



City of Duenweg

106 Webb Street/P.O. Box 105

Duenweg, MO 64841

Russell Olds, Mayor

Shirley J Lewis, City Clerk

Don Johnson, Alderman Ward I

Sheila Foster, Alderman Ward I

William Haldeman, Alderman Ward I

Joyce Carey, Alderman Ward II

(417) 623-2027

We would like to welcome you to the City of Duenweg. This packet is to help you become acquainted with the city and how it operates. Included in this packet are contact numbers you may find useful and several ordinances you should become familiar with. If you have any questions please feel free to contact City Hall at 417-623-2027. Our hours are 7:30 am to 4:30 pm Monday through Friday.

Contact Numbers

Empire

602 Joplin St

Joplin, MO 64802

417-624-0300

Missouri Gas Energy

520 E 5th St

Joplin, MO 64802

1-800-582-1234

Allied Waste

1-800-431-1507

Trash Day is Wednesday. If there is a holiday on Thursday or Friday, pickup is still on Wednesday. If a holiday falls on Monday, Tuesday, or Wednesday, pickup will be the next day.

MediaCom

1-800-234-2157

Fire Department

417-623-7408

Post Office

Hours 8:30 am – 4:30 pm

417-782-1463

CITY COUNCIL

The City Council meetings are regularly held on the fourth Thursday of the month at 7:00 pm. If you would like to speak at the council meeting you need to notify the City Clerk at least 24 hours in advance and request to be placed on the agenda. This can be done by calling 417-623-2027.

APPLE PARK

The Apple Park is located at the corner of Irwin and Sterling. The Apple family has graciously donated the funds to construct the park and we take great pride in the addition to the City. We hope you come to have the same pride. If you use the park please pick up your trash and do not vandalize the equipment or restroom. The park is available for picnics and parties. To reserve the pavilion you must complete a reservation form, which can be picked up at City Hall.

The Duenweg Park Board meets the first Monday of the month at 6:00 pm at 118 Webb Street. If you would like to speak at the board meeting you need to notify the City Hall 24 hours in advance and be asked to be placed on the agenda.

POLICE DEPARTMENT

Chief Stuart is on duty Monday through Friday 9:00 am to 5:00 pm. If you would like to speak to him please feel free to contact the Police Department at 417-623-2263 and leave your name and number. He is very punctual about returning calls if he is not in the office. We also have patrol through the evenings and weekends. They are always happy to assist you.

One of the services the Police Department offers is a "house checklist". If you are planning to be out of town you may complete a form for extra patrol round your home. On the form you may add who is or isn't allowed on your property and special things you would like checked specifically (outside the home).

MAYOR

Russell Olds is the Mayor of Duenweg. He is in the office Fridays from 7:30 am to 4:00 pm. If you would like to speak to him during the week you may call City Hall and leave a message. You may also set up a time to meet with him on Friday at that time.

NEWSLETTER

The City of Duenweg mails out a newsletter every month. If you have birthdays, anniversaries, or birth announcements you would like to put in the newsletter you may bring them up to City Hall or put them in the drop box.

AN ORDINANCE PROVIDING FOR THE
LICENSING AND VACCINATION OF DOGS;
PROVIDING REGULATIONS FOR THE CARE
AND CONTROL OF DOGS AND OTHER ANIMALS;
PROVIDING FOR THE APPREHENSION, QUARIN-
TINE AND DISPOSITION OF RABID ANIMALS;
AND PROVIDING FOR THE IMPOUNDMENT AND
DISPOSITION OF DANGEROUS ANIMALS AND
THE DISPOSITION OF ANIMAL CARCASSES

BE IT ORDAINED by the Board of Aldermen of the City of Duenweg
as follows:

That this ordinance entitled "An Ordinance Providing for the
Licensing and Vaccination of Dogs; Providing Regulations for the
Care and Control of Dogs and Other Animals; Providing for the
Apprehension, Quarantine and Disposition of Rabid Animals; and
Providing for the Impoundment and Disposition of Dangerous Animals
and the Disposition of Animal Carcasses" shall be in force and
effect from and after the date of its passage and such ordinance
hereinafter set forth is hereby enacted.

ARTICLE I. IN GENERAL

Sec. 1. Definitions.

As used in this chapter, the following terms shall have the
meanings herein ascribed to them:

At large. Any dog shall be deemed to be "at large" when he
is off the property of his owner and not under the control of a
competent person.

Exposed to rabies. A dog has been "exposed to rabies" if it
has been bitten by or exposed to any animal known to have been
infected with rabies.

Kennel. The term "kennel" shall mean any person, group of
persons or corporation engaged in the commercial business of breed-
ing, buying, selling or boarding dogs.

Owner. The word "owner" shall mean any person owning, keeping
or harboring a dog.

Pound. The word "pound" shall mean any premises designated by action of the Board of Aldermen for the purpose of impounding and caring for all animals found running at large in violation of this article.

Restraint. A dog is under "restraint" if he is controlled by a leash, at "heel" or beside a competent person and obedient to that person's commands, on or within a vehicle being driven or parked on the streets, or within the property limits of his owner.

Sec. 2. Offensive stables, poultry yards, etc.

Any person owning, keeping or charged with the care of any stable, poultry yard or pet house in the city shall not permit the same to become offensive.

Sec. 3. Dogs generally--Running at large prohibited.

Every owner shall keep his dog under restraint at all times and shall not permit such dog to be at large off the premises or property of the owner, unless under the control of a competent person.

Sec. 4. Same--Vicious dogs.

The owner shall confine within a building or secure enclosure every fierce, dangerous or vicious dog, and not take such dog out of such building or secure enclosure unless such dog is securely muzzled.

Sec. 5. Same--Barking, etc., dogs.

It shall be unlawful for any person to harbor any dog or other animal or bird which, by barking, howling, yelping or in any other manner, annoys or disturbs any inhabitant or person in the city.

Sec. 6. Same--Bitches in heat.

Every female dog in heat shall be kept confined in a building or secure enclosure.

Sec. 7. Cats in heat.

Every female cat in heat shall be kept confined in a building or secure enclosure.

Sec. 8. Hogs prohibited.

The keeping, feeding or raising of hogs or pigs within the city is hereby declared to be a nuisance and it shall be unlawful for any person to keep, feed or raise hogs or pigs within the city.

Sec. 9. City Marshal to keep records of animals coming into its custody.

It shall be the duty of the City Marshal to keep or cause to be kept accurate and detailed records of the licensing, impoundment and disposition of all animals coming into his custody.

Sec. 10. Removal of dead animals--Generally; appropriation of carcasses by contractor.

The carcass of any dead animal found within the city, not slain for human food, and not removed by the person entitled to the possession thereof, within four hours of daylight time after the death of such animal, is hereby declared to be a nuisance and such carcass shall thereupon be removed by the City Marshal or someone designated by him.

ARTICLE II. IMPOUNDMENTS.

Sec. 1. Generally.

All animals found running at large in violation of any provision of this ordinance and all unlicensed dogs shall be taken up by the City Marshal or anyone designated by him and impounded in the shelter of the Joplin Humane Society; provided, however, that, when a dog is found running at large and its owner is known to the City Marshal, such dog need not be impounded, but the City Marshal may, in his discretion, cite the owner to appear in court to answer to charges of violating this ordinance.

Sec. 2. Notice to owner.

Immediately upon impounding animals, the City Marshal shall make every possible effort to notify the owners of such animals so impounded, and inform such owners of the conditions whereby they may regain custody of such animals.

Sec. 3. Redemption of animals--Generally.

Except as otherwise provided in this article, the owner shall be entitled to resume possession of any impounded dog upon compliance

with the license provisions of this chapter and the payment of the impoundment fees set forth in Section 4 of this ordinance. Except as otherwise provided, any other animal impounded under the provisions of this article may be reclaimed by the owner upon the payment of the impoundment fees.

Sec. 4. Same--Fees.

Any animal impounded under this ordinance may be reclaimed upon payment by the owner to the city of the sum of \$ 5.00 for each dog and the additional sum of \$ 1.00 for each day such dog is kept after the expiration of the first seventy-two hours, and \$ 5.00 for any other animal, and the additional sum of \$ 1.00 for each day such other animal is kept. Impoundment fees set forth herein shall be collected for the city and such additional sums as herein provided for keeping animals shall also be collected by the city and retained by it to help defray the costs of keeping such animals beyond the period set forth herein or paid to the Joplin Humane Society. Proof of payment directly to Joplin Humane Society shall be accepted as the payment of the charges herein set forth.

Sec. 5. Same--Prohibited in certain cases.

When, in the judgment of the City Marshal, an animal should be destroyed for humane reasons, such animal may not be redeemed.

Sec. 6. Disposition of animals when not reclaimed.

Any animal impounded under the provisions of this ordinance and not reclaimed by its owner within five days may be humanely destroyed by the City Marshal or Joplin Humane Society or placed in the custody of some person deemed to be a responsible and suitable owner, who will agree to comply with the provisions of this ordinance; provided, however, that, if the animal is one as to which the respective rights of the owner and the person in possession or custody are determined by state law, such law shall be complied with.

Sec. 7. "Estrays" defined and prohibited.

Any horse, colt, cow, bull, steer, mule, ass, hog, pig, sheep, lamb, goat, kid or cattle of any kind that shall hereafter run at large on any street, avenue, alley or public place within the city, is hereby declared to be an stray, and it shall be unlawful for any person to permit any such animal to run at large. Each and every stray is hereby declared to be a nuisance and may be impounded.

ARTICLE III. DOG LICENSES.

Sec. 1. Required; exception.

No person shall own, keep or harbor any dog over the age of six months within the city, unless such dog is licensed as provided in this ordinance; provided, however, that the licensing requirements of this ordinance shall not apply to any dog belonging to a non-resident of the city and kept within the city for not longer than thirty days; provided all such dogs shall at all times, while in the city, be kept within a building, enclosure or vehicle, or be under restraint by the owner.

Sec. 2. Application--Generally.

Written application for a dog license shall be made at the office of the City Marshal. Such application shall state the name and address of the owner and the name, breed, color, age and sex of the dog.

Sec. 3. Same--When to be made.

Applications for licenses under this article may be made prior to and for thirty days after the start of the licensing year without penalty, but when application is made after thirty days of the licensing year have elapsed, the applicant shall be assessed a penalty for fifty per cent of the license fee, which amount shall be added and collected with the regular license fee; provided, however, that if the dog or kennel did not become subject to licensing until after the start of the licensing year, then no penalty shall be assessed.

Sec. 4. Fee.

The yearly fee for a dog license shall be \$ 1.00 . Every person engaged in the commercial business of buying, selling, breeding or boarding, and who owns, harbors or keeps five or more dogs in a kennel, shall pay an annual license fee of \$ 5.00 ; provided, however, that any person operating such a kennel may elect to license individual dogs as provided in this section. The fee provided for above shall be paid at the time of making application for the license and a numbered receipt therefor shall be given the applicant.

Sec. 5. Term.

All dog licenses and kennel licenses issued under this article shall be issued for one year beginning with the first day of July.

Sec. 6. Transfer.

If there is a change in ownership of a dog or kennel during the license year the new owner may have the current license transferred to his name upon the payment of a transfer fee of \$.50.

Sec. 7. Receipt to be used only for dog for which issued.

No person shall use a license receipt issued under Section 4 of this Article for any dog other than the one for which it was issued.

Sec. 8. Tag--Issuance; contents.

Upon complying with all applicable provisions of this ordinance there shall be issued to the owner a numbered metallic tag, stamped with the number and the year for which issued.

Sec. 9. Same--To be worn at all times.

Every owner is required to see that the tag issued under this article is securely fastened to the dog's choke chain, collar or harness and worn by the dog at all times.

Sec. 10. Same--Duplicates.

In the event that the license tag issued for a dog under this article is lost, the owner may obtain a duplicate tag upon the payment of \$.25.

Sec. 11. Same--To be used only for dog for which issued.

No person shall use for any dog a license tag issued for another dog.

Sec. 12. Enforcement of article.

For the purpose of enforcing the provisions of this ordinance the City Marshal or any person designated by him is hereby empowered to enter upon any premises upon which a dog is kept or harbored and demand the exhibition, by the owner, of such dog or the license for such dog.

ARTICLE IV. RABIES CONTROL.

Sec. 1. Immunization of dogs.

The owner of every dog over six months of age shall have such

dog inoculated or immunized against rabies each twelve months. It shall be unlawful for any person to maintain or keep or have within the city limits any dog which has not been inoculated or immunized against rabies unless such dog is less than six months of age. The certificate of a licensed veterinarian showing that any dog shall have been inoculated or immunized against rabies within the period of one year immediately preceding the time in question, shall be sufficient evidence of compliance herewith. No agent or officer of the city shall issue any dog license except upon proof of compliance with the terms of this section.

The immunization requirements of this section shall not apply to any dog belonging to a non-resident of the city and kept within the city for not longer than thirty days; provided that all such dogs shall at all times, while in the city, be kept within a building, enclosure or vehicle or be under restraint by the owner.

Sec. 2. Certain animals to be quarantined.

Every animal which bites a person or which is suspected of having been exposed to rabies shall be promptly reported to the City Clerk and shall thereupon be securely quarantined at the direction of the City Clerk for a period of ten days and shall not be released from such quarantine except by written permission of the Mayor. In the discretion of the Mayor, such quarantine may be on the premises of the owner, at the shelter designated as the city pound or, at the owner's option and expense, in a veterinary hospital of his choice. In the case of stray animals or in the case of animals whose ownership is not known, such quarantine shall be at the shelter designated as the city pound and for such purposes the shelter of the Joplin Humane Society may be so designated.

Sec. 3. Duty of owners to surrender certain animals.

The owner, upon demand made by the City Marshal, shall forthwith surrender any animal which has bitten a human or which is suspected as having been exposed to rabies for supervised quarantine, the expense of which shall be borne by the owner.

Sec. 4. Redemption of quarantined animals.

Any animal quarantined under the provisions of this article may be reclaimed by the owner, if it has been adjudged free of rabies, upon payment of the fees prescribed in Article II, Section 4 of this ordinance and, in the case of dogs, upon compliance with the licensing provisions set forth in Article III of this ordinance.

Sec. 5. Procedure when rabid animal dies.

When an animal under quarantine has been diagnosed as being rabid or suspected by a licensed veterinarian as being rabid and dies while under such observation, the City Marshal shall immediately send the head of such animal to the state health department for pathological examination, and shall notify the proper public health officer of reports of human contacts, and the diagnosis made of the suspected animal.

Sec. 6. Procedure when animal is bitten by rabid animal.

Every animal bitten by an animal adjudged to be rabid shall be forthwith destroyed or, at the owner's option and expense, shall be treated for rabies infection by a licensed veterinarian or held under six months quarantine by the owner in the same manner as other animals are quarantined.

Sec. 7. City-wide quarantine--Generally.

When a report under the preceding section gives a positive diagnosis of rabies, the Mayor shall recommend a city-wide quarantine for a period of six months or more if necessary. Upon the invoking of such quarantine, no animal shall be taken into the streets or permitted to be in the streets during such period of quarantine. During such quarantine, no animal may be taken or shipped from the city without written permission of the Mayor.

Sec. 8. Unauthorized destruction or removal of rabid animals.

No person shall kill or cause to be killed any rabid animal, any animal suspected of having been exposed to rabies or any animal biting a human, except as provided in this article; nor remove the same from the city limits without written permission from the Mayor.

Sec. 9. Surrender of carcasses of exposed animals.

The carcass of any dead animal exposed to rabies shall be, upon demand, surrendered to the City Marshal.

Sec. 10. Disposition of rabid animals.

The City Marshal shall direct the disposition of any animal found to be infected with rabies.

Sec. 11. Refusal to surrender animals.

No person shall fail or refuse to surrender any animal for quarantine or destruction as required herein when demand is made therefor by the City Marshal.

Sec. 12. Physicians to report bites.

It shall be the duty of every physician to report to the City Clerk the names and addresses of persons treated for bites inflicted by animals, together with such other information as will be helpful in rabies control.

Sec. 13. Veterinarians to report diagnosis of certain animals.

It shall be the duty of every licensed veterinarian to report to the City Clerk his diagnosis of any animal observed by him as a rabies suspect.

Sec. 14. Record of bite cases.

It shall be the duty of the City Clerk to keep or cause to be kept accurate and detailed records of all animal bite cases reported to him and his investigation of same.

Sec. 15. Exemptions from article.

Hospitals, clinics and other premises operated by licensed veterinarians for the care and treatment of animals are exempt from the provisions of this article, except where such duties are expressly stated.

ARTICLE V. PENALTY.

Any violation of any provision of this ordinance is a misdemeanor punishable by fine not to exceed \$ 100.00 .

ARTICLE VI. PARTIAL INVALIDITY AND
EMERGENCY

If any provision of any one or more Sections of any one or more Articles of this ordinance shall for any reason be held by a court of competent jurisdiction to be invalid, the remaining Articles and Sections of this ordinance shall remain in full force and effect. This ordinance is an animal control ordinance necessary for the health, welfare and safety of the residents of the City of Duenweg and is an emergency ordinance.

Dated May 4, 1970.

Roster Johnson
Mayor

Dorothy Fletcher
City Clerk

BILL NO. 537

ORDINANCE NO. 537

AN ORDINANCE TO REQUIRE MOWING OF GRASS AND WEEDS,
NOTICE OF WARNING TO PROPERTY OWNER TO BE GIVEN,
THEN SUMMONS TO COURT WITH PENALTY UP TO \$100.00.

BE IT ORDAINED by the Board of Aldermen of the City of
Duenweg as follows:

SECTION 1. This ordinance requires all property
owners to maintain grass and weed growth, not to exceed 12
inches in height. Vacant lot growth may not exceed 18
inches. Garden lot growth not to exceed 30 inches and must
be mowed completely by November 1st each year.

SECTION 2. This ordinance shall be in force and
effect from and after its passage.

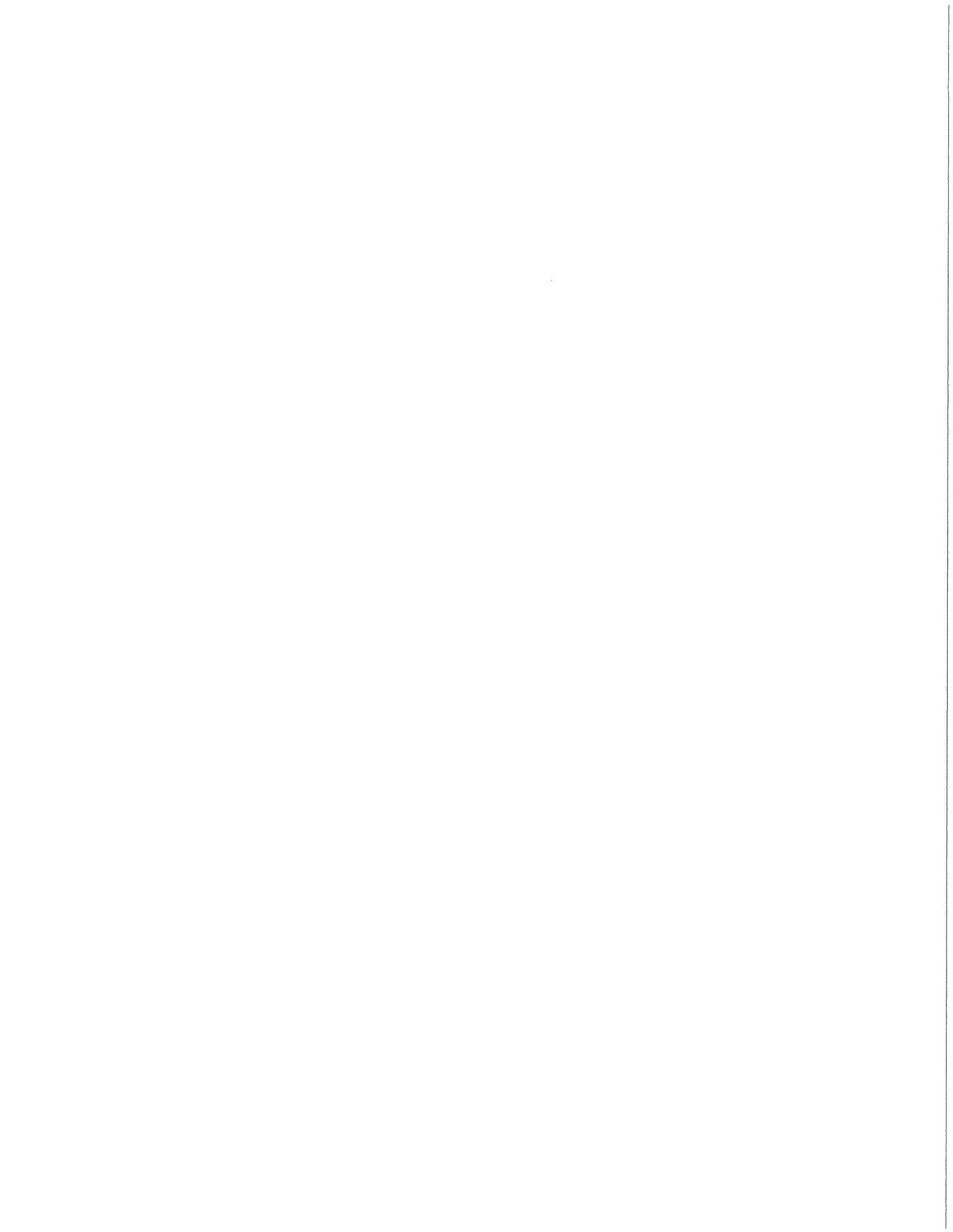
Dated January 8, 1980.

Albert E. Wolfe

Mayor

June Rading

City Clerk



BILL NO. 1352

ORDINANCE NO. 1352

AN ORDINANCE CREATING THE OFFENSE OF TAMPERING AND PROVIDING PENALTIES FOR THE COMMISSION THEREOF.

BE IT ORDAINED by the Board of Aldermen of the City Of Duenweg, Missouri as follows:

SECTION 1. That a person commits the offense of tampering if:

A. Such person tampers with property of another for the purpose of causing substantial inconvenience to that person or to another; or

B. Such person unlawfully rides in or upon another's automobile, airplane, motorcycle, motorboat or other motor-propelled vehicle; or

C. Such person tampers with, or causes to be tampered with, any meter or other property of an electric, gas, steam or water utility, the effect of which tampering is either;

1. To prevent the proper measuring of electric, gas, steam or water service; or
2. To permit the diversion of any electric, gas, steam or water service.

SECTION 2. In any prosecution under subdivision C. Of Section 1 above, proof that a meter or any other property of a utility has been tampered with, and the person or persons accused received the use or direct benefit of the electric, gas, steam or water service, with one or more of the effects described in subsection C of Section 1 above, shall be sufficient to support an inference which the trial court may submit to the trier of fact, from which the trier of fact may conclude that there has been a violation of such subsection by the person or persons who use or receive a direct benefit of the electric, gas, steam or water service.

SECTION 3. For purpose of this Ordinance, the definitions contained in the Criminal Code, Section 556.010 et seq., RSMO 1978, as amended, shall govern and apply.

SECTION 4. Violation of this Ordinance shall be punished by a fine not exceeding Five Hundred and No/100 (\$500.00) in amount or imprisonment not exceeding three (3) months in duration, or by both such fine and imprisonment.

SECTION 5. All Ordinances heretofore enacted which are in conflict in whole or in part with any provision hereto or which pertain to the subject matter hereof are hereby repealed.

SECTION 6. This Ordinance shall be and become a part of the Duenweg City Code.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage.



AN ORDINANCE PROHIBITING UNNECESSARY NOISES.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DUENWEG, MISSOURI, as follows:

SECTION 1. (a) It shall be unlawful for any person to make, continue, or cause to be made or continued any excessive, unnecessary or unusually loud noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the city.

(b) Noises prohibited; unnecessary noise standard. The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this section but said enumeration shall not be deemed to be exclusive, namely:

(1) *Horns, signaling devices, etc.* The sound of any horn or signaling device on any automobile, motorcycle, streetcar or other vehicle on any street or public place of the city, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for an unnecessary and unreasonable period of time. The use of any signaling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust; and the use of any such signaling device when traffic is for any reason held up.

(2) *Radios, phonographs, etc.* The using, operating, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 10:00 p.m. and 6:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation.

(3) *Loud speakers, amplifiers.* The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loud speaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure, or for any other purpose, unless upon permit issued by the chief of police.

(4) *Yelling, shouting, etc.* Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of 10:00 p.m. and 6:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in any office, or in any dwelling, or other type of residence, or of any persons in the vicinity.

(5) *Animals, birds, etc.* The keeping of any animal or bird which by causing frequent or long, continued noise shall disturb the comfort or repose of any persons in the vicinity.

(6) *Exhaust.* The discharge into the open air of the exhaust of any steam engine, internal combustion engine, including any stationary gasoline or gas engine not employed in portable uses, or motor boat, or motor vehicle, unless the noise from such engine is muffled and equipped with a muffler device sufficient to deaden the noise.

(7) *Loading, unloading, opening boxes.* The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.

(8) *Construction or repairing of buildings.* The erection (including excavation), demolition, alteration or repair of any building other than between the hours of 6:00 a.m. and 10:00 p.m., except in case of urgent necessity and in the interest of public health and safety, and then only with a permit from the building inspector, which permit may be granted for a period not to exceed three (3) days or less while the emergency continues and which permit may be renewed for periods of three (3) days or less while the emergency continues. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the hours of 10:00 p.m. and 6:00 a.m., and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the hours of 10:00 p.m. and 6:00 a.m. upon application being made at the time the permit for the work is awarded or during the progress of the work.

(9) *Schools, court, churches.* The creation of any excessive noise on any street adjacent to any school, institution of learning, church, court while the same are in use, which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys the attendees thereof, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street or church street.

(10) *Hawkers, peddlers.* The shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.

(11) *Pile driver, hammers, etc.* The operation between the hours of 10:00 p.m. and 6:00 a.m. of any pile driver, steam shovel, pneumatic hammer,

derrick, steam or electric hoist or other appliance, the use of which is attended by load or unusual noise.

(12) *Domestic power tools.* Operating or permitting the operation of any mechanically, electrically or pneumatic powered saw, drill, sander, grinder, lawn or garden tool, or similar device used in residential areas between the hours of 10:00 p.m. and 6:00 a.m. the following day so as to disturb the comfort or repose of any persons in the vicinity.

(13) *Blowers.* The operation of any noise-creating blower or power fan or any internal combustion engine, the operation of which causes noise due to the explosion of operating gasses or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.

(14) *Explosive devices.* Any explosive device which creates implosive sound so as to disturb the comfort or repose of any persons in the vicinity.

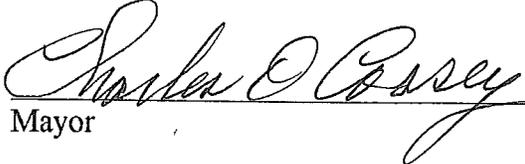
(c) Violation, penalty. Any persons violating any of the provisions of this section shall be deemed guilty of a misdemeanor. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

(d) Additionally remedy, injunction. As an additional remedy, the operation or maintenance of any device, instrument, vehicle or machinery in violation of any provision hereof and which causes discomfort or annoyance to reasonable persons of normal sensitiveness or which endangers the comfort, repose health or peace of residents in the area shall be deemed and is declared to be a public nuisance and may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.

SECTION 2. This Ordinance shall become in full force and effect from and after its passage and approval.

First Reading: 1/7/98
Second Reading: 1/7/98
Third Reading: 1/7/98

PASSES THIS 7th DAY OF January, 1998.

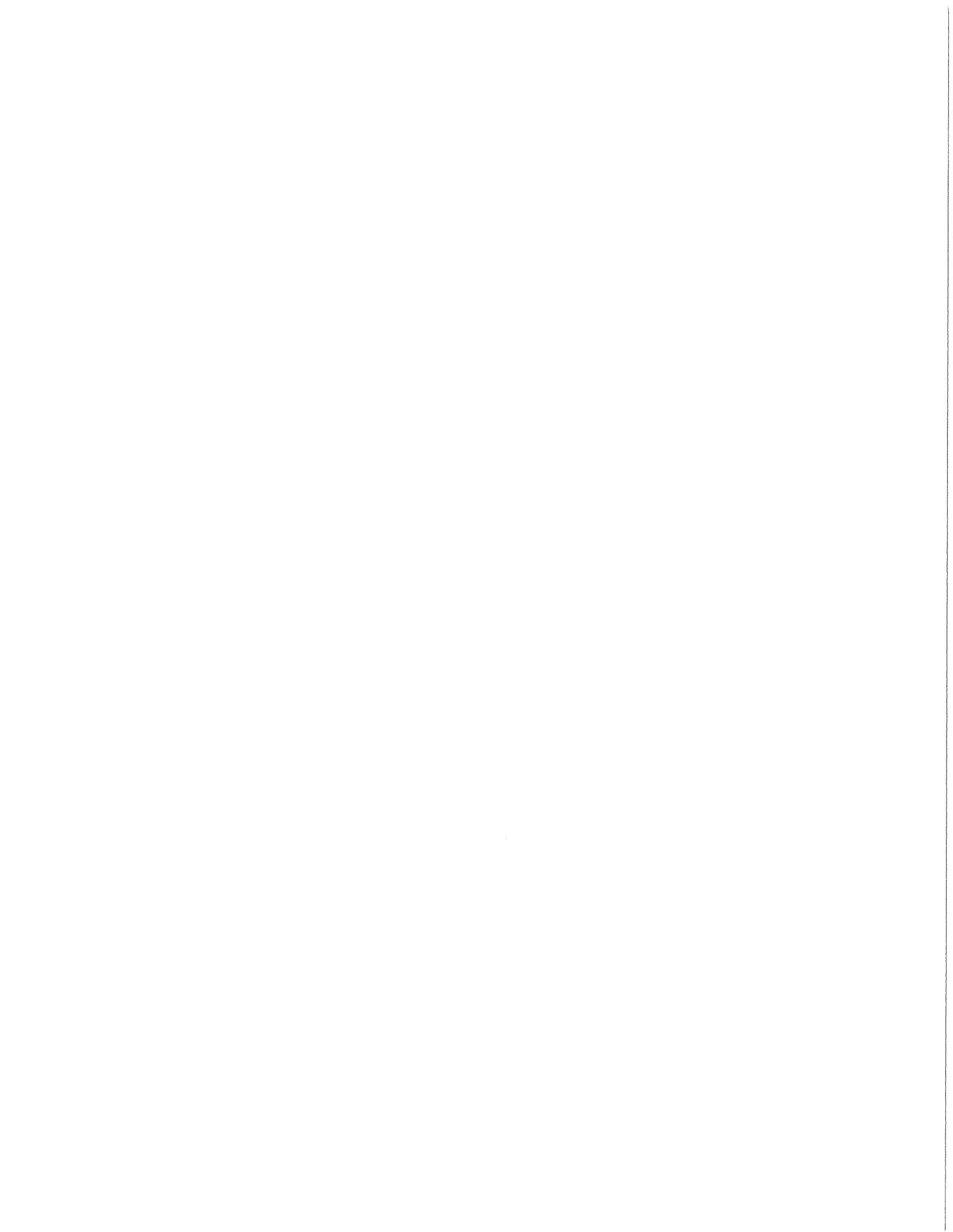


Mayor

Attest:



City Clerk



ORDINANCE NO. 2004 - 02

AN ORDINANCE ESTABLISHING A CURFEW IN THE CITY OF DUENWEG FOR PERSONS UNDER THE AGE OF EIGHTEEN NOT ACCOMPANIED BY THEIR PARENTS AND PROHIBITING THEM FROM BEING UPON THE PUBLIC STREETS AND THOROUGH-FARES AND COMMONS.

BE IT ORDAINED, by the Board of Alderman, City of Duenweg, Missouri, as follows:

Section 1.0: It shall be unlawful for any minor under the age of 10 years of age during the hours between sunset and sunrise, minors between the ages of 11 and 15 years of age between the hours of 10 P.M. and sunrise, minors between the ages of 16 and 18 years of age between the hours of midnight to daylight to be in or upon any public street, highway, alley, road, park, playground, public grounds, public place or public building, place of amusement or entertainment, a vacant lot, or any other unsupervised place in the City between the hours of midnight and daylight.

Section 2.0: It shall not be unlawful for said minor to be on or about said property at the times mentioned above if said minor is attending to urgent business, proceeding to or from place of employment, or can give a satisfactory reason for being in or upon the street, highway, alley, road, or public places in the City, and such minor must transact such business as speedily as possible.

Section 3.0: When upon such lawful errands, it shall be deemed a violation of this Ordinance for any such minor to loiter or linger or ride aimlessly upon the street, highway, alley, road or public places in the City, and such minor must transact such business as speedily as possible.

Section 4.0: Any minor who shall violate the provisions of this ordinance shall, for the first offense, be warned of the violation and provided with a copy of this ordinance by the Chief of Police or any police officer authorized by the Chief of Police to serve such notice and sent home. The parent or guardian shall also be warned and furnished a copy of this Ordinance. But, on the second offense, referral may be made in accordance with and pursuant to the juvenile laws of the State of Missouri. Any minor over the age of 17 who shall violate the provisions of this ordinance shall on the second offense, be guilty of a misdemeanor.

Section 5.0: Every member of the police force while on duty is hereby authorized to detain any such minor willfully violating the provisions of the first section of this ordinance until the parent or guardian of the child shall take him or her into custody, but such officer shall immediately upon taking custody of the child communicate with the parent or guardian, but if the same is unavailable, to notify the Jasper County juvenile authorities.

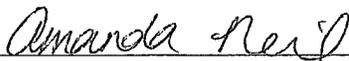
Section 6.0: Each violation of this Ordinance shall constitute a separate offense.

Section 7.0: This ordinance repeals and replaces ordinance # 814, adopted on the 6th day of March in the year of 1984.

Passes and adopted by the Board of Alderman of the City of Duenweg, State of Missouri, on the 15th day of December, 2004.


Russell Olds, Mayor

Attest:


Amanda Neil, City Clerk

ORDINANCE 2005-001

AN ORDINANCE PROHIBITING NUISANCES, DECLARING THE PENALTY THEREFOR AND PROVIDING FOR ABATEMENT THEREOF.

BE IT ORDAINED BY THE BOARD OF ALDERMAN AS FOLLOWS:

Sec. 01-05. Authority of director of public health and welfare.

Nothing in this article shall be so construed as to interfere with the duties and powers of the director of public health and welfare in the condemnation and abatement of all matters defined by law as nuisances.

Sec. 02-05. Nuisances prohibited.

No person shall permit, cause, keep, maintain or do any nuisance or contribute to any nuisance as defined by the laws of this state, the provisions of this ordinance of the city, or cause or permit to be committed, caused, kept, maintained or done or contribute to the committing, causing, keeping, or maintaining of any such nuisance within the corporate limits of the city or within one half mile of the corporate limits of the city.

Sec. 03-05. Common law and statutory nuisances.

In all cases where no provisions are made in this article defining what are nuisances and how the nuisances may be removed, abated or prevented, in addition to what may be declared such in this article, those offenses which are known to the common law of the land and the statutes of the state as nuisances may, in case such offenses exist within the city limits, be treated as such, and proceeded against as provided in this ordinance or in accordance with any other provision of law.

Sec. 04-05. Definition.

For the purposes of this article, the word "nuisance" is defined as any person doing an unlawful act, or omitting to perform a duty, or suffering or permitting any condition or thing to be or exist, which act, omission, condition or thing either;

- (1) Injures or endangers the comfort, repose, health or safety of others;

State law reference – Expense of suppression of nuisances paid, RSMo 71.780.

- (2) Offends decency;
- (3) Is offensive to the senses;
- (4) Unlawfully interferes with, obstructs or tends to obstruct or renders dangerous for passage any public or private street, highway, sidewalk, stream, or drainage;
- (5) In any way renders other persons insecure in life or the use of property; or
- (6) Essentially interferes with the comfortable enjoyment of life and property, or tends to depreciate the value of the property of others.

Sec. 05-05. Enumeration.

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions is hereby declared to be and constitute

a nuisance; provided, however, this enumeration shall not be deemed or construed to be conclusive, limiting or restrictive:

- (1) *Substances emitting foul odors.* All substances which emit or cause any foul, noxious, unhealthy or disagreeable odor or effluvia.
- (2) *Carcasses.* All carcasses of animals remaining exposed after death except such animals as are killed for use of food.
- (3) *Establishments emitting noxious odors.* Every soap factory, grocery, cellar shop, tannery, brewery, distillery, meat shop, sausage factory, beef or pork packing house, stable or barn which emits or causes any offensive, disagreeable or noxious smell or odor.
- (4) *Foul liquids generally.* All slop, foul or dirty water, liquor, beer or saloon washings, and all filth, refuse or offal discharged through drains or spouts or otherwise thrown, swept or deposited in or upon any street, avenue, sidewalk, alley, lot, park, or public or private enclosure.
- (5) *Hides.* All green or salted hides left or exposed in any open place for a longer period than six hours.
- (6) *Odiferous matter.* All vegetables or other articles that emit or cause any offensive or disagreeable smell or odor.
- (7) *Injurious or annoying articles.* All articles or things whatsoever caused kept maintained or permitted by any person to the injury, inconvenience or annoyance of the public or of any neighborhood.
- (8) *Signs or other devices hanging over street or sidewalk.* All hanging signs, ropes, networks or other devices stretched over or across any street, avenue, alley or sidewalk, unless such devices are permitted by ordinance.
- (9) *Refuse, garbage and ashes generally.* All ashes, cinders, slops, filth, excrement, sawdust, stones, rocks, dirt, straw, soot, sticks, shavings, oyster shells, cans, dust, paper, trash, rubbish, manure, refuse and offal, wastewater, chamber lye, fish, putrid meat, entrails, decayed fruit and vegetables, broken ware, rags, old iron or other metal, or old wearing apparel, all animal and vegetable matter, all dead animals, or any other offensive or disagreeable substance or thing thrown, left or deposited or caused to be thrown, left or deposited by anyone in or upon any street, avenue, alley, sidewalk, park, public or private enclosure, or lot, vacant or occupied, or pond or pool of water.
- (10) *Accumulations of refuse.* The accumulation on any lot or piece of ground in the city of any refuse matter in such a manner as to be offensive or be injurious to the health of any person or of the neighborhood.
- (11) *Burning materials creating noxious odor.* The burning within the city limits of any animal, vegetable or other substance, the burning of which creates or generates any disagreeable, noxious or unwholesome smell or odor.
- (12) *Obstructing watercourse.* The placing or maintaining of any obstruction of any kind in any natural or living watercourse of the city so as to impede the natural flow of water therein.
- (13) *Polluting water supply.* The doing of any act which shall tend to pollute or contaminate the water supply of the city.

- (14) *Unwholesome or offensive standing waters.* Any lot or piece of ground within the limits of the city on which there is a pond or pool of unwholesome, stagnant, impure or offensive water.
- (15) *Wells containing impure water.* Any well or cistern on any property within the limits of the city, whenever a chemical analysis shows that the water therein is of an impure or unwholesome nature.
- (16) *Airborne matter.* Sieving, agitating, handling or exposing lime, ashes, coal, dry sand, hair, feathers, dust or other substances liable to be blown by the wind to the injury, annoyance or inconvenience of the public or of any neighborhood.
- (17) *Premises not connected with sewer.* Any improved real estate abutting upon or adjoining any sanitary sewer system but which is not connected to such sewer system.
- (18) *Open storage of furniture or appliances.* All furniture, bedding, refrigerators, freezers, heating stoves, kitchen ranges, laundry and dishwashing equipment, air conditioning units, or any other such appliances, articles or equipment designed for use inside a dwelling unit if stored, placed or set upon the ground, on any open porch, in any attached carport, in any freestanding carport, or in any garage or shed that is without doors to conceal such articles.
- (19) *Unsanitary buildings.* Any building or part thereof which, by reason of its unsanitary condition or of its being infected with disease, is unfit for human habitation, or which from any other cause is a source of sickness among the inhabitants of the city, or which otherwise endangers the public health.
- (20) *Abandoned objects or equipment.* Abandoned, discarded or unused objects or equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans or containers.
- (21) *Abandoned shafts or excavations.* Any open abandoned shaft or excavation.
- (22) *Non operating vehicles.* Any partially dismantled, wrecked, junked, discarded or otherwise non operating motor vehicle remaining upon any public or private premises within the city not in an enclosed building or so located upon the premises as not to be readily visible from any public place or from any surrounding private property.
- (23) *Offensive garbage, rubbish, or trash.* The accumulation on any lot or piece of ground in the city of any garbage, rubbish, or trash in such a manner as to be offensive or be injurious to the health of any person or of the neighborhood.
- (24) *Dumping of rubbish, garbage or trash.* Placing, leaving, dumping or permitting to accumulate any rubbish, garbage or trash in any building or on any premises, improved or vacant, or on any open lot, alley or public right-of-way in the city.

Sec. 06-05 Notice to abate.

Whenever the director of health shall ascertain or have knowledge that nuisance exists in or upon any house, building, lot or premises within the city or within one half mile of the corporate limits of the city, he shall, in writing, notify the owner or person occupying or having possession and control of such house, building, lot or premises to abate or remove such nuisance within a time to be specified in such notice; provided, however, that when the owner of the property is a nonresident of the city and no person occupies, possesses or controls such building, lot or premises, no notice need be served on such owner if the council shall first find and declare that the abatement of such nuisance is required for the protection and preservation of the public health, safety and welfare and that an emergency exists for the abatement of such nuisance.

Sec. 07-05 Failure to comply with notice.

Any person who shall be notified to abate a nuisance, and who shall fail, neglect or refuse to obey and comply with the provisions of such notice within the time therein specified, shall be deemed guilty of a misdemeanor.

Sec. 08-05 Right of entry for abatement purposes.

Members of the police force and the officers of the department of public health and welfare of the city are hereby authorized and required to go in the daytime in and upon any house, building, lot or premises, public or private, for the purpose of removing or abating any nuisance thereon.

Sec. 09-05 Abatement by city.

If the owner or person occupying or having possession and control of any premises upon which a nuisance exists in violation of this division does not abate the nuisance within the time stated in the notice to abate such nuisance, the city may enter upon such premises and abate such nuisance. The costs and expenses of such abatement by the city shall, like taxes, be a first lien on the property affected thereby until paid

Sec. 10-05 Legal action by private persons.

Any person who, by reason of another's violation of any provisions of this article, suffers special damage to himself different from that suffered by other property owners throughout the city generally, may bring an action to enjoin or otherwise abate an existing violation.

Sec. 11-05 Summary abatement.

Whenever a nuisance clearly exists in the city, the continuance of which, in the judgement of the director of public health and welfare, will be dangerous to public health, the director may declare such condition to be such a nuisance and dangerous in its continuance, and enter such declaration in the records of his office and shall then immediately abate such nuisance, without notice.

Sec. 12-05 – 25-05 Reserved.

Sec. 26-05 Declaration of nuisance.

The presence of weeds, brush and other rank vegetation of a height of more than 12 inches allowed to grow and stand upon any lot or tract of ground, including any right-of-way that might be adjacent thereto, within the city limits is hereby deemed and declared to be a nuisance and in violation of this ordinance and shall be a misdemeanor. Each day on which such violation continues shall constitute a separate offense.

Sec. 27-05. Duty to cut weeds.

The owners or occupants of lots or tracts of land, including any right-of-way that might be adjacent thereto, are hereby required to keep high weeds, brush and other rank vegetation cut to a height of 12 inches or less and 8 inches on undeveloped lots. Any owner or occupant of the lot or tract of land failing to do so shall be deemed guilty of a misdemeanor. Each day on which such violation continues shall constitute a separate offense.

Sec. 28-05 Abatement by city.

- (a) *Notice not required.* If the owner or occupant of property fails to comply with section 27-05, the city shall not be required to give any notice to the owner of such violation of section 27-05

AN ORDINANCE ESTABLISHING WATER AND WASTEWATER CHARGES FOR USERS OF THE CITY OF DUENWEG, MISSOURI, WATER AND WASTE WATER SYSTEM.

AN ORDINANCE TO REPLACE ORDINANCE NO. 2009-016

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF DUENWEG, MISSOURI AS FOLLOWS:

Section I.

User fees to include the operation and maintenance charge for wastewater:

- A. Residential wastewater charges beginning December Fifteenth 2009 through October Fifteenth 2010 shall be as set forth in the 2009 rate study schedule attached and part of this ordinance titled "Exhibit A" six year 2009 rate study.
- B. This does not include any service with water meters larger than one (1) inch.
- C. The City of Duenweg does not provide sewer service outside city limits without a voluntary annexation request. Such annexation request shall be successfully executed and annexation completed. When common boundaries for such annexations do not exist, a clause for providing exception until common boundary for annexation exists shall be inserted into voluntary annexation request for future execution and successful completion, even if said property should change hands.
- D. These rates will increase annually on October fifteenth in accordance with the commiserate rate for the following year as set forth in the attachment of "Exhibit A".

Section II.

User fees to include the operation and maintenance charge for wastewater:

- A. Two inch meter wastewater charges beginning December Fifteenth 2009 through October Fifteenth 2010 shall be as set forth in this ordinance titled "Exhibit B" six year 2009 rate study.
- B. These rates will increase annually on October fifteenth in accordance with the commiserate rate for the following year as set forth in the attachment of "Exhibit B".

Section III.

That there is hereby enacted, water use charges of the ordinances of the City of Duenweg, Missouri to be set beginning December Fifteenth, 2009.

- A. In-Town users: A base charge of \$14.71 plus \$0.27 Department of Natural Resources (DNR) fee for up to 4,000 gallons per month; plus \$1.33 for each 1,000 gallons of water thereafter;
- B. Out-of-town users: \$29.58 plus \$0.27 DNR fee per month; plus \$1.59 for each 1,000 gallons of water;
- C. Senior Citizen In-Town users (must be at least sixty years of age): \$12.58 plus \$0.27 DNR fee for up to 4,000 gallons per month; plus \$1.33 for each 1,000 gallons of water thereafter;
- D. Senior Citizen Out-of-Town users (must be at least sixty years of age): \$25.14 plus \$0.27 DNR fee per month of water; plus \$1.33 for each 1,000 gallons of water thereafter;
- E. Business Rate In-Town users: \$20.17 plus \$0.27 DNR fee for up to 4,000 gallons per month; \$1.33 for each 1,000 gallons of water thereafter;
- F. Business Rate for Out-of-Town users: \$40.34 plus \$0.27 DNR fee per month; plus \$1.59 for each 1,000 gallons of water thereafter;
- G. These rate structures shall be increased on October Fifteenth by 2.5% annually.

Section IV. Time Frame to Review Rates

- A. The City will review water and sewer rates at least every three years from this date on, or such time as necessary.

Section V. All sales tax will be collected as required by law.

Section VI. Disconnection will create additional expense. The reconnect charge is \$25.00 during normal business hours and \$50.00 after normal business hours. If a water and or sewer user waits until the City of Duenweg sends a public worker out to shut off service, there will be a trip charge of \$13.00 even though the water and or sewer user pays or makes arrangements for payment at that time.

Excessive late payments or disconnection of service are reasons for requiring deposit coverage that equals twice the highest bill during the most recent twelve months. If there is an existing deposit, the water and or sewer user may be required to increase it to the maximum amount.

If a water and or sewer user needs information about previous water use or payments, the City of Duenweg will provide this information. If any portion of a bill is under dispute, the water and or sewer resident may pay the undisputed portion and obtain a review of the disputed charges.

If a water or sewer user leaves an outstanding bill and chooses to return to this utility facility the user must pay the outstanding bill, the new service fee of \$100.00, and a deposit reflecting twice the highest bill. This deposit reflecting twice the highest bill will be refundable after the user has moved and the final bill paid.

Section VII. This Ordinance shall be in full force and effect after passage and approval as required by law.

PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE CITY

OF DUENWEG, MISSOURI, THIS 10th DAY OF January, 2010.

ATTEST:


Russell Olds, Mayor


Shirley Lewis, City Clerk

EXHIBIT A

ONE INCH METER RATES

YEAR	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
GALLONS						
1,000	\$ 27.20	\$ 28.84	\$ 29.46	\$ 30.12	\$ 30.81	\$ 31.51
1,500	\$ 31.45	\$ 33.60	\$ 34.43	\$ 35.32	\$ 36.24	\$ 37.18
2,000	\$ 35.69	\$ 38.36	\$ 39.40	\$ 40.51	\$ 41.67	\$ 42.85
2,500	\$ 39.94	\$ 43.12	\$ 44.37	\$ 45.71	\$ 47.10	\$ 48.52
3,000	\$ 44.18	\$ 47.88	\$ 49.34	\$ 50.90	\$ 52.53	\$ 54.19
3,500	\$ 48.43	\$ 52.64	\$ 54.31	\$ 56.10	\$ 57.96	\$ 59.86
4,000	\$ 52.67	\$ 57.40	\$ 59.28	\$ 61.29	\$ 63.39	\$ 65.53
4,500	\$ 56.92	\$ 62.16	\$ 64.25	\$ 66.49	\$ 68.82	\$ 71.20
5,000	\$ 61.16	\$ 66.92	\$ 69.22	\$ 71.68	\$ 74.25	\$ 76.87
5,500	\$ 65.41	\$ 71.68	\$ 74.19	\$ 76.88	\$ 79.68	\$ 82.54
6,000	\$ 69.65	\$ 76.44	\$ 79.16	\$ 82.07	\$ 85.11	\$ 88.21
6,500	\$ 73.90	\$ 81.20	\$ 84.13	\$ 87.27	\$ 90.54	\$ 93.88
7,000	\$ 78.14	\$ 85.96	\$ 89.10	\$ 92.46	\$ 95.97	\$ 99.55
7,500	\$ 82.39	\$ 90.72	\$ 94.07	\$ 97.66	\$101.40	\$105.22
8,000	\$ 86.63	\$ 95.48	\$ 99.04	\$102.85	\$106.83	\$110.89
8,500	\$ 90.88	\$ 100.24	\$104.01	\$108.05	\$112.26	\$116.56
9,000	\$ 95.12	\$ 105.00	\$108.98	\$113.24	\$117.69	\$122.23
9,500	\$ 99.37	\$ 109.76	\$113.95	\$118.44	\$123.12	\$127.90
10,000	\$ 103.61	\$ 114.52	\$118.92	\$123.63	\$128.55	\$133.57

**EXHIBIT B
TWO INCH METER RATES**

YEAR	2009	2010	2011	2012	2013	2014
Rate	\$ 57.03	\$ 63.03	\$ 65.03	\$ 67.03	\$ 69.03	\$ 71.03
Surcharge Rate	\$ 1.38	\$ 1.90	\$ 2.10	\$ 2.30	\$ 2.50	\$ 2.70

TERMS AND CONDITIONS OF SERVICE CONTRACT

Your utility bill is due upon receipt of every month. On the 21st of that month, if payment is not received, you will be assessed a 10% penalty of your total account balance. On the first of the following month, if we still have not received your payment, your services will be suspended until payment and the reconnect fees are received.

ORDINANCE NO. 2009-020 STATES THE FOLLOWING:

“Disconnection will create additional expense. The reconnect charge is \$25.00 during normal business hours and \$50.00 after normal business hours. If a water and/or sewer user waits until the City of Duenweg sends a public worker out to shut off their service, there will be a trip charge of \$13.00 even though the water and/or sewer user pays or makes arrangements for payment at that time.

Excessive late payments or disconnection of service are reasons for requiring deposit coverage that equals twice the highest bill during the most recent twelve months. If there is an existing deposit, the water and/or sewer user may be required to increase it to the maximum amount.

If a water and/or sewer user needs information about previous water use or payments, the City of Duenweg will provide this information. If any portion of a bill is under dispute, the water and/or sewer resident may pay the undisputed portion and obtain a review of the disputed charges.

If a water or sewer user leaves an outstanding bill and chooses to return to this utility facility the user must pay the outstanding bill, the new service fee of \$100.00, and a deposit reflecting twice the highest bill. This deposit reflecting twice the highest bill will be refundable after the user has moved and the final bill paid.”

If you are renting the residence your landlord will receive a copy of any late statements that may be sent to you.

If we receive a non-sufficient funds charge from your bank, you will be assessed a \$29.00 insufficient fee. Checks that are not picked up within the time allowed will be prosecuted.

If you move, you are responsible for notifying us of the change and your new address in a timely manner or you will continue to be charged until we receive notification.

A copy of your photo ID will be required to complete this process.

\$100.00 SERVICE FEE IS NON-REFUNDABLE!

I HAVE READ THIS CONTRACT AND FULLY UNDERSTAND, AGREE, AND ACCEPT THE ABOVE TERMS OF SERVICE. SIGNING BELOW YOU ARE GIVING CONSENT TO THE CITY OF DUENWEG TO GIVE YOUR PERSONAL INFORMATION TO THE PROPER AUTHORITIES FOR PROSECUTION OF VIOLATION OF THIS ORDINANCE.

SIGNATURE: _____

TODAY'S DATE: _____

and the city may enter upon the lots and cut and remove weeds, brush and other rank vegetation, and the cost of the cutting or removal of the weeds, brush and other rank vegetation shall be charged as a special lien against the lots of tracts and of land and a special tax bill will be issued.

- (b) *Work may be done by city or private contractor.* If weeds, brush and rank vegetation have not been cut or removed from the premises, the director of public works may cause the weeds, brush and rank vegetation to be cut and removed by employees of his department on a cost basis, or, in the alternative, may request bids from private individuals either on the basis of individual lots or on a square-foot basis for a period of time not to exceed one year covering present and future weeds, brush and high rank vegetation removal during the period of the contract. The cost of cutting or removal of the weeds, brush and rank vegetation shall be charged as a special lien against the lots and tracts of land and a special tax bill will be issued therefor.
- (c) *Determination of costs; payments to contractors.* Following the cutting and removal of vegetation referred to in this section, the director of public works shall ascertain the cost against each lot or tract of ground, and if the services have been performed by an individual or independent contractor, payment shall be made to him from the general fund.
- (d) *Payment of costs; costs declared lien; special tax bill.*
- (1) The costs of cutting and removing weeds, brush and other rank vegetation, and the abatement of the nuisance caused thereby, may be assessed and collected as a lien on the property affected thereby. As soon as the cost of the cutting and removal of weeds and rank vegetation and the abatement of the nuisance caused thereby shall be determined by the director of public works, he shall notify, by letter deposited in the United States Mail, the owners, lessees or agents in control of the property of the cost. In after 30 days after the mailing of the notice the cost of cutting and removing the weeds, brush and rank vegetation and the abatement of the nuisance caused thereby is not paid, the director of public works shall assess and charge against the tracts of land from which weeds, brush and rank vegetation have been cut or removed the cost of cutting or removal, which assessment shall be a lien on the property charged from the date of the issuance of a special tax bill, which shall bear interest at the rate of seven percent per annum until paid. Within 30 days after the issuance of the tax bill the director of public works shall deliver the tax bill to the director of finance, who shall record the tax bill in the special tax record, showing the property assessed, the date of issuance and the rate of interest thereon.
- (2) Immediately upon receipt of such special tax bill, the director of finance shall give notice, by mail or otherwise, as may be provided by ordinance, to the parties named in such tax bill, of the issuance of the tax bill against the tracts of land in which they appear to be respectively interested as appears by such assessment, describing such tracts of land and stating in general terms for what purpose such tax bills were issued, and the amount, rate of interest and when and where payable. Such assessment, when collected by the director of finance, shall be credited to the general fund.

Secs. 29-05 - 50-05 Reserved.

Fences

Sec. 51-05 Permitted fences; construction standards.

It shall be unlawful for any person to erect or maintain any fence or other like structures except as follows:

- (1) Privacy fences may be erected on any lot, except as provided in section 53-05, and shall be no more than eight feet high and shall not be located closer to the front property line than the nearest portion of the front of the building.
- (2) Decorative fences may be erected on any lot, except as provided in section 53-05, and shall be no more than four feet high and be of open construction.
- (3) Security fences may be erected on any business or industrial lot to a height of not more than 12 feet. The top four feet, but must be of open wire, woven wire or barbed wire construction.
- (4) Open wire fences for the enclosure of private tennis courts may be constructed to a height of no more than 12 feet, but must be set back from all property lines at least six feet. Such fences may be of any material, except as provided in section 53-05. The top four feet must be of open wire or woven wire construction.
- (5) Materials for construction of a privacy fence must be wood, except that post may be made of metal. Maximum board width is 12 inches for solid, staggered or basket weave fences. Solid panels such as plywood wafer board, etc., will not be allowed, except around construction sites for public safety, and such fences must be removed when the construction project is completed.
- (6) Material for construction of a decorative fence may be wood, woven wire, chain link, wrought iron, and square tubing or metal pipe. A decorative fence must be of open construction, and no panels such as plywood, wafer board, and etc., will be allowed, except as provided in section 53-05.
- (7) All framework of a wood fence, whether a privacy fence or decorative fence must be on the inside portion of the fence, and all posts of a wire fence must be inside of the fabric. All posts (except metal "T" line posts) must be set in concrete to a minimum depth of 18 inches and shall be a minimum of four inches. Metal "T" posts may be driven.

Sec. 52-05. Maintenance.

No person shall permit, cause, keep, maintain or allow a fence within the corporate limits of the city in a dilapidated or dangerous condition.

Sec. 53-05. Barbed wire fences, electrified fences and other dangerous fences.

Any person who shall place or permit to be placed or remain on or along any railroad or building front or any part of a building, fence or premises adjacent or contiguous to any right-of-way or public way or residence any spikes or sharp pointed cresting, or any barbed wire or other things, except as permitted in a section 50-05, or electrified fence, dangerous or liable to tear, snag, cut or injure anyone coming in contact therewith, shall be deemed guilty of a misdemeanor.

Sec. 54-05. Violations declared nuisances.

All fences or other like structures erected or maintained in violation of this division are hereby deemed and declared to be a nuisance, and any owner or occupant of a lot or tract of land upon which such nuisances exists shall be deemed guilty of a misdemeanor. Each day on which such violation continues shall constitute a separate offense.

AN ORDINANCE ESTABLISHING CERTAIN FEES AND CHARGES TO ESTABLISH OR RE-ESTABLISH WATER SERVICE

An Ordinance to replace Ordinance NO. 1458.

WHEREAS, the City of Duenweg provides water services.

WHEREAS, the City of Duenweg incurs certain fixed and fluctuating expenses necessary to provide such service and desires to recover the cost of the same, in part, from the users thereof.

NOW, THEREFORE, BE IT ORDAINED by the Board of Alderman, City of Duenweg, Missouri, as follows:

Section 1. There hereby established the following charges and assessments for services provided by the City of Duenweg.

- a) If you are outside of city limits and you want the city to tap for you:

Tap Fee	\$ 100
Material	\$ 185
(Additional \$11.20/foot if have to cross street to main)	
Installation	\$ 300
New Service Fee	<u>\$ 100</u>
Total	\$ 685

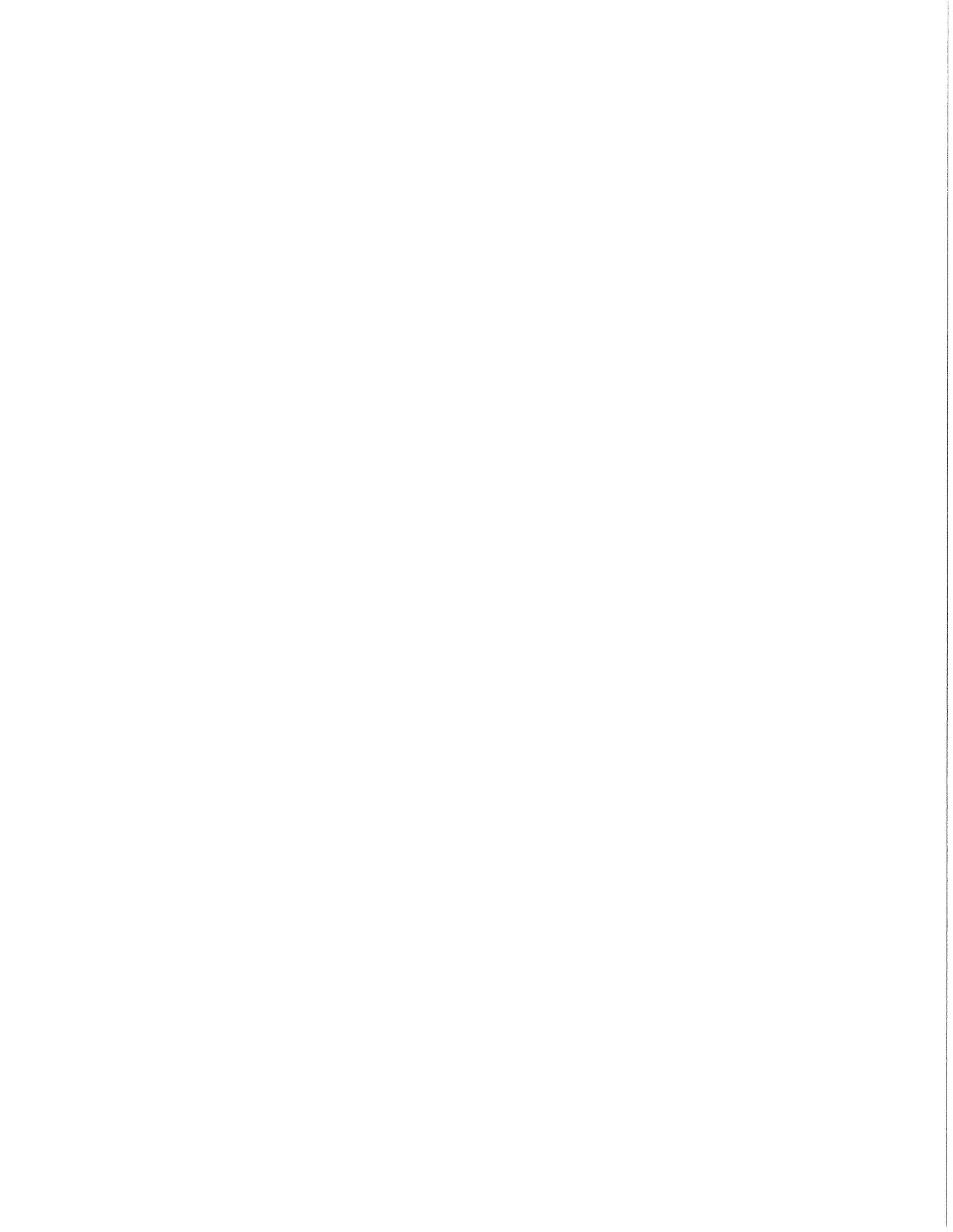
- b) If you are outside of city limits and you want to hire a licensed and bonded Contractor to tap for you:

Tap Fee	\$ 200
Inspection	\$ 100
New Service Fee	<u>\$ 100</u>
Total	\$ 400

- c) If you live in the city, cost of connection is:

Material	\$ 185
Inspection	\$ 100
New Service Fee	<u>\$ 100</u>
Total	\$ 385

This is for three-fourth to one inch meters only. For anything larger the cost will be determined at the time of installation of required service. All fees include the meter provided by the city up to one inch. All meter setters will be double check valve. Nothing will be buried without first being inspected by the City of Duenweg.



AN ORDINANCE CONCERNING PROPERTY LINE SET-BACKS IN THE CITY OF DUENWEG, MISSOURI, JASPER COUNTY.

SECTION I: The Board of Aldermen of the City of Duenweg on recommendation from the planning board has determined that the proper planning and development of the City of Duenweg be conducive to growth and revitalization in areas of concern.

SECTION II: Any new or revitalization construction of single family dwellings within the City of Duenweg along or on roads considered arterial or collector (except South Irwin) built after passage of this ordinance shall have a frontage set-back from the front property line to the foremost part of permanent structures of no less than 35' (thirty-five feet) and shall have a set-back from each side property line to the foremost part of permanent structures of no less than 8' (eight feet).

SECTION III: Any new or revitalization construction of single family dwellings within the City of Duenweg not built along or on roads considered arterial or collector (except South Irwin) built after passage of this ordinance shall have a frontage set-back from the front property line to the foremost part of permanent structures of no less than 25' (twenty-five feet), and shall have a set-back from each side property line to the foremost part of permanent structures of no less than 8' (eight feet).

SECTION IV: All Multi-Family Dwellings structures with more than 2 (two) units within the City of Duenweg built after passage of this ordinance shall be required to establish a 35' (thirty-five feet) minimum set-back from property lines on all sides and distance from other structures and construct Privacy Fencing on all sides that are not adjacent to parking or road frontage.

SECTION V: All Commercial structures within the City of Duenweg along or on roads considered arterial or collector (except South Irwin) built after passage of this ordinance shall have a frontage set-back from the property line to the foremost part of permanent structures of no less than 35' (thirty-five feet).

SECTION VI: **APPEALS, VARIANCES AND VIOLATIONS:**

APPEALS: Appeals for variances may be made to the Planning and Zoning Board in their regularly scheduled meetings and attended any evidence or witnesses that a property owner may find useful or beneficial to their case.

VARIANCES: No variance shall be granted except by the Board of Aldermen under the recommendation of the majority of the Planning & Zoning Board members present at said Planning Board meeting.

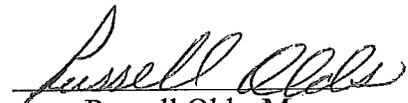
VIOLATIONS PENALTIES. Persons who shall violate any provision of this ordinance or shall fail to comply with any of the requirements thereof or who shall erect in violation of the approved construction documents or directive of the Board of Aldermen, or of a permit or a certificate issued under the provisions of this ordinance, shall be guilty of a misdemeanor punishable of a fine not less than \$100.00 (One Hundred Dollars) or more than \$500.00 (Five Hundred Dollars). Each day that a violation continues after due notice have been served shall be deemed a separate offense.

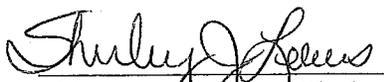
SECTION VII: This ordinance shall be added to and made an integral part of "The City of Duenweg Land Development Regulations and Design Standards for Public Improvements" Ordinance adopted in June 1998 by the City of Duenweg.

PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE

CITY OF DUENWEG, MISSOURI, THIS 6th DAY OF January, 2010.

ATTEST:


Russell Olds, Mayor


Shirley Lewis, City Clerk