

**ARTICLE II. ADMINISTRATION\***

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\***Cross references:** Administration, ch. 2.

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**Sec. 90-41. Notice of action taken.**

(a) The planning commission shall determine its recommendations as to whether the subdivision plat shall be recommended for approval, with modification, or disapproved, and shall give written notice to the subdivider and the board of aldermen of its determination.

(b) The board of aldermen may approve, modify or disapprove a final subdivision plat, after recommendation from the planning commission, and shall so notify the applicant of its decision. If approved, the mayor shall sign the original and two linens in the appropriate certification book.

(Code 1977, § 43.800)

**Sec. 90-42. Official recording.**

(a) No plat or description of a subdivision shall be filed in the office of the county recorder, until such plat shall have been given final approval by the board of aldermen.

(b) All final plats shall be filed and recorded within two years of the date of approval by the board of aldermen, and no lots shall be sold from any plat until such plat has been recorded as provided in this section. Failure to record such approved plat within two years of the approval shall void all approvals thereto.

(Code 1977, § 43.810)

**Sec. 90-43. Agenda.**

Each plat submitted for preliminary or final approval shall be placed on the planning commission's agenda only after fulfilling the appropriate requirements of this chapter. However, a plat not meeting all the requirements may be submitted providing the subdivider presents with the plat a letter requesting the specific exceptions and enumerating in detail the reasons therefor.

(Code 1977, § 43.820)

**Sec. 90-44. Amendment.**

The board of aldermen may from time to time amend and make public rules and regulations for the administration of this chapter after referral to the planning commission, to the end that the public is informed and that approval of plats of subdivisions are expedited.

(Code 1977, § 43.830)

**Sec. 90-45. Penalty for violation of chapter.**

(a) No owner, or agent of the owner, of any land located within the platting jurisdiction of any municipality, knowingly or with intent to defraud, may transfer, sell, agree to sell or negotiate to sell that land by reference to or by use of a plat of any purported subdivision of the land before the plat has been approved by the board of aldermen or the planning commission and recorded in the office of the appropriate county recorder. Any person violating the provisions of this section shall forfeit and pay to the municipality a penalty not to exceed \$300.00 for each lot transferred or sold or agreed or negotiated to be sold. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from this penalty. A municipality may enjoin or vacate the transfer or sale or agreement by legal action, and may recover the penalty in such action.

(b) Any persons violating the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than \$100.00 nor more than \$500.00, or by confinement in the county jail for not more than one year, or by both such fine and confinement.

(Code 1977, § 43.840)

**State law references:** Similar provisions, RSMo 89.490.

**Sec. 90-46. Construction and occupancy permits.**

(a) No building shall hereafter be erected, reconstructed or altered, nor shall any work be start upon same until a building permit for same has been issued by the superintendent of buildings, which permit(s) shall state that the proposed building complies with all the provisions of this chapter.

(b) No land should be occupied or used and no building hereafter erected or structurally altered shall be occupied or used in whole or in part for any purpose whatsoever other than farming until a certificate of occupancy is issued by the superintendent of buildings stating that the building and use comply with the provisions of this chapter. No change of use shall be made in any multiple-family dwelling or nonresidential building or part thereof now or hereafter erected or structurally altered without an occupancy permit being issued therefore by the superintendent of buildings. No permit shall be issued to make a change unless the changes are in conformity with the provisions of this chapter.

(c) Certificates of occupancy shall be applied for coincidentally with the application for a building permit and shall be issued with ten days after the lawful erection, reconstruction or alteration of the building is completed. A record of all construction and occupancy permits(s) shall be kept on file in the office of the superintendent of buildings and copies shall be furnished on request to any person having a property of tendency interest in the building affected.

(d) No building permits shall be issued until the plans for a proposed building are reviewed and approved according to the procedure and requirements of the section on minimum standards of civic design.

(e) Nothing in this section shall prevent the continuance of a non-conforming use as herein before authorized, unless a discontinuance is necessary for the safety of life and property.

(f) Prior to closing on any new residential structure, or any new or existing commercial, industrial or institutional structure, the builder, contractor or seller shall obtain a copy of a certificate of occupancy for that structure from the city, and furnish a copy of same to the financial institution, title company or any person or agency processing the closing. At the time the final inspection of the new structure is completed, and it is determined the construction meets provision of the applicable codes, the city's inspector shall leave the completed certificate of occupancy on the premises for disposition by the builder/owner. Where construction is not completed and no impediments to the health, safety and welfare of any occupants exist, a

temporary occupancy permit may be issued for a period of not longer than 30 days.  
(Ord. No. 727, 4-24-07)

Secs. 90-47--90-75. Reserved.