



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

Karen Edge, Alderman Ward I

William Haldeman, Alderman Ward II

Dellaca Reynolds, 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/Spire

520 E 5th St

Joplin, MO 64802

1-800-582-1234

WCA

417-623-6620

Trash Day is Wednesday. If there is a holiday on Wednesday, trash day will be on Thursday.

Holidays on any other day of the week will not interrupt service.

MediaCom

1-800-234-2157

Fire Department

417-623-7408

Post Office

Hours 8:30 am – 4:30 pm

417-782-1463

BILL NO. 69

ORDINANCE NO. 69

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 Duéwieg
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.

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

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.

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. 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.

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

Jane Reding

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.

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.

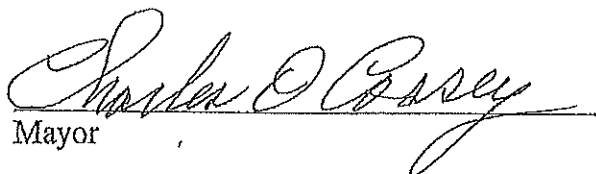
(c) *Violation, penalty.* Any persons violating any of the provisions of this section shall be deemed guilty of a misdemeanor. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

(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.

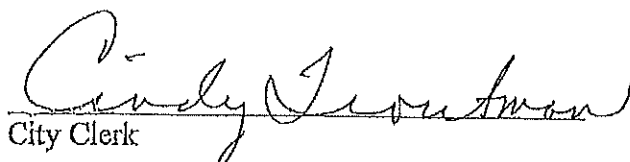
SECTION 2. This Ordinance shall become in full force and effect from and after its passage and approval.

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.

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

- (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.

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE OPERATION OF THE WATER SUPPLY SYSTEM TO BE CONSTRUCTED AND OWNED BY THE CITY OF DUENWEG, JASPER COUNTY, MISSOURI.

An ordinance to replace the following:

- A. Ordinance NO. 28
- B. Ordinance NO. 239
- C. Ordinance NO. 1408
- D. Ordinance NO. 1429
- E. Ordinance NO. 1467
- F. Ordinance NO. 2007-002
- G. Ordinance NO. 2008-009
- H. Ordinance NO. 2009-020
- I. Ordinance NO. 2016-001

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

SECTION I: General: These rules and regulations have been adopted to govern the water services furnished by the Owner in a uniform manner for the benefit of the Owner and its water users and are subject to change as herein provided without notice to any water users or any other person. Any amendment or change to these Rules and Regulation shall be effective on the date such amendment or change is passed by the Owner, as herein provided, or on such other date as the Owner may by resolution designate. If any portion of these Rules and Regulations shall be declared invalid by competent authority, such invalidity shall not affect the validity of the remaining portion.

SECTION II: Definitions: The following expressions, words and terms when used herein shall have the meaning stated below:

Owner: The City of Duenweg, Missouri.

Applicant: Any individual, firm, partnership, corporation, the Federal or State Government, or any unit, agency, political corporation or subdivision of either the Federal or State Government, or other agency applying for a water user's agreement.

Users: Any individual, firm, partnership, corporation, the Federal or State Government, or any unit, agency, political corporation or subdivision of either the

resolutions, the Owner shall increase the water rates for the first month thereafter in an amount sufficient to meet these costs and obligations.

SECTION IV: Applications: Applicants for a water user's agreement shall make application to the Owner. Such applications shall be in writing and the Owner shall prescribe the form of such application:

SECTION V: Service:

- a) Readiness to accept: Before installing a service extension and providing water, the Owner may require the applicant to pipe his home and be in readiness to accept the service.
- b) Service for Sole Use of the Water User: The standard water service connection is for the sole use of the water user, and does not permit the extension of pipes to transfer water from one property to any other consumer nor will the user share, resell, or sub-meter water to any other consumer. If an emergency or specific situation should make such an arrangement advisable, it shall be done only on specific written permission of the Owner for the duration of the emergency. No more than one residence shall be served by one-water service connection. A farm containing one residence and other buildings for use in the farming operation shall be considered as one residence and the water user may use water from one meter for all such buildings; provided that in the event that a farm contains two or more residences, a meter shall be required for each residence, unless the Owner shall find such to be an unusual hardship upon the water user, in which case a special agreement may be made concerning such additional residence, and the rules for a multiple-unit dwelling as set forth in these Rules and Regulations shall be applied to determine the rate for such farm containing two residences.
- c) Hardship Agreements. The Owner may enter into a special agreement whereby a right of entry is granted to the Owner to read a meter placed on private property or remotely located residences or remotely located water users, where the location of the meter is provided in these Rules and Regulations would, in the Owner's opinion, cause undue hardship and expense on the water user. Such special agreements must be written and no water user or applicant for water service shall have any right to force the Owner to enter into such a special agreement, but such agreements must be entered into solely at the discretion of the Owner. The Owner may in the alternative apply the multiple-unit residence rule stated in these Rules and Regulations.

The supply for use of a character requiring a large quantity of water within a short period will not be permitted except through intercepting or intermediate storage tanks.

- i) Check Valves, Flush Valves and Vacuum Breakers: Water users having boilers or hot water systems connected with mains of the Owner must have a check valve in the supply pipe to the boilers and hot water heating systems, together with a release valve at some point between the check valve and the heating system. All water users are hereby cautioned against danger of collapse of boilers since it is sometimes necessary to shut off the supply of water without notice, and for this reason, a vacuum valve should be installed in the steam lines to prevent collapse in case the water supply is interrupted. The Owner, however, will not be responsible for accidents or damages resulting from the imperfect action or failure of said valves.
- j) Cross-Connections and Interconnections. The Owner will not allow to be made any physical connection in its water supply system to that of any other pipe system or equipment, where such other pipe system or equipment in any manner receives all or any part of its supply of water directly or indirectly from wells, streams, or any source other than that of the water system of the Owner.

No interconnection or cross-connection, as defined below, shall be permitted. The making, causing or permitting of the installation or existence of any interconnection or cross-connection shall constitute a violation of the Rules and Regulations of the Owner and such prohibited connection shall be removed forthwith in a manner acceptable to the Owner and the duly constituted public health officials.

Failure to do so within two days from and after date of notification by the Owner may result in discontinuance of water service without further notice.

When used in these Rules and Regulations, the following words and phrases shall have the meaning herein provided.

- 1) Cross-Connection: A cross-connection is any pipe, valve, or other arrangement or device, connecting the pipe lines of the Owner or facilities directly or indirectly connected therewith to and with pipes or fixtures supplied with water from any source other than the lines of the Owner directly connected.

No fixture shall be attached to, or any branch made in, the service pipe between the main of the Owner and the meter. Any repairs or maintenance necessary to the service pipe or any pipe or fixture in or upon the water user's premises shall be performed by the water user at his sole expense or risk.

Service pipes must be kept and maintained in good condition and free from all leaks and for failure to do so the water supply may be discontinued.

The Owner shall in no event be liable for any damage done or inconvenience caused by reason of any break, leak or defect in, or by water escaping from service pipes, or from fixtures on the premises of the owner or water user. The water user shall be billed in the usual manner for the cost of all such water according to the rate schedule of the Owner as provided for in these Rules and Regulations.

- m) No One But Owner's Employee May Turn Water Off or On: No one but an employee or a person authorized by the Owner shall turn on water or shut off water to any water user or to any property, except in the case of escaping water.
- n) Water Users Requiring Uninterrupted Supply: The Owner will endeavour to give reasonable service, but does not guarantee a sufficient or uniform pressure, or an uninterrupted supply of water, and water users are cautioned to provide sufficient storage of water where an absolutely uninterrupted supply must be assured, such as for steam boilers, hot water heating systems, gas engines, etc.

Fixtures or devices taking a supply of water directly from the service pipes, depending upon the hydraulic pressure of the pipe system of the Owner for supplying same under working pressure, would do so at the risk of the parties making such attachments, as the Owner will not be responsible for any accidents or damages to which such fixtures or devices are subject.

SECTION VI: Fire Hydrants: Private fire hydrants may be installed by a written agreement with the Owner, provided that the Owner shall take into account all possible costs to the Owner and charge an equitable price therefore, all cost factors considered. Public fire hydrants may be installed by special agreement with the state; a municipality, political subdivision, or political corporation and the Owner shall take into consideration the same factors when entering such a contract.

In the event that the Owner undertakes to furnish fire hydrants as a part of the service to the water users of the Owner then all water users of

rendered for service by the first (1st) day of the month following the closing of the period. Service bills not paid by the twentieth (20th) shall be subject to a ten percent (10%) late charge. Failure of the Owner to submit a service bill shall not excuse the water user from his obligation to pay for the water used when the bill is submitted. Failure to pay a bill by the twenty-fifth (25th) day of the same month for which service are billed shall result in the disconnection of the service and such disconnection shall be made without the necessity of notice to the water user. If the twenty-fifth (25th) falls on the weekend or holiday, then disconnection shall be the next business day. Any damage resulting to the water user or any property of the water user of the landowner of the property occupied by the water user shall not be the responsibility of the Owner, its agents or employees. The Owner, its agents and employees shall not be liable to the water user of or the landowner of any property used, held, occupied, rented, or leased by the water user for any such damage when disconnection is made according to these Rules and Regulations, and it shall be immaterial that no notice of such disconnection was given to the water user or to said property owner.

In the event that meters cannot be read at the close of the period for which billing is made because of inclement weather or the condition of the earth around the meters which in the opinion of the Owner makes reading unusually difficult, costly or impossible, then the bills may be estimated by using, at the discretion of the Owner, either the amount of water used by the water user in the previous billing period, or in the same billing period in the previous year, or a twelve (12) month average at seventy per cent (70%) utilization, and the bill for such period shall be based upon such amount of water used. The meter reading and the bill rendered for any period subsequent to a period for which the bill of any water user shall be based upon such estimates shall take into account such estimates and such estimates shall be considered the actual amount of water consumed for the period or periods estimated. Estimates may be made in the case of one or more water users or for all water users of the Owner at the discretion of the Owner and it shall not be required that all bill be estimated in the event any one or more water user's bill are estimated as herein set forth.

Bills are mailed out on a monthly basis as the Owner may provide and direct in its actions establishing a rate schedule.

SECTION IX:

Discontinuance of Water Service: Water service will be discontinued to any water user or property on account of temporary vacancy of such property upon written request of the water user, without in any way affecting the agreement in force, and upon payment of all charges due as provided in the Rules and Regulations of the Owner.

- d) For failure to provide the Owner's employees free and reasonable access to the property supplied, or for obstructing the way of ingress to the meter or other appliances controlling or regulating the water user's water supply.
- e) For non-payment of any account for water supplied, for water service, or for meter or service maintenance, or for any other fee or charge accruing under these Rules and Regulations, the rate schedule of the Owner.
- f) In case of vacancy of the premises.
- g) For violation of any Rules and Regulations of the Owner.
- h) For any practice or act prohibited by the Missouri Division of Health.
- i) For failure to allow any Owner's employee, officer, agent, or representative the right to inspect the water user's premises for any purpose set forth in these Rules and Regulations.

The discontinuance of the supply of water to a property for any reason shall not prevent the Owner from pursuing any lawful remedy by action at law or otherwise for the collection of monies due from the water user or property owner.

Water will not be turned on to any property unless there is at least one adult person therein at such time to see that all water outlets in the premises are closed to prevent damage by escaping water.

Only an employee, officer, or agent of the Owner may turn on water and all applicants and water users are expressly forbidden to do so.

SECTION X:

Agreements with Governmental and Public Bodies: The Owner may make specific water service contracts with the United States of America and its agencies, the State of Missouri and its agencies, school districts and municipal corporations, and all other political subdivisions of the State of Missouri and of the United States of America, differing from stipulations set out in the rate schedule and Rules and Regulations.

SECTION XI:

Future Connections: In making a future connection to an applicant for water service after the completion of the original water system of the Owner, the Owner shall charge a fee at least equal to the cost to the Owner for said connection and such fee may be adjusted, taking into consideration the average cost for the entire system to each water user, at the discretion of the Owner, but said fee shall in no event be less than one hundred dollars (\$100), non-refundable service fee.

in the alternative, to enter into a special written agreement with the Owner whereby all units of such residence are served by one water meter, that the total gallons used during each billing period, as determined by the rate schedule resolution of the Owner, by such multiple-unit residence shall be divided by the number of units in such residence and the water user shall be charged for each individual unit within the multiple-unit residence on a pro-rata basis, as though such amount of water was used for such billing period by an individual user, and each water user in such unit shall pay the water rates as set forth in the rate schedule resolution of the Owner for such water user's proportionate share of the water as though such water user were an individual user in a one-family residence; provided further, that the landowner of the property shall be responsible for payment of all such bills of all units contained within any multiple-unit residence, and that the amount of water meter deposit shall be determined by the Owner as herein set forth.

The Owner shall be the sole judge and shall have full authority to determine how many units are contained in a residence and such determination shall be final and binding upon the landowner of any such residence and upon the water user therein.

SECTION XIV: Mobile Home Parks: In the event that a mobile home park, also known as a trailer park, desires service, then the landowner shall be required to acquire a water meter for each mobile home space, or I the alternative, to enter into a special agreement with the Owner whereby all units of such mobile home park are served by one water meter, but the total gallons used during each billing period by the mobile home park shall be divided by the number of units using water during such billing. The water used shall be charged to each individual unit on a pro-rata basis, as though such amount of water was used for such billing period by an individual user, and the landowner of the mobile home park shall pay as a bill for such billing period the total of such bills computed as above set forth. The amount of the water meter deposit shall be determined by the Owner as set forth in these Rules and Regulations.

The number of mobile homes using water during each billing period shall be the number of mobile home locations actually served during such time and the Owner, its employees, and agents shall determine how many such units are served, and such determination shall be final and binding upon the landowner of the mobile home park.

SECTION XV: Rate for Tank Sales: The Board has the exclusive power to authorize tank sales or sales in bulk of water from such supply heads as it may designate at the rates to be determined by the Owner. The Owner may prohibit the sale of water in bulk to any user or non-user when water service is available from the Owner.

(1) 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 (1) inch. All meter setters will be double check valve. Nothing will be buried without first being inspected by the City of Duenweg.

If you live inside the city limits the cost of the connection is:

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

If you live outside the city limits and you want the city to tap for you:

Water Tapping Fee	\$ 100
Material	\$ 185
<i>(Additional material \$11.20/foot if crossing the street)</i>	
Installation	\$ 300
New Service Fee	<u>\$ 100</u>
TOTAL	\$ 685

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

Water Tapping Fee	\$ 200
Inspection	\$ 100
New Service Fee	<u>\$ 100</u>
TOTAL	\$ 400

SECTION XX: Establishing Water and Wastewater Charges for Users of the City of Duenweg's Public Water System; Residential wastewater charges beginning January 1, 2017 through December 31, 2019 shall be set forth in this ordinance titled "Exhibit A".

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. These rates will increase annually on January 1st in accordance with the commiserate rate for the following year as set forth in the attachment of "Exhibit A".

SECTION XXI: User Fees to Include the Operation and Maintenance Charge for Water; All metered water charges beginning January 1, 2017 through December 31, 2019 shall be set forth in this ordinance titled "Exhibit B".

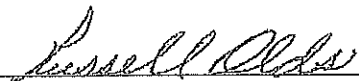
- d) All current balance (not arrears) will be transferred to the new address' account.

SECTION XXVI: The City of Duenweg shall hold the landlord of any property responsible for the delinquency of water and/or sewer bills for up to ninety (90) days of service that has been unpaid by the occupant of their property.

WHEREAS, Ordinance NO. 2016-006 shall be in full force and effect after passage and approval as required by law. Passed on an emergency basis on its first reading as it pertains to the health and welfare of the citizens of the City of Duenweg, Jasper County, Missouri.


PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE

CITY OF DUENWEG, MISSOURI, THIS 26th DAY OF January, 2016.



Russell Olds, Mayor

ATTEST:



Shirley J Lewis, City Clerk

"EXHIBIT B"
WATER CHARGES
ONE INCH METER RATES

		BASE RATE (Includes 4,000 Gallons)	ADDITIONAL \$ PER 1,000 GALLON
IN TOWN RESIDENTIAL USERS	2017	\$ 17.50	\$ 1.57
	2018	\$ 17.94	\$ 1.61
	2019	\$ 18.39	\$ 1.65
OUT OF TOWN RESIDENTIAL USERS	2017	\$ 35.17	\$ 1.90
	2018	\$ 36.05	\$ 1.95
	2019	\$ 36.95	\$ 2.00
SENIOR CITIZENS IN TOWN RESIDENTIAL USERS	2017	\$ 14.95	\$ 1.57
	2018	\$ 15.32	\$ 1.61
	2019	\$ 15.70	\$ 1.65
SENIOR CITIZENS OUT OF TOWN RESIDENTIAL USERS	2017	\$ 29.88	\$ 1.57
	2018	\$ 30.63	\$ 1.61
	2019	\$ 31.40	\$ 1.65
BUSINESS RATE IN TOWN USERS	2017	\$ 23.97	\$ 1.57
	2018	\$ 24.57	\$ 1.61
	2019	\$ 25.18	\$ 1.65
BUSINESS RATE OUT OF TOWN USERS	2017	\$ 47.95	\$ 1.90
	2018	\$ 49.15	\$ 1.95
	2019	\$ 50.38	\$ 2.00
APARTMENT BUILDING USERS	2017	\$ 252.15	\$ 1.36
	2018	\$ 258.45	\$ 1.39
	2019	\$ 264.91	\$ 1.42
		EACH HOOK UP	PER 1,000 GALLON or ANY PART THEREOF
BULK WATER		\$ 15.00	\$ 2.50

- (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 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.