</b>	<b>James W. Thomas, Sr.</b>	<b>142</b>
<b>Aldersperson, Ward 4</b>	<b>Alease Dailes</b>	<b>217</b>

**SECTION THREE.**

This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

**PASSED BY THE BOARD OF ALDERPERSONS FOR THE CITY OF BELLEFONTAINE NEIGHBORS THIS \_\_\_\_ DAY OF JUNE, 2020.**

\_\_\_\_\_  
Presiding Officer

Attest:

\_\_\_\_\_  
Fran Stevens, City Clerk

**APPROVED THIS \_\_\_\_ DAY OF JUNE, 2020**

\_\_\_\_\_  
Tommie Pierson Sr., Mayor

ATTEST:

\_\_\_\_\_  
Fran Stevens, City Clerk