

**AN ORDINANCE AMENDING THE NEW FRANKLIN CITY CODE
TO CREATE REGULATIONS ON THE HOUSING OF FOWL WITHIN
CITY LIMITS.**

WHEREAS, the Board of Alderman desire to regulate the housing of fowl within city limits to protect the health, safety, and welfare of the City's resident; and

WHEREAS, the Board of Alderman desire to regulate the housing of fowl within city limits to protect the aesthetic quality of neighborhoods and thereby preserve property values.

WHEREAS, the Board of Alderman believe that fowl coops on residential property should not be plainly visible from public streets such that all coops should either be located entirely behind residential structures in backyards or, if located elsewhere on the property, the coops should be surrounded by taller privacy fences to obscure views of the coops.

WHEREAS, the Board of Alderman believe that a thirty (30) day enactment period and a variance procedure will allow any current fowl coop owners to come into compliance with this ordinance before enforcement begins.

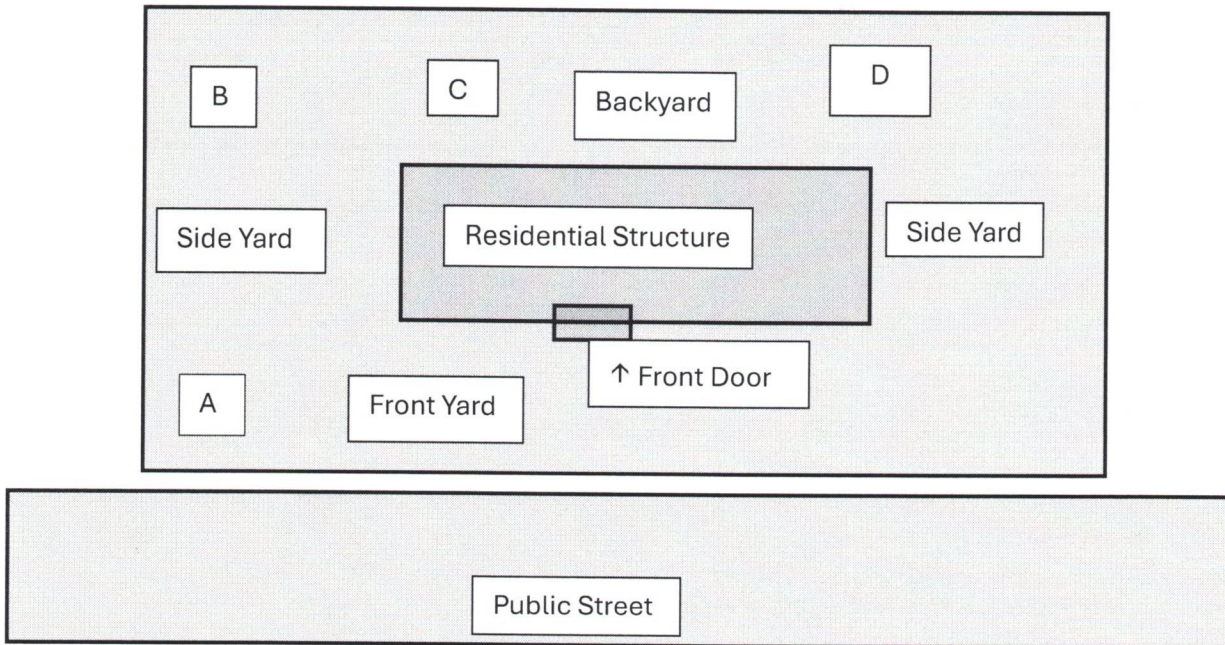
BE IT ORDAINED by the Board of Alderman of the City of New Franklin, Missouri as follows:

SECTION ONE. SECTION 405.300: FOWL REGULATIONS

1. The possession of fowl within city limits on residential property is hereby limited to a maximum number of thirty (30) individual fowl, of any age, on any one property or lot at a time. For purposes of this Ordinance, "fowl" is defined as domestic chickens, ducks, geese, quail, guinea fowl and turkeys.
2. Property owners possessing fowl must provide sufficient food, water, and space for the birds.
3. All fowl must be female, as possession of a male bird is prohibited within city limits.
4. Property owners must control offensive odors and excessive noise associated with their fowl.
5. All fowl must be housed inside of a coop or other appropriate shelter that can maintain a secure and safe environment for the birds. So called "free range" fowl are not permitted.
6. All fowl coops shall be located on residential property in accordance with the following regulations and demonstrative diagram:
 - a. Unless otherwise exempted by the provisions of this section, all fowl coops shall be located on ground behind the residential structure in an area commonly referred to as the "backyard" such that the coop is not readily visible from the street when looking at the front of the residential structure from the street while square to the front of the house.
 - b. Coops must be entirely behind the residential structure, such that no part of the coop is located beyond the imaginary line extending perpendicular from the front yard street to the back yard at the longitudinal border of the residential structure's footprint. Stated differently, no part of the coop may extend out past the residential structure as viewed from street while square to the front of the house.
 - c. For residential property with streets on more than one side of the property, commonly referred to as "corner lots," the area of the property between the street and the residential buildings primary, front door shall be been the "front yard,": such that a fowl coop must be located on ground on the opposite side of the house with a front door in the area commonly referred to as the "backyard." Coops shall not be placed in side yards, even in "corner lots."
 - d. Coops that would otherwise violate these provisions may nevertheless be placed in unauthorized locations upon the granting of a variance by the City, however, such

variance with require that the coop be no more than five (5) feet tall and be surrounded by a six (6) foot tall privacy fence.

- e. These provisions are reflected in the following diagram and key to locations:



Key to Locations

A: A coop cannot be placed here in the front yard unless a variance is granted, and a privacy fence erected because it is not behind the residential structural.

B: A coop cannot be placed here in the side yard unless a variance is granted, and a privacy fence erected because it is not behind the residential structural.

C: A coop can be placed here without the need for a variance because it is entirely behind the residential structure.

D: A coop cannot be placed partially in the backyard and partially in the side yard unless a variance is granted, and a privacy fence erected because the coop is not entirely behind the residential structure.

SECTION TWO.

1. Violations of this section may subject the offending property owner to citation or lawsuit for maintaining a public nuisance.
2. Repeated violators of this ordinance are subject to a complete ban on possessing fowl on their property. The Board of Alderman is authorized to institute such a ban upon a public hearing at which the subject property owner is entitled to speak.

SECTION THREE. Repeal of Conflicting Ordinances.

The provisions of any ordinance or code section in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

SECTION FOUR. Effective Date.

This ordinance shall be in full force and effect from and after the date of its passage and approval. Existing coops that are in violation shall have ninety (90) days to remedy the violation under penalty of nuisance

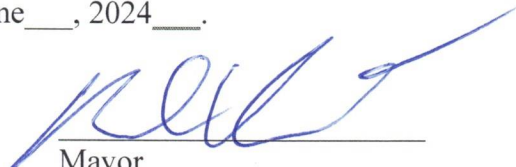
citation or lawsuit.

SECTION FIVE. Severability.

The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

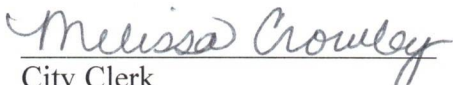
Read twice and approved by Roll Call Vote.

Dated this 10 day of June, 2024.



Mayor

Attest:



City Clerk

**AN ORDINANCE AMENDING THE NEW FRANKLIN CITY CODE
TO CREATE A NEW CHAPTER ENTITLED "RECREATIONAL
VEHICLES"**

WHEREAS, the Board of Aldermen desire to regulate the residential occupation of Recreational Vehicles to protect the health, safety, and welfare of the City's residents; and

WHEREAS, the Board of Aldermen desire to enact regulations that limit the continuous occupation of Recreation Vehicles, and require a period of vacancy prior to another continuous occupation to ensure that Recreational Vehicles are being used for the intended temporary purpose for which said vehicles were manufactured; and

WHEREAS, the Board of Aldermen desire to enact a new Chapter 240 of the City Code to accomplish these purposes.

BE IT ORDAINED by the Board of Aldermen of the City of New Franklin, Missouri as follows:

SECTION ONE. CHAPTER 240 RECREATIONAL VEHICLES

240.010. Findings and Declaration of Purpose

- A. The Board of Aldermen has enacted this Chapter for the purpose of protecting the health and safety of the inhabitants of the City.
- B. The Board finds that Recreational Vehicles, while suitable for short-term occupancy, are not appropriate for long-term occupation within the City due to design limitations and the lack of appropriate utilities for such purposes.

240.020. Definitions

- A. 'Converted vehicle' means any combination of the vehicles described in this Chapter, which although not originally designed and not suitable for occupancy, have been converted or modified to provide temporary, movable living quarters containing facilities for cooking, sleeping, or sanitation.
- B. 'House trailer' means a trailer or semi-trailer which is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place, either permanently or temporarily, and is equipped as a conveyance on streets or highways.
- E. 'Recreational conveyance' means a vehicular type unit built on or for use on a chassis and designed primarily as living quarters for recreational, camping, vacation, or travel use, and which has its own motor power or is mounted on or drawn by another vehicle.
- F. 'Recreational vehicle' means any recreational conveyance, house trailer, trailer, and converted vehicle. The term "recreational vehicle" shall not include buses or trailers unless converted to residential use.

240.030. Recreational Vehicles

- A. Recreational Vehicles may not be used for residential occupation for a continuous period of more than thirty (30) days. Recreational Vehicles occupied for more than three (3) days continuously shall remain unoccupied for no less than fourteen (14) days prior to being occupied again. No Recreational Vehicle shall be

used for residential occupation for more than ninety (90) total days in a calendar year. There shall be a rebuttable presumption that any Recreational Vehicle connected to public utilities is being used for residential occupation while so connected.

- B. Recreational Vehicles may not be connected to any public utilities unless that connection meets all current City Codes.
- C. Recreational Vehicles may not be parked on any City street or any State or County Road or within ten feet (10) feet of the edge of the pavement of any such street or road.
- D. Any recreation vehicle that does not comply with this Chapter is hereby deemed a nuisance.

240.040. Penalties

Any person who violates any provision of this Chapter shall be subject to a fine of not less than \$100 and not more than \$500, or imprisonment of not more than 90 days in jail, or both. Owners of a property on which any vehicle referenced herein is kept in violation with this ordinance, as well as owners of the violating vehicle itself, and any occupants or tenants thereof, will be subject to the penalties described above. Multiple citations may be issued for the same violation to different persons involved in the violation in accordance with this Section.

SECTION TWO. Repeal of Conflicting Ordinances.

The provisions of any ordinance or code section in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

SECTION THREE. Effective Date.

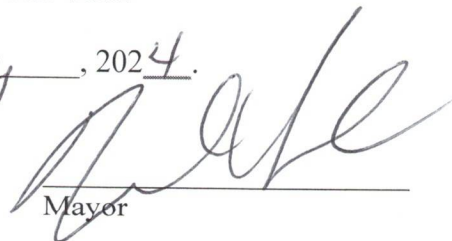
This ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION FOUR. Severability.

The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

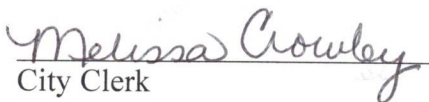
Read twice and approved by Roll Call Vote.

Dated this 13 day of May, 2024.



Mayor

Attest:



City Clerk

**AN ORDINANCE AMENDING THE NEW FRANKLIN CITY CODE
TO AUTHORIZE THE MAYOR TO INSTITUTE AN EMERGENCY
BURN BAN WITHIN THE CITY LIMITS.**

WHEREAS, the Board of Aldermen desire to regulate open burning within the city limits during periods of extreme dry conditions.

WHEREAS, the Board of Aldermen desire that the Mayor, with input from emergency agencies, can quickly institute a burn ban to prevent fires.

BE IT ORDAINED by the Board of Aldermen of the City of New Franklin, Missouri as follows:

SECTION ONE. SECTION 225.100 CITY BURN BAN

The Mayor is authorized, upon consultation with emergency service and management authorities, to institute a burn ban within city limits. The ban shall make any open and unsupervised burning unlawful. Any person engaged in open burning during the ban must continually supervise the fire and confine the combustion to a pit, hole, ring, or other perimeter to limit the spread of the fire and must have a means to extinguish the fire readily available, such as water source or loose dirt. Any person engaged in open and unsupervised burning during the ban is subject to citation for negligent burning as prohibited by section 210.340 of this code. Such ban shall be announced at all public meetings of the city government and shall be noticed by publication in the newspaper. The ban shall last until either a specific date specified in the ban notice itself or until the Mayor rescinds the ban. The Board of Alderman may rescind the ban by simple majority motion at a public meeting.

SECTION TWO. Repeal of Conflicting Ordinances.

The provisions of any ordinance or code section in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

SECTION THREE. Effective Date.

This ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION FOUR. Severability.

The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

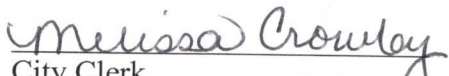
Read Twice and approved by Roll Call Vote

Dated this 13 day of may, 2024.



Mayor

Attest:



City Clerk