

Chapter 405

ZONING REGULATIONS

Section 405.010. Purpose.	Utilized For Residential
Section 405.020. Authority.	Purposes in The
Section 405.030. Jurisdiction.	Residential Zone (Home
Section 405.040. Definitions.	Occupation).
Section 405.050. Zoning Map.	Section 405.220. Lot of Record.
Section 405.060. Application of Zoning	Section 405.230. Non-Conforming Use.
District Regulations.	Section 405.240. Board of Adjustment —
Section 405.070. Interpretation of District	Appointment, Terms,
Boundaries.	Procedures.
Section 405.080. Residential District "R".	Section 405.250. Board of Adjustment —
Section 405.090. Permitted Uses.	Powers.
Section 405.100. Area Requirements.	Section 405.260. Recordation of Order of
Section 405.110. Off-Street Parking.	The Board of
Section 405.120. Commercial District	Adjustment.
"C".	Section 405.270. Judicial Review —
Section 405.130. Permitted Uses.	Board of Adjustment
Section 405.140. Area Requirements.	Action.
Section 405.150. Industrial Districts.	Section 405.280. Fees.
Section 405.160. Permitted Uses.	Section 405.290. Amendment To Text or
Section 405.170. Area Requirements.	Regulations.
Section 405.180. Mobile Home Park.	Section 405.300. Initiation and
Section 405.190. Annexed Areas.	Procedures For Change
Section 405.200. Completion of Existing	in Zoning Classification.
Buildings.	Section 405.310. Resubmission of
Section 405.210. Occupations Permitted	Application.
in Residential Structures	Section 405.320. Fee.
	Section 405.330. Enforcement.
	Section 405.340. Violations — Penalties.

Section 405.010. Purpose.

[CC 1978 §42.010; Ord. No. 656, 5-15-1972]

The zoning regulations set forth herein are enacted to implement the land use portion of the comprehensive development plan for the City of Thayer and to promote the health, safety, morals and general welfare of the citizens of the City of Thayer. These regulations are intended to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid

undue concentration of population; and to facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements.

Section 405.020. Authority.

[CC 1978 §42.020; Ord. No. 656, 5-15-1972]

The provisions set forth in these regulations have been prepared in accordance with the authority granted by the legislature of the State of Missouri as provided by Municipal Planning Act of 1963, Sections 89.300 to 89.380.

Section 405.030. Jurisdiction.

[CC 1978 §42.030; Ord. No. 656, 5-15-1972]

The jurisdiction of these regulations shall include all land in the Thayer corporate limits. These regulations shall also apply to any land added to the corporate area after such land shall have been legally annexed.

Section 405.040. Definitions.

[CC 1978 §42.040; Ord. No. 656, 5-15-1972]

- A. For the purpose of these regulations, certain terms or words used herein shall be interpreted as follows:

SHALL — Is mandatory; *MAY*: Is permissive.

- B. For the purposes of these regulations, the following terms or words are defined as follows:

ACCESSORY USE — A use which is customarily incidental to the principal use, e.g., a garage for the storage of an automobile by the occupant.

AREA — This term refers to the amount of land surfaces in a lot, plot or parcel.

AREA REQUIREMENTS — The yard, lot area, lot width, lot coverage and parking requirements as set forth in a specific district.

DWELLING UNIT — A structure or portion thereof which provides complete housekeeping facilities for one (1) family.

GROUP HOME — Any home in which eight (8) or fewer unrelated mentally or physically handicapped persons reside, and may include two (2) additional persons acting as houseparents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons residing in the home.

LOT — A tract of land defined by metes, bounds or boundary lines in a recorded deed or on a recorded plat, and includes the words plot and parcel.

LOT OF RECORD — A lot which is part of a subdivision recorded in the office of the County Recorder or a lot, plot or parcel described by metes and bounds, the description of which had been so recorded before the effective date of these regulations.

MOBILE HOME — A single-family dwelling unit that has the following characteristics:

1. Designed for long-term occupancy containing sleeping accommodations, flush toilet, tub or shower bath and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems.
2. Designed to be transported after fabrication on its own wheels, flat bed, other trailers or detachable wheels.
3. Arrives at site where it is to be occupied as a dwelling unit complete with major appliances and furniture and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connection to utilities and the like.

MOBILE HOME PARK — Any plat of ground upon which two (2) or more mobile homes, occupied for dwelling or sleeping purposes, are located, regardless of whether or not a charge is made for such accommodation. A "*mobile home space*" means ground within a mobile home park designed for the accommodation of one (1) mobile home.

NON-CONFORMING — That which does not meet the requirements of the use district in which it is located at the time of the effective date of these regulations.

PARKING SPACE — An on-lot space available for the parking of one (1) motor vehicle and having an area of not less than two hundred (200) square feet, exclusive of space necessary to provide access to a street.

PROPERTY LINE — The line bounding a lot as defined herein.

RESIDENTIAL STRUCTURE — A structure containing one (1) or more dwelling units. A mobile home shall be considered as a residential structure when located in a residential district and must meet all requirements for a residential structure.

STRUCTURE — Anything constructed or erected with a fixed location on the ground or attached to something with a fixed location on the ground. Among other things, structures include buildings, walks, fences and billboards.

YARD — A horizontal distance from a lot line to a parallel designated line. A yard is an open space extending the full distance of the lot.

Section 405.050. Zoning Map.

[CC 1978 §42.050; Ord. No. 656, 5-15-1972]

- A. The City is hereby divided into zoning districts as shown on the Official Zoning Districts Map which, together with explanatory information thereon, is hereby adopted by reference and declared to be a part of these regulations.

- B. The Official Zoning Districts Map shall be identified by the signature of the Mayor attested by the City Clerk and bearing the Seal of the City under the following words: "This is to certify that this is the Official Zoning Map of the City of Thayer" together with the date of adoption of the ordinance.

Section 405.060. Application of Zoning District Regulations.

[CC 1978 §42.060; Ord. No. 656, 5-15-1972]

- A. The regulations pertaining to each zoning district establish the character of the zoning district and the regulations shall be applied uniformly within the zoning district.
- B. The uses permitted or prohibited in each zoning district shall include, but shall not be limited to, those uses enumerated as being permitted or prohibited within the respective zoning district.
- C. When a use is proposed for a zoning district that is not explicitly permitted or prohibited within the zoning district, the Planning Commission shall determine whether said use is compatible (i.e., in character) and if it so finds that it is, authorize said use to be established. The Planning Commission shall decide each application on its merits, taking into consideration such factors as existing uses, access, location, major streets, plans, etc. The Planning Commission may impose conditions under which a use may be permitted in order to insure compatibility. The finding of a use to be compatible in one location does not mean the same use is compatible at another location, even within the same zoning district.
- D. No building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered unless in conformity with all of the regulations herein specified for the zoning district in which it is located.
- E. No building or other structure shall hereafter be erected or altered:
1. To accommodate or house a greater number of families;
 2. To occupy a greater percentage of lot area; and
 3. To have narrower or smaller rear yards, front yards, side yards or other open spaces than herein required; or in any other manner contrary to the provisions of these regulations.

Section 405.070. Interpretation of District Boundaries.

[CC 1978 §42.070; Ord. No. 656, 5-15-1972]

- A. When uncertainty exists with respect to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:
1. District boundary lines are intended to be along or parallel to the centerline of streets, alleys, easements, other rights-of-way and creeks, streams or other water channels.

2. District boundary lines are intended to be along or parallel to property lines or the lot lines of platted additions.
3. In the absence of specific distances such dimensions shall be determined by the scale of the official map.
4. When the street or property layout existing on the ground is at variance with that shown on the Official Zoning Map, the City Planning Commission shall interpret the district boundaries of this Chapter.

Section 405.080. Residential District "R".**[CC 1978 §42.100; Ord. No. 656, 5-15-1972]**

This district is intended to provide for residential development of moderately spacious character, together with such public buildings, schools, churches, public recreational facilities and accessory uses as may be necessary or are normally compatible with residential surroundings.

Section 405.090. Permitted Uses.**[CC 1978 §42.110; Ord. No. 656, 5-15-1972]**

A. The following uses shall be permitted in the "R" District:

1. Single-family dwelling.
2. Two-family dwelling.
3. Multi-family dwelling.
4. Churches and educational buildings.
5. Public parks, playgrounds, recreation buildings.
6. Existing farms, truck gardens, nurseries.
7. Schools, elementary and secondary.
8. *Group homes.* No group home shall be located within two thousand five hundred (2,500) feet of another group home. The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards. Group homes shall be eleemosynary or not-for-profit in nature.

Section 405.100. Area Requirements.**[CC 1978 §42.120; Ord. No. 656, 5-15-1972]**

A. The following area requirements shall be observed in the "R" District.

1. *Minimum lot area.*

Single family	8,400 square feet
For each additional unit per structure	1,800 square feet

2. *Minimum lot width (measured at front yard line).*

All residential uses	50 feet
----------------------	---------

3. *Minimum yard requirements.*

Front	25 feet
Side	7 feet
Side (exterior)	10 feet
Rear	25 feet

Section 405.110. Off-Street Parking.**[CC 1978 §42.130; Ord. No. 656, 5-15-1972]**

A. The following off-street parking will be provided in the "R" District.

1. One (1) off-street parking space per each dwelling unit on the lot.
2. *Churches.* One (1) parking space for each five (5) seats provided in main sanctuary or meeting room.

Section 405.120. Commercial District "C".**[CC 1978 §42.200; Ord. No. 656, 5-15-1972]**

The Commercial District is intended for retail and service uses that provide adequate off-street parking and unloading facilities, that need large areas for outdoor storage and that serve the traveling public.

Section 405.130. Permitted Uses.**[CC 1978 §42.210; Ord. No. 656, 5-15-1972]**

A. The following uses are permitted in the "C" District.

1. Retail establishments which sell such goods as groceries, drugs, variety merchandise, dry goods and automobile parts.
2. Retail establishments selling goods as hardware, feed, poultry supplies, home building supply, farm equipment, marine equipment (boats, trailers, etc.), etc.
3. Service establishments including banks, barbershops, beauty shops, motion picture theaters, new and used car sales, utility offices and public buildings.
4. Eating establishments (cafes, restaurants).
5. Offices for professional and service people, including doctors, dentists, lawyers, realtors, radio and television service and repair.
6. Drive-in banks, savings and loan associations, etc.
7. Dry cleaning and laundry establishments.
8. Automotive service stations.
9. Automotive repairs and sales (new and used).
10. Warehousing — commercial.
11. Commercial recreation as bowling alleys, golf driving ranges, drive-in theaters, skating rinks, etc.
12. Automatic laundries (unattended).
13. Funeral homes.
14. Motels and motor hotels.
15. Places of public assembly.
16. Printing offices and plants.

Section 405.140. Area Requirements.**[CC 1978 §42.220; Ord. No. 656, 5-15-1972]**

A. Area requirements in the "C" District shall be:

1. *Minimum yard (in feet).*

Front	50 feet
Side — street (corner lot)	10 feet

Rear (from property line or center of alley if one exists) 15 feet

2. *On-lot parking.*

Motels, hotels (parking space per sleeping units) 1

Places of public assembly (space per seating capacity) 1 for 5

3. *Maximum height.*

Stories 2

Not to exceed in feet 36

4. On-lot parking spaces shall be provided for employees and customers.

5. When a commercial zoning district abuts a residential zoning district, a minimum rear yard of twenty-five (25) feet is required.

Section 405.150. Industrial Districts.

[CC 1978 §42.300; Ord. No. 656, 5-15-1972]

- A. Industrial districts are intended for general manufacturing and industrial activities and for the bulk storage of goods.
- B. The Industrial District "I" represents the industrial park areas. This district is intended for those operations carried on within the structure with adequate land area for parking and landscaping. This district is intended for those uses that place a value upon aesthetics and public relations.

Section 405.160. Permitted Uses.

[CC 1978 §42.310; Ord. No. 656, 5-15-1972]

- A. The following uses shall be permitted in the "I" District:
 - 1. Manufacturing, compounding, processing, packaging and/or assembling of products which, by the nature of the operation, does not produce noise, dust, odor or vibration that is detrimental or dangerous to the health, safety or general welfare of the community.
 - 2. Storage of bulk materials when it is found that the specific location and the safeguards provided will so reduce the danger from fire or explosion as not to be dangerous to the health, safety or general welfare of the community.

Section 405.170. Area Requirements.**[CC 1978 §42.320; Ord. No. 656, 5-15-1972]**

- A. *Lot Coverage.* Structures shall not cover more than sixty-six and two-thirds percent ($66\frac{2}{3}\%$) of the lot area.
- B. *Yards.* All structures shall be built at least seventy-five (75) feet from the front property line and twenty-five (25) feet from all other property lines.
- C. *On-Lot Parking.* Adequate on-lot parking space shall be provided for all employees and visitors.
- D. *On-Lot Parking, Loading And Unloading Facilities.* Each structure or use shall provide on-lot loading and unloading facilities which shall not block a street, alley or other public way.
- E. *Storage.* All bulk storage must be within the confines of structures.

Section 405.180. Mobile Home Park.**[CC 1978 §42.400; Ord. No. 656, 5-15-1972]**

- A. The mobile home park shall conform to the following requirements:
 - 1. The park shall be located on a well drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.
 - 2. Mobile home spaces shall be provided consisting of a minimum of two thousand four hundred fifty (2,450) square feet for each space which shall be at least thirty-five (35) feet wide and clearly defined.
 - 3. Mobile homes shall be so harbored on each space that there shall be at least a fifteen (15) foot clearance between mobile homes.
 - 4. All mobile homes space shall abut a driveway of not less than twenty (20) feet in width, which shall have unobstructed access to a public street.
 - 5. At least one (1) vehicle parking space of two hundred (200) square feet shall be provided on each mobile home space.
 - 6. An electrical outlet, water and sanitary sewer shall be provided each mobile home space.

Section 405.190. Annexed Areas.**[CC 1978 §42.500; Ord. No. 656, 5-15-1972]**

All territory which may hereafter be included within the zoning jurisdiction of Thayer shall be governed by and subject to the requirements of District "R" residential or otherwise conform to the land use category shown on the plan until such time as the zoning district shall have been amended to zone such territory otherwise.

Section 405.200. Completion of Existing Buildings.**[CC 1978 §42.510; Ord. No. 656, 5-15-1972]**

Nothing herein contained shall require any change in plans, construction or designated use of a building actually under construction at the time of effective date of these regulations.

Section 405.210. Occupations Permitted in Residential Structures Utilized For Residential Purposes in The Residential Zone (Home Occupation).**[CC 1978 §42.520; Ord. No. 656, 5-15-1972]**

- A. An occupation may be carried on in a residential structure in the residential district only when it:
1. Does not require the use of more than two (2) rooms otherwise normally considered as living space.
 2. Does not require the use of an accessory building or yard space or an activity outside the main structure not normally associated with residential uses.
 3. Does not have a sign in excess of four (4) square feet in area to denote the business, occupation or profession and such sign must be attached to the structure.
 4. Does not involve the display of goods and services.

Section 405.220. Lot of Record.**[CC 1978 §42.530; Ord. No. 656, 5-15-1972]**

On any lot of record in the residential district, a one-family structure may be erected even though the lot be of less area or width than required by the regulations of the residential area in which the lot is located, provided all other area requirements are met.

Section 405.230. Non-Conforming Use.**[CC 1978 §42.540; Ord. No. 656, 5-15-1972]**

- A. Non-conforming use of land or non-conforming use of structures may be continued if the following are complied with:
1. A non-conforming use of land shall not be changed unless changed to a conforming one.
 2. The area devoted to a non-conforming use of land cannot be extended beyond the lot area on which located.
 3. A non-conforming use of structure may be changed to another use in the same zoning classification as the original use provided the Planning Commission finds that such change of use is as compatible for the area as the original non-conforming one.

- B. A non-conforming structure may be enlarged with the approval of the Planning Commission but in no event shall the enlargement of the structure be in violation of the existing area requirements for the zoning district in which the structure is located.
- C. A non-conforming structure may not be rebuilt or re-established if said structure is damaged in excess of two-thirds ($\frac{2}{3}$) of its fair market value immediately prior to damage.

Section 405.240. Board of Adjustment — Appointment, Terms, Procedures.

The Board of Adjustment is hereby established and shall consist of five (5) members appointed by the Mayor with the approval of the Board of Aldermen, who shall be residents of the municipality. The membership of the first (1st) Board appointed shall serve respectively, one (1) for one (1) year, one (1) for two (2) years, one (1) for three (3) years, one (1) for four (4) years, and one (1) for five (5) years. Thereafter members shall be appointed for terms of five (5) years each. Three (3) alternate members may be appointed to serve in the absence of or the disqualification of the regular members. All members and alternates shall be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. The Board shall elect its own Chairman who shall serve for one (1) year. The Board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to Sections 89.010 to 89.140, RSMo. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. Such Chairman, or in his/her absence the acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record. All testimony, objections thereto and rulings thereon, shall be taken down by a reporter employed by the Board for that purpose.

Section 405.250. Board of Adjustment — Powers.

- A. The Board of Adjustment shall have the following powers:
 - 1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of Sections 89.010 to 89.140, RSMo., or of any ordinance adopted pursuant to such Sections;
 - 2. To hear and decide all matters referred to it or upon which it is required to pass under such ordinance;
 - 3. In passing upon appeals, where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of such ordinance, to vary or modify the application of any of the regulations or provisions of such ordinance relating to the construction or alteration of buildings or structures or the use of

land so that the spirit of the ordinance shall be observed, public safety and welfare secured and substantial justice done.

- B. In exercising the above-mentioned powers such Board may, in conformity with the provisions of Sections 89.010 to 89.140, RSMo., reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made and to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance or to effect any variation in such ordinance.

Section 405.260. Recordation of Order of The Board of Adjustment.

Whenever the Board of Adjustment shall have acted upon an appeal, request or variance, the Board shall cause its order granting or denying said appeal or application to be recorded in the records of the Greene County Recorder of Deeds. However, no order shall be recorded until the order has become final by the passage of thirty (30) days from the date said order is filed with the City Clerk without an action being filed in a court of competent jurisdiction challenging the issuance of said order or until a court of competent jurisdiction upholds said order if it is challenged within the thirty (30) day period.

Section 405.270. Judicial Review — Board of Adjustment Action.

Any person aggrieved by any decision of the Board of Adjustment made under the provisions of this Chapter may seek judicial review of such decision in accordance with the provisions of Section 89.110, RSMo.

Section 405.280. Fees.

[CC 1978 §42.630; Ord. No. 656, 5-15-1972]

The appellant or applicant shall be required to pay to the City Clerk a filing fee of fifty dollars (\$50.00) to cover such other costs as may be incurred in connection with such appeal or application.

Section 405.290. Amendment To Text or Regulations.

[CC 1978 §42.700; Ord. No. 656, 5-15-1972]

- A. The Board of Aldermen may recommend to the Planning Commission amendments to the text of these regulations or the Planning Commission may on its own motion initiate amendments.
- B. Proposed amendments to the text shall be advertised in a paper of general circulation at least fifteen (15) days in advance of a public hearing to be conducted by the Planning Commission. After the public hearing, the Planning Commission shall make a report and

recommendation to the Board of Aldermen pertaining to the proposed amendment to the text. The Board of Aldermen action on the report and recommendation shall be final.

Section 405.300. Initiation and Procedures For Change in Zoning Classification.

[CC 1978 §42.800; Ord. No. 656, 5-15-1972]

- A. A proposed change in a zoning district classification may be initiated by a letter of request by one (1) or more owners or lessees of property within the area proposed to be changed. Such a letter shall be addressed to the Planning Commission and shall be filed with the Secretary of the Planning Commission not less than forty-eight (48) hours prior to a regular monthly meeting.
- B. The applicant for the change shall file an application for change in zoning classification on forms provided by the Planning Commission who shall schedule same for a public hearing before the Commission not less than thirty (30) days and not more than ninety (90) days from date of filing. The Commission shall publish a notice of the time and place of the public hearing on the proposed change in zoning district classification, which notice shall be published at least once not less than fifteen (15) days preceding the date of such hearing in an official paper or a paper of general circulation in Thayer, said notice shall contain description of property and change proposed. The Planning Commission shall give or cause to be given such additional notice of such hearing to interested persons and organizations as it shall deem feasible and practicable.
- C. The Planning Commission shall conduct the public hearing on the proposed change in zoning classification.
- D. Following the public hearing, the proposed change in zoning classification may be approved as presented or in modified form by a majority vote of the Planning Commission and recommended for adoption by the Board of Aldermen with reasons for such recommendation stated in writing.
- E. The Board of Aldermen, by majority vote, may by ordinance adopt the recommended amendment submitted by the Planning Commission. If the Board of Aldermen does not concur with the recommendation of the Planning Commission, the Board of Aldermen shall return the recommendation to the Planning Commission for further study and report. After resubmission or the recommendation, the Board of Aldermen may, by majority vote, accept, reject or modify the recommendation pertaining to the proposed change in zoning classification.
- F. If the Planning Commission disapproves a proposed change in zoning classification, notice of disapproval with the reasons for such disapproval shall be given in writing to the petitioner within fifteen (15) days from the date of the decision.
- G. Following disapproval of a proposed change in zoning classification by the Planning Commission, the petitioner may appeal such disapproval to the Board of Aldermen, provided that the petitioner states specifically in writing to the City Clerk why he/she considers the Planning Commission's findings and decisions to be in error. Such appeal shall be filed with the City Clerk within fifteen (15) days of receipt of notice of Planning Commission action.

Section 405.310. Resubmission of Application.**[CC 1978 §42.810; Ord. No. 656, 5-15-1972]**

No application for change of zoning for a given property may be resubmitted within twelve (12) months from date of action by the Planning Commission, unless the Planning Commission finds that a substantial reason exists for waiving this limitation.

Section 405.320. Fee.**[CC 1978 §42.820; Ord. No. 656, 5-15-1972]**

Applications shall be accompanied by a filing fee of fifty dollars (\$50.00) to assist in defraying general expenses in connection with the application for a change in zoning.

Section 405.330. Enforcement.**[CC 1978 §42.900; Ord. No. 656, 5-15-1972]**

- A. The provisions of this Chapter shall be administered by an enforcement officer approved by the Board.
- B. A building permit will be issued only when the application has been approved by the enforcement officer as meeting requirements of this Chapter. All applications for building permits shall be accompanied by a plan in duplicate drawn to scale, showing the actual dimensions of the lot to be built upon, the size of the building to be erected and its location on the lot and such other information as may be necessary to provide for the enforcement of this Chapter. A record of such application and plats shall be kept by the enforcement officer and are subject to review by the Planning Commission.

Section 405.340. Violations — Penalties.

- A. In case any building or structure is erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is used in violation of Sections 89.010 to 89.140, RSMo., this Chapter or of any ordinance or other regulation made under authority conferred hereby, the proper local authorities of the municipality, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, to restrain, correct, or abate such violation, to prevent the occupancy of such building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about such premises. Such regulations shall be enforced by an officer empowered to cause any building, structure, place or premises to be inspected and examined and to order in writing the remedying of any condition found to exist therein or thereat in violation of any provision of the regulations made under authority of Sections 89.010 to 89.140, RSMo.
- B. The owner or general agent of a building or premises where a violation of any provision of said regulations has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the

owner, general agent, lessee or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor or any other person who commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation shall exist shall be guilty of an ordinance violation punishable by a fine of not less than ten dollars (\$10.00) and not more than one hundred dollars (\$100.00) for each and every day that such violation continues, but if the offense be willful on conviction thereof, the punishment shall be a fine of not less than one hundred dollars (\$100.00) or more than two hundred fifty dollars (\$250.00) for each and every day that such violation shall continue or by imprisonment for ten (10) days for each and every day such violation shall continue or by both such fine and imprisonment in the discretion of the court.

- C. Any such person who having been served with an order to remove any such violation shall fail to comply with such order within ten (10) days after such service or shall continue to violate any provision of the regulations made under authority of Sections 89.010 to 89.140, RSMo., in the respect named in such order shall also be subject to a civil penalty of two hundred fifty dollars (\$250.00).

