

CURRENT ORDINANCES
of the
Village of Jameson
Missouri

Oct 18, 2018

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GENERAL PROVISIONS

AN ORDINANCE setting forth general provisions applicable to the construction, interpretation, implementation and enforcement of the ordinances of the Village of Jameson.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. APPLICABILITY

The provisions set forth in this ordinance shall apply to the interpretation, implementation and enforcement of all ordinances of the village, unless the board has specifically provided otherwise.

SECTION 2. DEFINITIONS AND RULES OF CONSTRUCTION

In the construction and interpretation of all ordinances of the village, the following definitions shall apply unless otherwise expressly provided, or unless inconsistent with the manifest intent of the board, or unless the context clearly requires otherwise:

1. *BOARD, BOARD OF TRUSTEES* - The Board of Trustees of the Village of Jameson, of which any member shall be called a trustee.
2. *CITY, TOWN, VILLAGE* - The Village of Jameson, Missouri.
3. *COUNTY* - The County of Daviess, Missouri.
4. *DAY* - A day of twenty-four hours, beginning at 12:00 Midnight, current local time.
5. *DEBRIS* - Includes but is not limited to rubbish, trash, garbage, metal, cans, wire, glass, rocks, bricks, ashes, soot, weed cuttings, portions of vehicles, vehicle parts, machinery parts, scrap or salvage material, broken furniture, appliances, junk, old clothing, or unsightly or discarded material of any nature or substance whatsoever which creates a health, safety or fire hazard or is so disorderly as to constitute an eyesore in view of residents or from any street.
6. *DESIGNATED OFFICER* - The person or persons duly authorized by the board to act on behalf of the city in matters of ordinance enforcement, animal control, inspector, or other official duty designated by the board.
7. *EYESORE* - Offensive to the sight of a reasonable person.
8. *GENDER* - Words importing masculine gender shall include males and females, and firms, associations, partnerships and corporations as well as individuals.
9. *HARBOR* - To feed or shelter an animal at the same location for three or more days.
10. *INSPECTOR* - The person or persons duly authorized by the board to act in the capacity of building inspector, water inspector, sewer inspector, or other inspector specified by the board.
11. *JOINT AUTHORITY* - Words importing joint authority to three or more persons shall be construed as authority to a majority of such persons.

12. *JOURNAL, MINUTES* - A record of the proceedings of a meeting of the board and shall be used interchangeably.
13. *KEEPER, PROPRIETOR* - Includes persons, firms, associations, corporations, clubs and partnerships, whether acting by themselves or by a representative.
14. *MAY* - Is permissive.
15. *MINOR* - A person under eighteen years of age.
16. *MONTH* - A calendar month.
17. *NUISANCE, PUBLIC NUISANCE* - Real property or personal property which is in a condition to be a blight on the surrounding area, or which is kept or maintained in any manner causing substantial diminution in the value of other property in the neighborhood in which such premises are located; or conduct which is detrimental to the public health, safety or convenience; or any other activity that constitutes a violation of law or ordinance.
18. *NUMBER* - Words importing the singular number shall include the plural, and words importing the plural shall include the singular.
19. *OATH* - Includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."
20. *OCCUPANT* - Includes each person inhabiting or occupying real property or an improvement thereon.
21. *ORDINANCE* - A duly enacted ordinance of the village.
22. *OWNER* - When applied to a building or land, includes a part owner, joint owner, tenant in common, joint tenant or tenant by the entirety of the whole or a part of such building or land.
23. *PARENT* - That person having actual responsibility for care, custody and control of a minor; includes a natural or adoptive parent or lawful guardian.
24. *PERSON* - Any individual, corporation, firm, partnership, association, organization, and any other entity acting as a unit, and shall include an agent, personal representative, administrator, trustee, receiver or other representative acting in another's behalf.
25. *PERSONAL PROPERTY* - Includes money, goods, chattels, things in action and evidences of debt.
26. *PRECEDING, FOLLOWING* - The words "preceding" and "following" shall mean next before and next after, respectively.
27. *PREMISES* - All lands and the buildings and structures upon it, and shall be equivalent to the terms "property", "real estate", or "lands."
28. *PRIVATE PROPERTY* - Any real property which is privately owned and which is not public property.
29. *PROPERTY* - Includes real property and tangible and intangible personal property of every nature and kind.

30. *PUBLIC PROPERTY, PUBLIC PLACE* - Any publicly owned property or facility and includes any street or public sidewalk.
31. *REAL PROPERTY* - The terms "real property", "premises", "real estate" or "lands" include all lands and the buildings and structures upon it.
32. *RIGHT-OF-WAY* - The entire width of land between the boundary lines of a public road or state highway, including any street; or the portion of land along the side of the roadway established for public use.
33. *SHALL* - Is mandatory.
34. *SIDEWALK* - The portion of the street between the curb line or side of the street and the adjacent property line which is intended for the use of pedestrians.
35. *STATE* - The State of Missouri.
36. *STREET* - Any public way, highway, street, avenue, boulevard, parkway, alley or other public thoroughfare, and each of such words shall include all of them.
37. *TENANT, OCCUPANT* - The words "tenant" or "occupant", applied to a building or land, shall include any person who occupies the whole or a part of such building or land, whether alone or with others.
38. *TENSE* - Words indicating the present tense are not limited to the time of adoption of the ordinance but include the time of the happening of any act, event or requirement for which provision is made therein, either as a power, immunity, requirement or prohibition.
39. *TIME* - The time within which an act is to be done shall be computed by excluding the first day and including the last. If the last day is Sunday it shall be excluded.
40. *UNLAWFUL* - A violation of an ordinance of the village or of a state or federal law.
41. *VEHICLE* - Any machine or portion of a machine designed for travel along the surface of a street, the ground or water, including but not limited to motor vehicles, trailers, buggies, watercraft, tractors, riding lawn mowers and the like, except those designed to be operated exclusively by human power.
42. *VEHICLE, MOTOR* - Any self-propelled vehicle not operated exclusively upon tracks.
43. *VIOLATION, OFFENSE* - A violation of an ordinance of the village.
44. *WEEK* - The word "week" means seven consecutive days; but publication in a newspaper of any notice or other matter indicated to be for a stated number of weeks shall mean an insertion on one day of each consecutive week, unless specifically stated otherwise.
45. *WRITING, WRITTEN* - Includes all printing or other mode of representing words and letters, but in all cases where the signature of any person is required, the proper handwriting of the person, or his mark, is intended.
46. *YEAR* - A calendar year, unless specified or clearly intended otherwise.

SECTION 3. HEADINGS

The headings of ordinances and sections are included for ease of review and shall not be deemed as titles or as any part of any ordinance or section for any purpose.

SECTION 4. SEVERABILITY

It is hereby declared to be the intention of the board that the sections, paragraphs, sentences, clauses and phrases of village ordinances are severable, and if any such portion of an ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions thereof since the same would have been enacted by the board without the incorporation of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

SECTION 5. EFFECTIVE DATE

Every duly passed bill shall become an ordinance upon being signed by the chairman and attested by the village clerk, and shall be in full force and effect from and after the date of its passage.

SECTION 6. CONTINUATION OF PRIOR ORDINANCES

The provisions appearing in any revised ordinance, insofar as they are in substance the same as those of ordinances existing at the time of the adoption of the revised ordinance, shall be deemed as a continuation thereof and not as new enactments.

SECTION 7. EFFECT OF REPEAL OF ORDINANCE

1. The repeal or amendment of an ordinance shall not affect any offense committed, any penalty or punishment therefor, or any prosecution pending or commenced previous to the repeal or amendment, but the trial and punishment of all such offenses and recovery of fines, penalties or forfeitures shall be pursued as if the provision had not been repealed or amended, except:
 - a. All such proceedings shall be conducted according to existing procedural laws; and
 - b. If the penalty or punishment for any offense is lessened by any alteration of the law prior to original sentencing, the penalty or punishment shall be assessed according to the amended law.
2. When a law repealing a former law or portion thereof is itself repealed, it does not revive the former law or any portion thereof, unless it is otherwise expressly provided.
3. The repeal of an ordinance shall not affect any contract, franchise, right, tax, or obligation of payment established or accruing before the date of the repeal nor any action of the board intended on its face to be effective in perpetuity, unless it is otherwise expressly provided.

SECTION 8. RESOLUTION OF CONFLICT BETWEEN ORDINANCES

In the event of a conflict between ordinances duly passed by the board, the most recently passed provisions shall prevail.

SECTION 9. BOOKS OF ORIGINAL ORDINANCES

The Books of Original Ordinances, each ordinance bearing the signature of the chairman and attestation of the village clerk, shall be kept in the custody of the clerk. A copy of the ordinances shall be made available for public inspection.

SECTION 10. BOOK OF CURRENT ORDINANCES

All current ordinances shall be compiled into a document for general use and distribution, which need not contain original signatures, and may contain additional notations and references. A copy of the current ordinance book shall be kept in the office of the custodian of records and made available for public inspection and copying.

SECTION 11. ALTERING ORDINANCES

It shall be unlawful for any person to alter or tamper with the Books of Original Ordinances or to change, add to or delete any part of any ordinance or copy thereof in any manner to cause the law of the village to be misrepresented thereby.

SECTION 12. VILLAGE SEAL

The Seal of the Village of Jameson shall, as previously, be circular in form, containing in the center the word ASEAL@ encircled with the words ATOWN OF JAMESON@ on top and the words ASTATE OF MISSOURI@ on the bottom. The Seal shall be kept in the custody of the village clerk, to be used as provided by ordinance and when laws and customs render the use of the Seal necessary.

SECTION 13. SERVICE OF NOTICE

Whenever any ordinance requires that a written notice shall be given to any person concerning or affecting any right or matter whatsoever, unless such ordinance expressly states otherwise, the following shall apply:

1. Delivery of the notice to said person or to an agent authorized to receive service on behalf of that person by certified mail or by personal service shall constitute valid service of the notice.
2. If after reasonable search said person cannot be found by the aforesaid methods, or if the identity of said person is unknown, valid service may be made either by posting a notice securely upon the usual residence of the person or upon the affected property, or by publication once each week for two successive weeks in a newspaper of general circulation in the village qualified to publish legal notices.

SECTION 14. REMOVAL OF POSTED NOTICE - TAMPERING WITH SIGNS

It shall be unlawful for any person to remove any official notice of the village duly posted upon any building, property, vehicle or nuisance until such notice is complied with, or to tamper with any official sign placed by the village.

SECTION 15. WARNINGS

Whenever a violation of any ordinance is deemed to exist, a designated officer of the village may give a verbal or written warning of such violation and the action necessary to correct any violation or abate any nuisance prior to the issuance of a written warning/abatement order; but no such warning is required and the lack of such warning shall not affect the validity or enforcement of the provisions of any ordinance. Such warning shall not replace any required written notice.

SECTION 16. GENERAL PENALTY

1. Whenever by ordinance any act or failure to act is prohibited or declared unlawful or an offense, a nuisance, or a hazard, and no penalty is otherwise provided in such ordinance for the violation thereof, the penalty for municipal ordinance violations committed within

a twelve month period beginning with the first violation shall be a fine which, when combined with court costs, shall not exceed two hundred dollars for the first violation, two hundred seventy-five dollars for the second violation, three hundred fifty dollars for the third violation, and four hundred fifty dollars for the fourth and subsequent violations.

2. The penalty for a minor traffic violation shall be a fine which, when combined with court costs, shall not exceed two hundred twenty five dollars.
3. The board may bring a charge for the violation of any ordinance in municipal court.
4. Notwithstanding Sec. 16.1 and 16.2 of this section, any violation of a provision of ordinance that also constitutes a violation of state law is subject to enforcement by county and state law enforcement under applicable provisions and penalties of state law, and may be prosecuted thereunder in any applicable court.
5. Any penalty established herein is in addition to any requirements set forth for abating a nuisance, for recovering the costs of abatement for such a nuisance, or for any other financial obligation to the village.
6. In all cases in which state law requires or authorizes an act or procedure, and there is no village ordinance provision governing such act or procedure, then the provisions of state law shall govern the same.

SECTION 17. RESERVED

SECTION 18. SCOPE OF RESPONSIBILITY

Whenever by ordinance any act or failure to act is prohibited or declared to be unlawful, a violation, ~~or~~ an offense, a nuisance or a hazard, such declaration shall extend to and include the causing, securing, aiding or abetting of another person to so act or fail to act. Whenever any act is prohibited by an ordinance, an attempt to do the act is likewise prohibited.

SECTION 19. MINORS - PARENTAL RESPONSIBILITY

In the event that a minor violates any ordinance, it shall be the duty of that minor's parent to cause such minor to satisfy every duty, financial obligation and requirement of ordinance required as a result of such violation.

SECTION 20. DUTY TO ABATE

Upon due notice, the owner of the property or both the owner and the person legally responsible for same, or the person who commits, causes, keeps or permits any nuisance within the village limits, shall abate such nuisance in accordance with the provisions of the abatement order.

SECTION 21. ABATEMENT PROCEDURE

1. Any ordinance violation not requiring immediate action to protect persons or property, and where a responsible person can reasonably be identified, shall be deemed subject to abatement under the provisions of village ordinances, and the following procedures shall apply:
 - a. A complaint review panel shall be appointed by the board for the purpose of reviewing written and signed complaints of ordinance violations submitted by residents and/or property owners of the village, verifying the accuracy of complaints, and seeking cooperative resolutions to such complaints.

- b. A complaint from any resident or property owner of the village alleging an ordinance violation shall be submitted to the clerk, a village trustee, or a member of the complaint review panel appointed by the board. The village shall provide a complaint form for this purpose, and complaints shall be upon the village form or shall contain all the information as required on the village form. Such complaints shall be in writing and signed by the complainant.
 - c. The complaint review panel shall consider the complaint and, if the complaint appears to identify an ordinance violation requiring resolution, the complaint review panel may assign one or more of its members to verify the accuracy of the complaint and communicate with the party or parties to seek a cooperative resolution; or said panel may refer the complaint directly to the board.
 - d. A member of the complaint review panel shall report the status of all complaints to the board at each regular board meeting or as requested by the board.
 - e. In the event a responsible party or parties has not been reached or a complaint is not cooperatively resolved by the complaint review panel within thirty (30) days, said complaint shall be referred to the board at its next meeting for a decision on pursuing further action.
2. When a complaint remains unresolved by the procedures above, and such complaint is deemed by the board to be a nuisance requiring abatement, a written warning/abatement order shall be served upon the owner and the occupant of the property or when not a property matter then upon the person who commits, causes, keeps or permits any nuisance within the village, requiring the abatement of the nuisance. Such written warning/abatement order shall be issued prior to the issuance of a violation notice, and there shall be no penalty for the specified violation when the abatement is completed within the time stated therein. Unless a condition presents an immediate, specifically identified risk to the public health or safety, the notice shall provide a reasonable time, not less than ten days, in which to abate or commence removal of each condition identified in the notice. Such warning/abatement order shall include:
 - a. The date and place of the ordinance violation as definitely as can be done;
 - b. The location and description of the nuisance and a brief statement of the particulars that are deemed to constitute the nuisance;
 - c. The ordinance and section of the ordinance alleged to have been violated;
 - d. Any requirements that are ordered to abate the nuisance;
 - e. The date by which the abatement must be completed;
 - f. That when abatement of the nuisance is completed within the time specified, there will be no penalty; and
 - g. Contact information for the village.
 3. If the nuisance still exists at the expiration of the time specified in the abatement order and with board approval, a violation notice may be prepared and served upon the person or persons named in the abatement order, requiring such person or persons to appear in municipal court or otherwise discharge all obligations according to the instructions stated in the violation notice.
 4. If the person duly noticed fails to abate the nuisance as ordered, the village is hereby authorized to seek an order in municipal court authorizing entry upon the premises to proceed

to abate such nuisance. The village shall keep an account of the expense of abatement, and such expense shall be billed to the person so noticed. These expenses shall be in addition to any fines or penalties that may be imposed.

- a. Such expense of abatement shall include expenses precedent to, during, and after the abatement associated therewith, whether already paid or pending payment contingent upon the village receiving remuneration for such expenses. Any remuneration received shall be allocated first to replace funds already spent by the village for the abatement expense, and thereafter proportionally for payments due on contingency to all persons who can practicably be located.
5. In the event any item obtained through abatement has an apparent cash value exceeding fifty dollars (\$50), the item shall be stored for a period of at least thirty (30) days, during which time the person entitled to possession thereof may redeem the item upon payment to the village of the cost of the removal, storage, and other associated costs as listed in the Schedule of Fees.
- a. If any item is unredeemed after the expiration of the thirty (30) day period, the village may sell it to the highest bidder or, if no bids are submitted, may otherwise dispose of it.
 - b. Prior to the sale of any such item, a notice of bid shall be posted in at least three (3) public places in the village for at least two consecutive (2) weeks, and may also be published in a newspaper serving the village.
 - c. If an item has an apparent cash value exceeding five hundred dollars (\$500), the notice of bid shall be published in a newspaper serving the village at least once, seven (7) days before the sale.
 - d. Any money received from the disposal of any such item shall be applied to the costs charged to the owner of the item.
6. When a nuisance involving a motor vehicle not defined as debris still exists at the expiration of the time specified in the abatement order, such vehicle shall be handled in accordance with the towing and impoundment provisions of the Vehicles Ordinance. The responsibility for vehicle handling and disposition at and after towing may be assigned to a towing company, along with the right to collect all associated charges from the vehicle owner or person entitled to possession thereof.

SECTION 22. VIOLATION NOTICE

1. With board approval, a violation notice may be prepared and served upon any person when a violation of ordinance has been verified. A violation notice shall be in writing, upon the form approved by the board, and shall:
 - a. State the name and address of the court;
 - b. State the date and time set for an appearance in court;
 - c. State the name of the municipality or prosecuting attorney;
 - d. State the name of the accused or, if not known, designate the accused by any name or description by which the accused can be identified with reasonable certainty;
 - e. State the date and place of the ordinance violation as definitely as can be done;
 - f. State the facts that support a finding of probable cause to believe the ordinance violation was committed and that the accused committed it;
 - g. State that the facts contained therein are true;

- h. Be signed and on a form bearing notice that false statements made therein are punishable by law;
- i. Cite the ordinance and section of the ordinance alleged to have been violated and the ordinance and section that fixes the penalty or punishment; and
- j. State other legal penalties prescribed by law may be imposed for failure to appear and dispose of the violation.

SECTION 23. FEES, FINES, TAXES, RECURRING COSTS AND PAYMENTS - LISTING

Fees, fines, taxes, and recurring costs and payments authorized by law or ordinance and prescribed by the board shall be listed in the ordinance known as the Aschedule of fees@, and may be changed from time to time in accordance with law and as the board shall determine by amendment to the schedule of fees.

SECTION 24. PAYMENT AGREEMENTS - COLLECTIONS

1. The village may, at its sole option, enter into a payment agreement for a financial obligation under the following conditions:
 - a. The agreement shall be in writing on a payment agreement form provided by the village, and shall set forth the reasons for the request, the conditions of the agreement, and the consequences of any default thereto.
 - b. No payment agreement shall exceed three (3) months in duration, with the first installment due upon signing of the agreement, except as otherwise set forth by ordinance. Any agreement to exceed three (3) months shall be approved by the board.
 - c. Such agreement may be approved by the village clerk or the utilities clerk, and thereafter shall be kept on file in accordance with state document retention requirements.
2. In the event the individual who requests the agreement fails to fulfill any condition of a payment agreement, such agreement shall become null and void, and full payment shall be immediately due and payable.
3. In addition to any collection process authorized elsewhere by ordinance, the board of trustees is hereby authorized to utilize any and all lawful methods to increase the likelihood of payment and to collect delinquent financial obligations duly owing to the village, including:
 - a. Late charges to be assessed when a bill is delinquent;
 - b. Levying an additional charge when a check is returned due to insufficient funds;
 - c. Requiring payment in cash or by money order or certified check;
 - d. Prosecution in court for a fraudulent check;
 - e. Referring delinquent bills to a collection agency; and
 - f. Any other lawful method.
4. All costs incurred in any attempt to collect a delinquent financial obligation owed to the village shall be the responsibility of the person owing the bill.

SECTION 25. SPECIAL TAX BILL AND LIEN

1. In the event any person fails to timely pay an expense of abatement or other financial obligation owing to the village, upon proper documentation of the delinquent amount, the

board may cause to be prepared and certified a special tax bill to be imposed and collected against the property of such person, which shall:

- a. Be delivered to the property owner by certified mail or other valid method of service.
 - b. Be deemed a personal debt against the property owner and a first lien on the property until satisfied.
 - c. Bear interest at the rate of eight percent per annum.
 - d. If unpaid thirty days from the date thereof, be filed as a lien on the property, and included with the annual real estate bill and collected as a special real estate tax.
2. The village clerk shall file the lien with the County Recorder as soon as practicable after the expiration of the thirty day period.
 3. The village clerk shall annually prepare a list of all such unpaid special tax bills as the board has directed, and shall certify such list to the County Collector on or before the first day of June of each year, or on such later date as may be required by the County Collector, together with an individual statement of each bill for the purpose of including with the real estate bills.
 4. Nothing in this section shall limit or deny the authority of the village to seek other methods of collection for lawful financial obligations owing to the village and other remedies for the violation of any village ordinance, whether exercised concurrently or independently, including the application of penalties in Municipal Court or civil action filed in Circuit Court.

SECTION 26. INTERFERENCE WITH OFFICER

It shall be unlawful for any person to interfere with or hinder any designated officer of the village in the performance of any duty required or authorized in the course and scope of such officer's duty.

SECTION 27. NO PERSONAL LIABILITY

No officer, agent or employee of the village shall be personally liable for any damage that may occur to any person or property as a result of any act required or authorized under the terms of the ordinances of the village. Any suit brought against such officer, agent or employee of the village as a result of such acts shall be defended by the village until the final determination of the proceedings, and if judgment shall be obtained, it shall be paid by the village. It is hereby further declared that no officer, agent or employee of the village owes any duty under these ordinances to any individual, but that the duties prescribed herein and imposed upon officers, agents or employees of the village are duties to be performed for the government of said village.

SECTION 28. COLLECTION OF LEGAL FEES

The board may, upon successful prosecution of a civil cause of action for abatement of any public nuisance with the village, be awarded by the court reasonable attorney's fees incurred in such action.

BOARD OF TRUSTEES AND CHAIR

AN ORDINANCE relating to elections, qualifications, duties and powers of trustees, the board of trustees and the chair of the board of the Village of Jameson, Missouri, the operations and conduct of the board, board meetings, open meetings and records, and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. TRUSTEES - QUALIFICATIONS

1. The qualifications of Missouri law for a trustee are:
 - a. At least twenty-one (21) years of age.
 - b. A citizen of the United States.
 - c. A resident of the village twelve (12) consecutive months preceding his/her election or appointment, and shall remain a resident of the village during the entire time he/she serves as a trustee.
 - d. A registered voter of Daviess County and the state of Missouri, before being seated in the office of trustee.
2. Any person who files as a candidate for public office shall be disqualified from participation in that election if he is delinquent in the payment of any state income taxes, personal property taxes, municipal taxes, or real property taxes on the place of residence stated on the declaration of candidacy, or if he is a past or present corporate officer of any fee office that owes any taxes to the state.
 - a. All candidates for public office are required to file an Affirmation of Tax Payments with the Missouri Department of Revenue (DoR), and a copy of such affirmation shall be included with the declaration of candidacy.
3. No person shall qualify as a candidate for public office who has been found guilty or pled guilty to a U.S. federal felony, nor to a felony under the laws of the state of Missouri or an offense committed in another state that would be considered a felony in this state
4. If any person elected or appointed to the office of trustee shall at any time be found disqualified from serving in the office based on the qualifications of Missouri law listed in this section, such person shall be removed from office by action of the board as soon as practicable after the disqualification becomes known.

SECTION 2. ELECTIONS

1. Elections for the Village of Jameson are for the purpose of electing trustees to fill vacancies in the board of trustees, and to obtain the mind and will of the residents of the village upon issues placed before the voters through ballot questions.

2. The annual election for the Village of Jameson is held on municipal election day, the first Tuesday after the first Monday of April of each year. The polling place is the Jameson Lions Club.
3. Every person who is lawfully registered to vote in Daviess County and who is residing within the Village of Jameson is qualified to vote in all elections of the village.
4. The five (5) members of the board of trustees are each elected at large for a term of two (2) years, or to complete an unexpired term in which there is a vacancy.
5. A person desiring to be a candidate for the board shall file a notice of candidacy with the village clerk prior to the deadline set by state law, and the village clerk shall submit a list of all qualified candidates to the county clerk, in the order of filing, prior to the deadline for certification set by state law.
 - a. After the close of filing with the village clerk, any person who files as a declared write-in candidate with the county clerk and obtains sufficient votes to be seated, shall be seated in the same manner as any other successful candidate, provided he/she is lawfully qualified to hold the office of trustee.
6. Any person who is not qualified for office shall not be entitled to have his/her name printed on the ballot. The qualifications of a candidate for office shall be determined by the board of trustees after a hearing upon challenge by the board's own motion or by written affidavit by some person, which affidavit shall state the factual basis for the claimed disqualification.
7. The qualified candidates receiving the highest numbers of votes pursuant to state law shall take the oath of office and be seated for the term of office for which they filed, until the open seats for that term are filled.
8. If there remains a vacancy after all qualified candidates have been seated, the board may appoint any other qualified person to fill the vacant seat. Such appointment may but is *not required* to include a person who received write-in votes without having filed as a declared write-in candidate.
9. Ballot questions receiving a majority of votes from all who voted on that question shall be deemed passed, unless otherwise required by law.

SECTION 3. TRUSTEES - OATH OF OFFICE - DUTY TO ATTEND

1. Every trustee, before entering upon the duties of this office, shall take the oath prescribed by the Constitution of this state. The oath of office shall be administered by the village clerk or the board chair. The official oath or affirmation shall be filed with the village clerk.
2. If any elected or appointed trustee shall fail to take such oath within twenty (20) days of election or appointment, the office shall be deemed to be vacant.
3. Trustees shall attend all regular and special meetings of the board, unless leave of absence is granted by the board, or unless excused for illness or other special reason by the chair or the clerk.

SECTION 4. BOARD OF TRUSTEES POWERS AND DUTIES - GENERAL

1. The corporate powers of the village are vested by state law in the board of trustees, which consists of five (5) members.
2. The board of trustees shall have power to:
 - a. Enact such ordinances as are required or authorized under the laws of this state, and other ordinances, bylaws, rules, orders, motions, questions and resolutions as deemed necessary for the regulation and order of the village that are not contrary or repugnant to the laws of the state.
 - b. Appoint an assessor, clerk, collector, marshal, treasurer and other officers as may be necessary, remove them from office, prescribe their duties and fix their compensation.
 - c. Cooperate with other municipalities or political subdivisions, the state, other states, federal agencies, or private persons, associations or businesses for any public improvement or facility or for a common service, within the scope of powers of the municipality.
 - d. Annex unincorporated areas contiguous and compact to the corporate limits of ~~town~~ the village, in accordance with the provisions of RSMo 71.
 - e. Judge the qualifications, elections and returns of their own members.

SECTION 5. BOARD CHAIR POWERS AND DUTIES - GENERAL

1. The chair and chair pro tem may vote on any proposition before the board, except in the case of a conflict of interest; and in the case of filling a vacancy in the office of chair or trustee, the presiding chair or chair pro tem shall abstain from voting except in the case of a tie.
2. If the office of chair becomes vacant, the remaining trustees shall appoint one of their number as chair, who shall hold the office for the unexpired term. The presiding chair or chair pro tem shall have no vote on the appointment except in case of a tie. *A majority vote of the remaining three (3) trustees, excluding the non-voting chair or chair pro tem, shall prevail.*
3. The chair shall:
 - a. Preside and preserve decorum at all meetings of the board.
 - b. Cause to be prepared a semi-annual statement of all income and expenditures of the village and cause it to be published in a newspaper printed in the village or posted in six (6) of the most public places in the village, or in as many public places as practicable, within ten (10) days after the middle and again after the end of the fiscal year.
 - c. Cause to be printed and published the bylaws and ordinances of the board for the information of the inhabitants.
 - d. Cause the ordinances of the board to be carried into effect.
 - e. Represent the village in official proceedings and at community events and other events and meetings.
 - f. Appoint all committees, unless the board, by motion, elects to appoint such committee.

- g. Perform such other duties as required by ordinance or requested by the board.

SECTION 6. ETHICS

1. No trustee shall:
 - a. Be employed by the village for any compensation other than the regular compensation that may be set by the board for the office of trustee.
 - b. Use his/her office for a special financial gain or material enrichment for self, spouse, a dependent child, or a business in which he/she has a substantial financial interest; nor disclose confidential information to result in financial gain for another person.
 - c. Offer or advocate a political appointment in exchange for anything of value to the village.
 - d. Vote to hire any person related to the fourth (4th) degree by blood or affinity, i.e. grandparents to first cousin.
 - e. Vote or seek to influence any village decision in exchange for anything of value.
 - f. Individually or through any business in which he/she has a substantial interest, sell, rent or lease property to the village for more than \$500 per transaction or \$5000 annually, except through the contract award or bidding process in which the trustee or his/her business is the lowest bidder.
 - g. As an independent contractor or through any business in which he/she has a substantial interest, perform a service for the village for more than \$500 per transaction or \$5000 annually, except through the contract award or bidding process in which the trustee or his/her business is the lowest bidder.
 - h. Contribute or spend any public funds, directly or indirectly, to advocate, support or oppose any ballot measure or candidate for public office.

SECTION 7. ORDINANCES

1. The style of the ordinances of the village shall be: "Be it ordained by the board of trustees of the Village of Jameson, as follows:"
2. No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of all the members of the board vote for it, and the vote of each member by name is entered in the minutes.
3. Every proposed ordinance shall be introduced to the board in writing and shall be read by title or in full two (2) times prior to passage.
 - a. Both readings may occur at a single meeting of the board.
 - b. If the proposed ordinance is read by title only, copies of the proposed ordinance shall be made available for public inspection prior to the time the bill is under consideration by the board.
4. Any bill shall be subject to amendment until a vote upon final passage.
5. Every duly passed ordinance shall be in full force and effect from and after the date of its passage upon being duly signed by the chair and attested by the village clerk.

SECTION 8. TRUSTEES - COMPENSATION AND EXPENSES

1. Every trustee elected or appointed to the board shall serve at the compensation determined for that office by the board, and the amount shall be listed in the schedule of fees.
2. The compensation of a trustee shall not be increased during the term for which that trustee was elected or appointed to office.
3. No expense shall be advanced or reimbursed to any trustee except when such expenditure has been authorized by the board, and receipts for such expense have been presented.
4. No trustee shall obligate the village nor incur any costs on behalf of the village without prior approval granted by the board.

SECTION 9. TRUSTEES - VACANCY

1. In the event a vacancy occurs on the board, the remaining trustees shall appoint a qualified person to the board to complete the term of office established for that seat. The presiding chair or chair pro tem shall have no vote on the appointment except in case of a tie. *A majority vote of the remaining three (3) trustees*, excluding the non-voting chair or chair pro tem, shall prevail.
2. The board may require applicants for an appointment to submit a declaration of qualifications, a resume, or other pertinent information; and additional qualifications beyond those required of a candidate may be considered for an appointment.

SECTION 9.5 REMOVAL FROM OFFICE

If a trustee is considered for removal from the board for any cause, he/she shall first be informed of the cause and given an opportunity to resign. If he/she does not resign, the board shall convene as a board of impeachment and shall give the trustee an opportunity to be heard and to bring witnesses, after which the board shall proceed to discuss and act upon the question. After an opportunity has been given to be heard and bring witnesses, a trustee may be removed with or without being present, by an affirmative vote of a majority of the board.

SECTION 10. ORGANIZATION - BOARD CHAIR - PRO TEM - CLERK

1. Within twenty (20) days after the annual election, the board shall assemble and appoint one of their number as board chair, who shall hold such office for the full term to which he/she was elected or appointed as a trustee, unless sooner removed by the board, and the board shall appoint some other person as clerk.
2. The board may appoint one of their number as chair pro tempore, who shall hold office for one (1) year, unless sooner removed by the board. In the event the chair is absent or temporarily unable to perform the duties of the office, he/she shall so inform the village clerk when practicable, and the chair pro tem shall perform the duties of the chair until the chair is able to resume his/her duties.

SECTION 11. BOARD MEETINGS - TIME AND PLACE

1. Regular meetings of the board shall be held on the third Thursday of the month at 6:30 p.m. at the Jameson Lions Club Hall. If the meeting cannot be held at the appointed time, the regular meeting shall be held at such other date and time as may be determined by the chair.

2. Any regular meeting may be continued by majority vote of the trustees present, even in the absence of a quorum, to a date and time certain. Any such meeting shall be deemed to be a continuation of the regular meeting, and any business of the regular meeting may be transacted at such continued meeting.
3. Special meetings of the board may be convened by the board chair at any time, with notice posted and given to each trustee personally or by delivery to his/her usual residence at least seventy-two (72) hours prior to the meeting. When a seventy-two (72) hour notice cannot be given, such notice shall be given as far in advance as is practicable.
4. If exceptional circumstances prevent the posting of notice for any meeting at least twenty-four (24) hours in advance or prevent the meeting from being held at a convenient time and place, the cause shall be stated in the meeting's minutes.

SECTION 12. BOARD MEETING PROCEDURES

1. The board shall have power to determine rules of their own proceedings, punish any trustee or other person for disorderly behavior in their presence; and with the concurrence of four (4) trustees, may expel any trustee from a meeting, but may not expel the same trustee a second time from the same meeting for the same cause.
2. Board meetings shall be conducted as follows:
 - a. At the hour appointed, the chair, or if the chair is absent then the chair pro tem, and in the absence of a chair pro tem, then any trustee shall call the board to order.
 - b. The presence of three (3) trustees shall constitute a quorum to conduct business.
 - c. If a quorum is not present, a smaller number may lawfully continue the meeting to a date and time certain, and may compel the attendance of absent members in a manner and under penalties *set previously* in ordinance by the board.
3. Established rules of parliamentary procedure shall govern the proceedings of the board except when otherwise provided by ordinance, and any question arising thereunder shall be decided by the chair, subject to appeal to the board by any trustee.
4. Minutes of open and closed meetings shall be taken and retained, which shall include but not be limited to the date, time, place, members present, members absent and a record of any votes taken at the meeting. When a roll call vote is taken, the vote of each member by name shall be entered in the minutes.
5. At the request of any trustee, the vote of each member by name shall be entered in the minutes on any question whatsoever.

SECTION 12.5. QUORUMS, VOTING, ABSTENTIONS

1. In order to establish a quorum to do business, at least three (3) trustees must be physically present at a meeting of the board.
2. Every motion shall require a second before such motion is considered.
3. Every trustee, including the chair, shall vote yea or nay upon every question, except that such trustee shall abstain from voting on any question in which he/she has a conflict of interest; and the presiding chair or chair pro tem shall abstain from voting upon any appointment to fill a vacancy in the office of chair or trustee, except in the case of a tie.

4. In the event a trustee has a conflict of interest, said trustee shall not preside, discuss, or attend a closed session on that matter. He/she shall make no motion and shall abstain from voting, and shall state the reason for the abstention, which abstention and reason shall be recorded in the minutes. However:
 - a. Said trustee's presence shall be counted in the quorum to do business; and
 - b. The abstention shall be not be counted as a yea or nay vote, except that it shall be deemed a "nay" vote solely for the purpose of determining a tie in the case of filling a vacancy in the office of chair or trustee.
5. In any case where state law or village ordinance specifies the majority or supermajority required for any action, such law or ordinance shall prevail.
6. *A majority of the board of trustees* (3 votes) is and shall be required for the passage, amendment or repeal of any ordinance and to pass any matter of legislative significance having the force of a general law.
7. *A majority of the quorum present* is and shall be sufficient to pass a motion on administrative matters of a temporary nature, such as:
 - a. Administrative matters that could lawfully be delegated to a clerk or administrator, such as approval of individual permits, exemptions, payment of bills, individual employee or service provider directions (not including hiring, selection or termination), approval of specific expenditures, bid approvals, and similar matters; and
 - b. Administrative matters such as approval of minutes, acceptance or approval of reports, board member assignments, voting to go into a closed meeting, passing proclamations and resolutions of a temporary nature, and similar matters.

SECTION 13. SUNSHINE LAW

1. The business of the board shall be conducted in accordance with the requirements of RSMo 610, commonly known as the Missouri Sunshine Law, including:
 - a. Board meetings and meetings of committees that report to or advise the board shall be open and reasonably accessible to the public, and no meeting shall be closed except in strict compliance with RSMo 610.
 - b. A tentative agenda shall be posted at the Jameson board meeting place at least twenty-four (24) hours prior to any meeting, excluding weekends and holidays, and may be posted in additional locations. The agenda shall give reasonable notice to the public of the matters to be considered, and shall state whether the meeting is open or closed.
 - c. Public records shall be made available to the public for inspection and copying. Records shall be provided in the requested format if it is available. No person shall remove original public records of the village without written permission of the designated custodian of records.
 - d. The board hereby appoints the village clerk as custodian of records, who shall maintain the records and act upon requests for public records as soon as possible, but no later than the end of the third (3rd) business day following the date of the custodian's receipt of the request, either by producing the requested records or by

providing to the requester the reasons for delay or denial, in writing upon request, with the detail as required in RSMo 610.023.3-4.

- e. Any electronic transmission relating to public business sent by any trustee to two (2) other trustees is a public record, and shall be sent to the custodian of records for retention.
 - f. Copies of public records may be provided at a cost of ten (10) cents per standard page for a paper copy (up to 9"x14") plus the actual cost of employee search and copying time at the average rate of pay for the board's clerical employees. Fees for larger documents and special formats may be charged at actual cost. Payment of fees may be required prior to making copies.
2. A meeting, record or vote may be closed only to the extent that the purpose of the closure relates to an exception found in RSMo 610.021. The following procedures are required:
- a. Notice shall be given of the time, date and place for a proposed closed meeting or vote and the reason for closure by referencing the specific section of Chapter 610.021 that allows the closure. A tentative agenda is not required.
 - b. Before the vote on a motion to close a meeting, record or vote, any member shall be allowed to state an objection if he/she believes the closure may violate RSMo 610, and such objection shall be entered in the minutes. If the motion passes, that member may nevertheless fully participate in the closed discussion and action.
 - c. A motion on closing the meeting or vote shall include the reason for the closure by reference to a specific section of RSMo 610.021. The vote of each member on the motion to close shall be announced publicly and recorded in the minutes, and an affirmative vote of the *majority of a quorum* is required to pass.
 - d. The board shall close only an existing portion of the facility needed for the closed session. No member of the general public may be permitted to attend the closed session, except as may be required to provide information to the board, but they shall be permitted to remain awaiting any later open session.
 - e. The board shall discuss only business directly related to the reason for the closure. Any votes taken shall be by roll call, and the vote of each member by name shall be entered in the closed session minutes along with the motion voted upon.
 - f. Each exception authorizing closure of a meeting, vote or record pursuant to RSMo 610.021 has *different requirements* for disclosure of actions and documents discussed in the closed session which must be reviewed and followed.
 - (1) If a closed session relates to hiring, firing, disciplining or promoting a particular employee when personal information about an employee is discussed or recorded as authorized by RSMo 610.021.3, the motion and the vote on any final decision to hire, fire, discipline or promote the employee must be made available to the public within seventy-two (72) hours and must include how each member voted by name. Any employee so affected shall be notified of the decision promptly during the seventy-two (72) hour period before the decision is made available to the public. As used herein, "personal information" means information relating to the performance or merit of individual employees.

- g. After a closed session discussion, the board may choose to reconvene in open session and take action in public. Any vote taken should be by roll call, and the motion and the vote of each member by name entered in the open session minutes.
3. Elected officials, contract workers and volunteers are not "employees" under the Sunshine Law; therefore, discussion and records pertaining to such persons may not be closed.

SECTION 14. CODE OF CONDUCT FOR PUBLIC MEETINGS

- 1. This Section applies to all elected officers and other persons attending any meeting of the board of trustees, and is established to facilitate open and orderly meetings in an environment safe for all persons in attendance, wherein issues before the board of trustees or any village committee can be discussed with fairness, courtesy, and respect for differing points of view.
- 2. Only members of the board and staff or presenters invited by the chair shall sit at the board table.
- 3. All persons shall:
 - a. Conduct themselves in a businesslike manner, respecting the rights and opinions of others, whether a member of the public or a member of the board.
 - b. Wear appropriate attire, including shirts and shoes.
 - c. Submit any written information to the village clerk prior to or at the board meeting.
 - d. Refrain from physical and verbal abuse.
 - e. Refrain from disruptive behavior, including loud noises, clapping, shouting, unwelcome physical contact, or any other activity that disturbs, disrupts or impedes the orderly conduct of the meeting.
 - f. Refrain from using cell phones or pagers while the meeting is in session.
- 4. Persons wishing to address the board on any matter shall:
 - a. Raise their hands when the chair asks for public comments, and comment only when the chair calls on them;
 - b. Stand to address the board or address the board from their seats;
 - c. When called upon, state his full name and address if requested, and speak clearly so all in attendance may hear;
 - d. Speak up to three minutes during public comments or on an agenda item, unless the time is reduced at the discretion of the chair due to time constraints or when otherwise appropriate;
 - e. Address only the item on the agenda currently under discussion, except during the public comments agenda item;
 - f. Address the entire board, and not attempt to engage individuals in discussion.
- 5. Failure to comply with the provisions of this chapter may result in removal from the meeting.

SECTION 15. GENERAL PROVISIONS

The provisions set forth in the General Provisions Ordinance of the village shall apply to the interpretation and implementation of this ordinance.

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Informational Notes Re: Majority vote of board required:

In addition to matters requiring a majority vote of the board by law (such as ordinances), the following matters require a majority vote of the entire board (3 votes) by Jameson ordinance:

- Approve annual budget - Budget Sec. 3
- Approve increases in budget after adoption - Budget Sec. 7.2
- Hiring, selection and termination of employees and service providers - Board Sec. 12.5.7.a

EMPLOYEES AND SERVICES

AN ORDINANCE relating to qualifications, duties and compensation of employees and service providers for the Village of Jameson, setting forth the duties and term of office of the village clerk, and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. EMPLOYEES - AT WILL

1. In order to carry out the duties of the board on behalf of the village, to protect the public health and welfare and to establish the regulation, maintenance and police of the village, the board is authorized to employ such persons as the board deems necessary and as resources allow, and to determine their qualifications, duties and compensation. Residency in the village is not a requirement of employment.
2. Employees shall serve at the will of the board, and the board reserves the right to remove any employee upon 30 days notice for any reason or no reason, or to immediately remove any employee who fails to perform his duties in a satisfactory manner.

SECTION 2. EMPLOYEE APPOINTMENT PROCEDURE

1. Prior to hiring an employee to fill a vacant or new position, such position shall be advertised at least once each week for two weeks in a newspaper of general circulation in the village or by posting in three of the most public places in the village, or both.
2. Applications shall be reviewed by the chairman or his designee. All applicants who appear initially qualified and can be contacted by reasonable effort shall be notified of the time and place of interviews for the position.
3. The board shall interview all applicants who appear at the appointed time and place. The trustees shall select one of the applicants to fill the position or may continue to advertise until a candidate satisfactory to the board is found.

SECTION 3. COMBINATION OF OFFICES ALLOWED

The board may appoint the same person to a combination of offices and positions, and prescribe the duties, term, and compensation for each position or for the combined position held by such person.

SECTION 4. DUTIES AND COMPENSATION

1. Officers and employees of the board shall enter into bond when required by state law or by the board, and shall faithfully perform the duties of office according to law.
2. Employee compensation shall be prescribed by the board, shall be included in the schedule of fees, and may be changed from time to time by amendment to the schedule of fees.

SECTION 5. VILLAGE CLERK

1. An applicant for village clerk shall be over 21 years of age, a registered Missouri voter, and must be bondable. If the village clerk is a resident of Jameson, the clerk shall not be delinquent in any village taxes or user fees.
2. The village clerk shall be an employee, and shall have the duty to prepare and post proper board agendas, attend board meetings and keep minutes; serve as custodian of records; serve as budget officer and general accountant; administer official oaths; perform clerical and secretarial duties; and other duties as assigned by the board or the chairman.
3. The village clerk shall have a term of one year, and shall be appointed at the board meeting following each municipal election. In the event a vacancy occurs in the interim, a clerk shall be appointed to fill the remainder of the term. The village clerk may be reappointed as often as the board shall determine.

SECTION 6. SERVICE PROVIDERS

1. The board is authorized to obtain services from non-employees to assist in carrying out the duties of the board on behalf of the village, as the board deems necessary and as resources allow. The qualifications, duties, and payments for these services shall be determined by the board through individual contract or agreement or by the lowest responsible bid, depending on the type of service required. These services may include maintenance services, professional services, court personnel, enforcement officers, and others. Such persons may serve as designated officers if so determined by the board. Residency in the village is not a requirement.
2. Compensation for services of an ongoing nature shall be listed in the schedule of fees, and may be changed from time to time as determined by the board in accordance with the contract, agreement or bid.
3. Services shall be paid for each month at the regular meeting of the board upon receipt of an itemized bill for work performed.
4. Independent contractors shall be solely responsible for the payment of all required taxes, and the village shall annually provide an IRS Form 1099 for tax purposes.
5. In the event a service provider fails to satisfactorily perform the services specified in the contract, agreement or bid, the board reserves the right to discontinue such services upon written notice to the service provider, unless there is a provision to the contrary in the contract, agreement or bid. The board further reserves the right to discontinue such services upon a finding by the board of a need to reduce expenditures.

SECTION 7. GENERAL PROVISIONS

The provisions set forth in the General Provisions Ordinance of the village shall apply to the interpretation, implementation and enforcement of this ordinance.

DESIGNATED OFFICERS AND SERVICES

AN ORDINANCE establishing alternatives for designating persons to perform needed services when it is impracticable or unaffordable to employ or contract for such services; and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. PURPOSE

The Board of Trustees of the Village of Jameson is entrusted with the duty to protect the public health and welfare and establish the regulation, maintenance and police of the village. Often it is impracticable or unaffordable to employ or contract for the services required to fulfill these duties, such as ordinance enforcement, building inspector, mowing and the like. Therefore, the board deems it necessary to have alternatives for the performance of these services.

SECTION 2. AUTHORIZATION

When it is impracticable or unaffordable to employ or contract for a necessary service, the board is hereby authorized to designate a person or persons from among the regular employees, board members and officers of the village to carry out such duties, without advertisement therefor.

SECTION 3. DESIGNATION

1. The chair is hereby authorized to act in the capacity of a designated officer for ordinance enforcement, inspector, or other duty for which no other person has been selected or otherwise designated by the board; and is further authorized to designate other employees, board members and officers of the village to fulfill such duties under said circumstances.
2. The designation of an employee, trustee or appointed officer to provide a service on an ongoing basis shall be approved by the board.

SECTION 4. DESIGNATED OFFICER REQUIREMENTS

1. When any person is designated by the board as an officer of the village on an ongoing basis, the board shall provide a description of duties and a written agreement therefor.
2. A designated officer of the village shall carry village identification when enforcing ordinances, and shall show such identification upon request.

SECTION 5. COMPENSATION AND EXPENSES

1. In the event a regular employee of the village is designated for additional duties pursuant to this ordinance, such employee shall be compensated for any extra work hours required at an hourly rate determined by the board and listed in the Schedule of Fees.
2. A trustee who accepts a designation for additional duties pursuant to this ordinance shall serve without compensation.

3. Upon request and presentation of any required documentation, any person designated for specified duties shall be reimbursed for actual expenses incurred within the course and scope of the designated duties.

SECTION 6. GENERAL PROVISIONS

The provisions set forth in the General Provisions Ordinance of the village shall apply to the interpretation, implementation and enforcement of this ordinance.

UTILITIES

AN ORDINANCE requiring connection to public water and sewer; authorizing fees; declaring owners and occupants jointly liable for payment for utilities; setting forth billing and delinquency procedures; and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. CONNECTION TO PUBLIC UTILITIES REQUIRED

1. The owner of every house, building or unit of a building used for human occupancy or other purposes in which a plumbing system is installed shall have its water lines connected to the public water system; and the occupant thereof shall maintain continuous water service.
2. The owner of every house, building or unit of a building used for human occupancy or other purposes requiring sanitation facilities shall have suitable sanitation facilities installed and have such facilities connected to the public sewer system; and the occupant thereof shall apply for sewer service and pay all required fees and deposits prior to or immediately after occupancy, maintain continuous sewer service, and pay the costs and fees billed for said service. No person shall cause or permit the disposal of sewage or other liquid wastes onto or into the ground or into any drainage system which is not connected to the public sewer.

SECTION 2. RESERVED

SECTION 3. FEES

1. The following fees are hereby authorized in the amounts determined by the board and listed in the schedule of fees, and may be changed from time to time:
 - a. A new connection fee to be paid by a property owner when establishing a new utility service. Such fee may differ depending on the utility, the presence or absence of prior hookups, and the distance from a main line. The property owner shall be responsible for all excavation costs.
 - b. A security deposit, to be paid by utility customers prior to start of service and also prior to reconnection of service that has been disconnected due to delinquent payment. Such deposit may differ in amount according to the level of risk assumed by the village. Deposits are refundable when service is discontinued and all utility bills are paid. In the event any utility is disconnected due to delinquent payment, the deposit shall be credited toward overdue charges, and any remaining amount shall be credited toward the new security deposit.
 - c. A monthly fee for the service provided.
 - d. Late charges to be assessed when a bill is delinquent.
 - e. A charge for any check returned due to insufficient funds.

- f. A disconnect fee to be charged when service is reconnected after being disconnected due to delinquent payments or a disconnection requested by the property owner.

SECTION 4. LIABILITY FOR PAYMENT

1. Owners and occupants of any residence, building or property shall be jointly and severally liable for payment of charges for utilities furnished to such premises, but a landlord shall not be liable for delinquent utility charges for more than ninety days of service to a tenant except as provided herein.
2. Reserved.
3. When a tenant moves, the village shall not restore utility services to the premises for the owner or any subsequent tenant until all utility bills owing to the village for which the property owner is liable and any reconnect fees are paid in full.

SECTION 5. SERVICE, BILLING, DISCONNECT PROCEDURES

1. The village may require a reference from previous utility usage before establishing service for a new customer.
2. The security deposit shall be collected prior to the establishment of service.
3. A regular monthly billing shall be mailed to the owner of the property or to the occupant who established the service, and shall include:
 - a. The amount owing;
 - b. The date payment is due;
 - c. The date upon which a bill becomes delinquent;
 - d. The amount of any late charge which has been established by the board;
 - e. A disconnection date;
 - f. The amount of any reconnect fee which is required before service can be restored after disconnection;
 - g. Any deposit will be credited toward overdue charges, and any remaining amount will be credited toward the new deposit required prior to reconnection; and
 - h. A phone number for a village representative with whom the bill can be discussed.
4. If full payment is not made prior to the disconnect date specified, the village is hereby authorized to disconnect such utilities on or after that date.
5. When sewer has been disconnected, such service shall not be restored until all utility bills owing to the village and all required deposits are paid in full.

SECTION 6. NOTICE PROCEDURE

1. If a bill remains unpaid thirty days from the date of the first billing, whether or not service has been disconnected, a second bill and delinquency notice shall be issued which in addition to all pertinent information from the first billing shall also include:
 - a. Notice of delinquency marked plainly upon the bill;

- b. Notice that if payment becomes sixty days delinquent, legal action may be initiated.
2. When a landlord or any other party is believed to be liable for payment, the delinquency notice shall also be mailed to such party, and shall state the reasons such party is deemed responsible for payment of the utility bill and reconnect fee.
3. If the bill remains unpaid sixty days from the date of the first billing, whether or not utilities have been disconnected, legal action may thereafter be initiated upon any or all parties liable for payment of the bill.

SECTION 7. Reserved

SECTION 8. NO LIMIT ON OTHER REMEDIES

Nothing in this ordinance shall limit or deny the authority of the village to seek other remedies for the collection of unpaid financial obligations, whether exercised concurrently or independently, including a special tax bill and lien on the property and other methods of collection.

SECTION 9. UNAUTHORIZED RESTORATION OF SERVICE PROHIBITED

When utility service has been shut off by the village, it shall be prohibited for any person other than authorized village personnel to restore service.

SECTION 10. GENERAL PROVISIONS; ABATEMENT AND PENALTIES

The provisions set forth in the General Provisions Ordinance shall apply to the interpretation, implementation and enforcement of this ordinance, and violations shall be subject to applicable penalties and abatement and collection procedures set forth therein.

ANIMALS

AN ORDINANCE prohibiting non-domestic and dangerous animals in the village of Jameson; declaring unlawful the running at large of animals, taking an animal across another's property without permission, or obstructing traffic with an animal; and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. DEFINITIONS

For purposes of this ordinance, the following definitions shall apply:

1. *ANIMAL* - Every living vertebrate except a human being; and for purposes of this ordinance does not include dogs or domestic cats.
2. *NON-DOMESTIC ANIMAL* - Includes all felines other than the domestic house cat (*felis catus*), nonhuman primates, bears, wolves, coyotes, foxes, venomous reptiles, and any crossbreed of such animals which have similar characteristics to the animals specified herein.
3. *DANGEROUS ANIMAL* - Any animal which is deemed inherently dangerous or dangerous because of past behavior, including but not limited to menacing, chasing or attacking humans or domestic animals, or which otherwise poses a threat of serious harm to the public or any person.
4. *OWNER* - Any person who owns, keeps, harbors or has the management or care of any animal.
5. *AT LARGE* - *On or off* the premises of its owner and not securely restrained.
6. *SECURELY RESTRAINED* - Confined or otherwise restrained sufficiently to prevent the animal from being at large at any time or from presenting a threat to persons, other animals or property not belonging to the animal's owner.

SECTION 2. NON-DOMESTIC ANIMALS PROHIBITED

1. Non-domestic animals are hereby declared to be dangerous.
2. Non-domestic and other dangerous animals are prohibited within the village limits, except in the following cases:
 - a. During uninterrupted transportation of such animals through the village;
 - b. Keeping such animals in bona fide educational or medical institutions, museums, or zoos where kept for public view or for the purpose of instruction or study;
 - c. Keeping such animals for public exhibition by a circus, carnival, or other exhibit or show; or
 - d. pping and offering for sale such animals by a bona fide commercial pet shop.

3. Any person keeping a non-domestic or dangerous animal under an exception shall keep the animal securely restrained at all times.

SECTION 3. HAZARD AND NUISANCE

Any non-domestic or dangerous animal within the village in violation of this ordinance is hereby declared a public health and safety hazard and a public nuisance.

SECTION 4. AT LARGE

It shall be unlawful for any person to permit any animal, as defined by this ordinance, to run at large.

SECTION 5. OTHER'S PROPERTY; OBSTRUCTING TRAFFIC

It shall be unlawful for any person to ride, walk or drive any horse or other animal across or upon private property belonging to another without the consent of the property owner, or upon any street, sidewalk or public area of the village in any manner to obstruct vehicle or foot traffic, except in a parade or event or otherwise authorized by the village.

SECTION 6. MINOR OWNERS

In case the owner of any animal in the village is a minor, the duty to comply with all provisions of this ordinance shall fall upon the adult person in whose family such minor lives or who is in charge of the premises where the animal is kept, and such adult shall be deemed to be the owner of such animal.

SECTION 7. ABANDONMENT - DENIAL OF OWNERSHIP

No person having custody, care or ownership of an animal shall knowingly abandon such animal anywhere in the village, nor shall such person deny or fail to acknowledge ownership of such animal in order to avoid the duty of complying with the provisions of this ordinance.

SECTION 8. DUTY TO EXHIBIT ANIMALS

When requested by a designated officer of the village for the purpose of carrying out and enforcing the provisions of this ordinance, it shall be the duty of every animal owner to bring forth and show such animal. When making such a request, an officer of the village shall display his identification upon request of the owner of such animal.

SECTION 9. DANGEROUS ANIMAL AT LARGE OR REQUIRING IMPOUNDMENT

1. In case of a dangerous animal at large or requiring impoundment, a designated officer of the village shall coordinate activities as needed with appropriate agencies which may include the sheriff, the county health department, and/or the state department of health and senior services.
 - a. In the event an owner is unavailable, unable or unwilling to securely restrain such dangerous animal immediately, designated officers of the village are authorized to use any force necessary to subdue such dangerous animal in order to protect people, other animals and property, and if any dangerous animal cannot be safely taken up or impounded such animal may be slain.

SECTION 10. INTERFERENCE WITH OFFICER

It shall be unlawful for any person to take or attempt to take from a designated officer of the village any animal taken up by him in compliance with this ordinance, or to interfere with or hinder him in the performance of any duty required of him or authorized to be taken by him in the course and scope of his duty.

SECTION 11. GENERAL PROVISIONS; ABATEMENT AND PENALTIES

The provisions set forth in the General Provisions Ordinance shall apply to the interpretation, implementation and enforcement of this ordinance, and violations shall be subject to applicable penalties and abatement and collection procedures set forth therein.

DOGS

AN ORDINANCE relating to the regulation and control of dogs in the Village of Jameson; requiring identification tags; regulating nuisances, dangerous dogs and strays; defining dangerous dogs to include fighting breeds; setting forth procedures for impoundment and redemption and for notice in lieu of impoundment; establishing an appeals process regarding dangerous dogs and denials of redemption; and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. DEFINITIONS

For purposes of this ordinance, the following definitions shall apply:

1. *AT LARGE* - Off the premises of its owner and not under the control of a competent person.
2. *DANGEROUS DOG* - Any dog which is deemed inherently dangerous because of the dominant traits of aggression characteristic of its breed, including fighting breeds, or any dog which has attacked, bitten or attempted to attack or bite a person or other dog or domestic animal, or approached or chased a person in a menacing manner, or which otherwise poses a threat of serious harm to the public or any person; but a dog shall not be deemed dangerous solely because of injury or damage sustained by a person who was committing a willful trespass or other tort upon the premises of the dog's owner.
3. *FIGHTING BREED* - Any dog of the classes of dogs bred for fighting, including but not limited to the class of dogs commonly called pit bull, e.g. American pit bull terrier, American Staffordshire terrier, Staffordshire bull terrier, and American bulldog; Rottweilers; dogo argentino; presa canario; cane corso; tosa or tosa inu; fila brasileiro (Brazilian mastiff); presa mallorquin; and dogs identifiable as having any pit bull variety or rottweiler as an element of their breeding.
4. *OWNER* - Any person who owns, keeps, harbors or has the management or care of any dog.
5. *SECURELY RESTRAINED* - Confined or otherwise restrained sufficiently to prevent the dog from being at large at any time or from presenting a threat to persons, other animals or property not belonging to the dog's owner.
6. *STRAY* - Any dog which is at large or lost, without an identification tag sufficient to identify its owner.

SECTION 2. IDENTIFICATION REQUIRED

It shall be the duty of every dog owner to place and keep at all times around the neck of such dog of any age an identification tag which contains sufficient information to identify the owner.

SECTION 3. RESERVED

SECTION 4. COLLAR AND TAGS

1. Reserved.
2. The owner of a dog shall cause all tags required by this ordinance to be affixed by a permanent metal fastening to the collar or harness of the dog in such a manner that the tag may be easily seen, and shall keep such collar and tags continuously upon the dog except during a dog show or other recognized time for the removal thereof.
3. No person shall:
 - a. Counterfeit or attempt to counterfeit any required tag;
 - b. Take from any dog a tag legally placed upon it by its owner; or
 - c. Place any identification or vaccination tag upon a dog for which it was not lawfully issued.

SECTION 5. RESERVED

SECTION 6. FEMALE DOGS IN HEAT

Any female dog in heat shall be securely confined in a building or secure enclosure in such a manner that such female dog cannot come in contact with other dogs, except for intentional breeding purposes, in which case the breeding shall be done out of public view.

SECTION 7. STRAYS

Strays found within the village are hereby declared to be a public health and safety hazard and may be picked up by a designated officer of the village without notice to any individual. Notice shall be posted in public view at the town hall for the required days of holding, and if the stray is not claimed and redeemed by that time, such stray may be disposed of without further notice.

SECTION 8. RESERVED

SECTION 9. PUBLIC NUISANCE

1. Every owner of any dog within the village shall prevent such dog from becoming or remaining a public nuisance by disturbing the peace, substantially detracting from any person's use and enjoyment of his property or of the public areas of the village, or presenting a risk to public safety.
2. Any dog which engages in any of the following acts or is in any of the following conditions is hereby declared a public nuisance:
 - a. Prolonged barking, howling, or yelping;
 - b. Chasing any person, vehicle or bicycle;
 - c. Overturning trash containers or scattering trash;
 - d. Destroying property not belonging to its owner;
 - e. Fighting, chasing or harassing animals not on the premises of its owner;
 - f. Without a collar or harness affixed with an identification tag which contains sufficient information to identify the owner;
 - g. A female dog in heat which is not securely confined; or

- h. Otherwise creating a public aggravation.

SECTION 10. RESERVED

SECTION 11. DANGEROUS DOGS - DUTY TO COMPLY WITH CONDITIONS

1. No person shall keep a dangerous dog in the village unless such dog is kept securely restrained in a manner sufficient to prevent the dog from being at large at any time and from presenting a threat to persons, other animals or property not belonging to the dog's owner. The presence of a dangerous dog at large or unrestrained, whether on or off the owner's property, shall be evidence that such dog was not kept securely restrained.
2. The owner of a dangerous dog shall display in a prominent place on the owner's premises a clearly visible warning sign indicating that there is a dangerous dog on the premises. The sign must be readable from the adjoining public streets. The owner shall also display a sign with a symbol warning children of the presence of a dangerous dog. Similar signs shall be posted on the dog's kennel, pen or enclosed structure.
3. The owner of any dog deemed dangerous may be ordered by a designated officer of the village to meet such additional conditions as deemed necessary to protect the safety of people and other animals, which may include keeping such dog confined indoors or in an enclosed and locked pen or structure upon the premises of the owner, and/or leashed and muzzled in a manner sufficient to prevent the dog from presenting a threat to any human or domestic animal.

SECTION 12. DOG BITE, DANGEROUS DOG AT LARGE OR REQUIRING IMPOUND

1. In case of a dog bite or a dangerous dog at large or requiring impoundment, a designated officer of the village shall coordinate activities as needed with appropriate agencies which may include the sheriff, the county health department, and/or the state department of health and senior services.
 - a. In the event an owner is unavailable, unable or unwilling to securely restrain such dangerous dog immediately, designated officers of the village are authorized to use any force necessary to subdue such dangerous dog in order to protect people, other animals and property, and if any dangerous dog cannot be safely taken up or impounded such dog may be slain.

SECTION 13. DUTY TO EXHIBIT ANIMALS AND PAPERS

1. When requested by a designated officer of the village for the purpose of carrying out and enforcing the provisions of this ordinance, it shall be the duty of every dog owner to bring forth and show such dog and any documents required to provide proof of compliance with the provisions of this ordinance.
2. When making such a request, an officer of the village shall display his village identification upon request of the owner of the dog.

SECTION 14. MINOR OWNERS

In case the owner of any dog in the village is a minor, the duty to comply with all provisions of this ordinance shall fall upon the adult person in whose family such minor lives or who is in charge of the premises where the dog is kept, and such adult shall be deemed to be the owner of such dog.

SECTION 15. ABANDONMENT - DENIAL OF OWNERSHIP

No person having custody, care or ownership of a dog shall knowingly abandon such dog anywhere in the village without making provisions for its food, water, shelter and supervision, nor shall such person deny or fail to acknowledge ownership of any dog in order to avoid the duty of complying with the provisions of this ordinance.

SECTION 16. DUTY TO ABATE - DUTY TO COMPLY WITH ORDER

1. When a designated officer of the village finds in his judgment a dog to be a public nuisance, he shall notify in writing the owner of the dog, and the owner shall have the nuisance abated immediately.
2. When a designated officer of the village finds in his judgement a dog to be dangerous, he shall notify in writing the owner of the dog and shall specify any conditions necessary for keeping the dangerous dog in the village, and the owner of such dog shall immediately comply with the order or shall have the dog destroyed.

SECTION 17. IMPOUNDMENT - REDEMPTION - DISPOSAL

1. The village shall obtain a pound license from the state department of agriculture prior to impounding any animal, whether the village itself maintains a pound or places such animal in a contracted pound or shelter; and the village shall keep such records of impoundments and disposition as required by the state.
2. Any stray or any dog which is found in a violation of this ordinance may be picked up and impounded in a place of holding for a period of not less than five days (ten days in case of a dog bite) which shall include a Saturday, unless sooner redeemed. Notice of impoundment shall be posted in public view at the Lion's Hall as soon as practicable after pickup.
3. If the owner of such dog is known to the designated officer of the village, and such owner can be located by the usual methods of service, the officer shall forthwith serve the owner of such dog with a written notice of violation of this ordinance and the impoundment of the dog. The notice shall state that a dangerous dog or a nuisance has been found to exist, and shall include:
 - a. A description of the dog and a brief statement of the particulars that are deemed to constitute the nuisance or dangerous dog;
 - b. The owner's duty to claim such dog;
 - c. His obligation to pay all costs and fees whether or not the animal is redeemed;
 - d. Any conditions upon which the dog may be redeemed;
 - e. In the case of a dangerous dog or denial of the redemption of a dog, notification of an appeal process and how to request such an appeal before the village board;
 - f. All information required for a violation notice as set forth in the General Provisions ordinance; and
 - g. May include any other information deemed useful.
4. The owner of such dog shall be responsible for the payment of all costs and fees associated with the pickup, impoundment and disposal of such dog, whether or not the

animal is redeemed, and shall further be liable for fines and penalties which may be imposed for an ordinance violation in municipal court.

5. The village may deny the redemption of any dog deemed too dangerous to release due to the egregious nature of its behavior, or which is in violation of any condition previously ordered for keeping a dangerous dog in the village, or any dog which is a repeat public nuisance; and the owner shall nevertheless be responsible for all applicable costs, fees, fines and penalties.
6. *Except as otherwise set forth above*, if an owner shall agree in writing to comply with all conditions of abatement for a nuisance, or in the case of a dangerous dog shall agree in writing to all conditions ordered for keeping a dangerous dog in the village, he shall be entitled to resume possession of such dog upon compliance with the requirements of the ordinances of the village, and payment of all costs and fees associated with the pickup and impoundment of the dog.
7. If an impounded dog is not claimed and redeemed by its owner before the expiration of the required days of holding, such animal may be disposed of without further notice.

SECTION 18. NOTICE IN LIEU OF IMPOUNDMENT

1. In lieu of impoundment, a written notice of violation may be served upon the owner of a dog demanding the abatement of a nuisance or the secure restraint of the dog immediately; and at the discretion of the designated officer of the village, such owner may retain possession of the dog upon compliance with any conditions ordered for abatement, or with any conditions ordered for keeping a dangerous dog in the village, pending an appearance in municipal court to answer charges of an ordinance violation. The notice shall state that a dangerous dog or a nuisance has been found to exist, and shall include:
 - a. A description of the dog and a brief statement of the particulars that are deemed to constitute the nuisance or dangerous dog;
 - b. Any requirements that are ordered to abate the nuisance, and in the case of a dangerous dog, any conditions that must be complied with in order to keep a dangerous dog in the village;
 - c. That such conditions must be complied with pending an appearance in municipal court;
 - d. That if such nuisance is not abated as ordered, or such dangerous dog is not securely restrained as ordered, designated officers of the village are authorized to pick up the dog for impoundment, holding and disposal in the same manner as other impoundments;
 - e. That if such dangerous dog be found at large, designated officers of the village are authorized to use any force necessary to subdue a dangerous dog to protect people, other animals and property, including slaying;
 - f. All information required for a violation notice as set forth in the General Provisions ordinance; and
 - g. May include any other information deemed useful.

SECTION 19. APPEAL PROCESS B DANGEROUS DOG OR DENIAL OF REDEMPTION

Within 5 days of the date of a notice identifying a dangerous dog or denying redemption of a dog, the owner of such animal may request an appeal of the dangerous dog designation, any condition ordered for keeping a dangerous dog in the village, or a denial of redemption of a dog by notifying the village clerk in writing of intent to request such an appeal before the village board. If the owner is permitted to retain possession of the dog, such dog must be kept securely restrained or confined pending such review. The review shall be informal, and a decision of the board shall be final.

SECTION 20. RABIES QUARANTINE ORDER

Whenever the prevalence of rabies renders such action necessary to protect the public health and safety, the village shall issue such proclamations and follow such procedures as shall be required by state or county health and law enforcement officers. If such officers cannot be timely contacted, the procedures in RSMo 322, Protection Against Rabies, shall be followed.

SECTION 21. INTERFERENCE WITH OFFICER

It shall be unlawful for any person to take or attempt to take from a designated officer of the village any dog taken up by him in compliance with this ordinance, or to interfere with or hinder him in the performance of any duty required of him or authorized to be taken by him in the course and scope of his duty.

SECTION 22. GENERAL PROVISIONS; ABATEMENT AND PENALTIES

The provisions set forth in the General Provisions Ordinance shall apply to the interpretation, implementation and enforcement of this ordinance, and violations shall be subject to applicable penalties and abatement and collection procedures set forth therein.

FACTORY BUILT HOMES

AN ORDINANCE prohibiting hereafter the placement of mobile homes in the Village of Jameson; requiring anchors and tiedowns for any mobile or manufactured home not attached to a permanent foundation; regulating location of manufactured homes, and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. DEFINITIONS

For purposes of this ordinance, the following definitions shall apply:

1. *MOBILE HOME* - Any transportable, factory-built home designed to be used as a residential dwelling and built prior to the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1974, which became effective June 15, 1976.
2. *MANUFACTURED HOME* - A factory-built structure or structures which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.
3. *CONVERTED TO REAL PROPERTY* - A manufactured home is converted to real property by attaching the manufactured home to a permanent foundation situated on real estate owned by the manufactured home owner, and the removal or modification of the transporting apparatus including but not limited to wheels, axles and hitches rendering it impractical to reconvert the real property thus created to a manufactured home.
4. *PERMANENT FOUNDATION* - A foundation of solid concrete or cement blocks sealed together with concrete or other permanent masonry.

SECTION 2. PLACEMENT OF MOBILE HOMES (pre-1976) PROHIBITED

The placement or location of any mobile home in the Village of Jameson after the passage of this ordinance is hereby prohibited.

SECTION 3. LOCATION

1. Every manufactured home placed in the village after the passage of this ordinance must be located at least twenty feet from the boundary line of the lot upon which the same is situated, and shall be located at least twenty feet from any other manufactured home, mobile home, building or dwelling located on the same or adjoining lot, and shall be located at least twenty feet from any telephone or electricity line.

SECTION 4. ANCHORS AND TIEDOWNS

The owner of any mobile or manufactured home which is not attached to a permanent foundation shall secure such mobile or manufactured home to the ground by the use of anchors and tiedowns so as to resist wind overturning and sliding.

SECTION 5. CONVERTED TO REAL PROPERTY

Any manufactured home that has been converted to real property shall be subject to all and only ordinances applicable to other real property.

SECTION 6. PUBLIC NUISANCE - PROCEDURE

1. Any factory built home found in violation of this ordinance is hereby declared a public nuisance.
2. All required written notices pertaining to abatement of a nuisance which is a factory built home shall be served upon the owner, occupant, lessee, mortgagee, agent and all other parties having an interest in the property upon which such factory built home stands as shown by the land records of the Recorder of Deeds of Daviess County.
3. Any abatement order shall require that such factory built home be brought into compliance with the standards set forth in this ordinance, removed from the village or demolished, to the extent required to achieve compliance with this ordinance.
 - a. The order shall require the work to be commenced within thirty days, pursued continuously without unnecessary delay and completed within sixty days.
 - b. The order shall specify that the mortgagee, agent or other party having an interest in such property as shown by the land records of the Recorder of Deeds of Daviess County may, at his own risk, have such factory built home brought into compliance with the standards set forth in this ordinance, removed from the village or demolished according to the abatement order, provided that such work is commenced and completed in the ordered time.
4. If the owner, occupant, mortgagee or lessee fails to comply with the order to commence the required work within the time ordered by the board, to proceed continuously without unnecessary delay, or to complete the work within the time ordered, the village may seek an order in municipal court authorizing the village to proceed to abate such nuisance and bill all expenses to the parties served with the abatement order.
 - a. Such expenses, if not paid timely, are subject to a special tax bill and lien; however, if the required work is done by a contractor pursuant to an order issued by the village and such contractor files a mechanic's lien against the property whereon the unlawful factory built home is located, the village shall not then file a tax bill or lien.

SECTION 7. GENERAL PROVISIONS; ABATEMENT AND PENALTIES

The provisions set forth in the General Provisions Ordinance shall apply to the interpretation, implementation and enforcement of this ordinance, and violations shall be subject to applicable penalties and abatement and collection procedures set forth therein.

GOLF CARTS

AN ORDINANCE authorizing the operation of golf carts upon the streets and alleys in the Village of Jameson, setting forth conditions for such operation, and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1: DEFINITIONS

For purposes of this ordinance, the following definition shall apply:

GOLF CART - A motor vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and not capable of exceeding speeds of twenty miles per hour. [RSMo 304.034.3]

SECTION 2. GOLF CARTS AUTHORIZED ON STREETS – CONDITIONS

1. The operation of a golf cart upon the streets and alleys in the Village of Jameson is hereby authorized, upon compliance with the conditions required herein.
2. Any person operating a golf cart upon any street or alley in this village shall ensure that the vehicle is equipped with:
 - a. Adequate brakes;
 - b. A bicycle safety flag which extends not less than seven feet above the ground which is day-glow in color and triangular shaped with an area not less than thirty square inches, attached to the rear of the vehicle; and
 - c. When operating between the hours of official sunset and sunrise, lights clearly visible from the front and rear of the vehicle.
3. Any person operating a golf cart upon any street or alley in this village shall:
 - a. Reserved.
 - b. Operate the golf cart at speeds less than twenty miles per hour; and
 - c. Obey all traffic control signs, signals, and directions given by an authorized officer as the same would apply to a motor vehicle.
4. No person operating a golf cart upon the streets or alleys of this village shall:
 - a. Operate the vehicle in any careless or imprudent manner so as to endanger any person or property;
 - b. Operate the vehicle while under the influence of alcohol or a controlled substance;
 - c. Operate the vehicle on any state or federal highway except to cross to an intersecting village street, and only where the posted speed limit on the highway is not more than forty-five miles per hour.

SECTION 3. GENERAL PROVISIONS; ABATEMENT AND PENALTIES

The provisions set forth in the General Provisions Ordinance shall apply to the interpretation, implementation and enforcement of this ordinance, and violations shall be subject to applicable penalties and abatement and collection procedures set forth therein.

PARKS

AN ORDINANCE setting forth rules and conditions for use of village parks, and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. RULES FOR USE OF VILLAGE PARKS

The following rules are hereby adopted as the code of conduct within village parks:

1. The following are absolutely prohibited in village parks:
 - a. Possession or use of alcohol by any person under twenty-one years of age.
 - b. Vandalizing, placing graffiti or litter upon, or willfully damaging the grounds, buildings, restrooms, equipment or facilities of the park.
 - c. Willfully interfering with the enjoyment of the park by others.
 - d. Any animal that interferes with the enjoyment of the park by the people, or damages park grounds, facilities or equipment.
2. The following are prohibited in village parks, unless expressly authorized by the chairman or the clerk:
 - a. Camping in the park.
 - b. The placement, parking or operation of any motorized vehicle in the park, except on graveled surfaces.
 - c. Farm animals, fowl, nondomestic or exotic animals in the park.
 - d. Sales or solicitations in the park.
3. No structures, buildings, monuments, signs, fences or other structures or improvements of any type or kind shall be constructed or placed within the park except with the express prior approval of the village board of trustees.
4. Dumpsters and other trash receptacles placed by the village in and near the park are for park and village use only. Private use of such receptacles is prohibited.

SECTION 2. FEES

All fees authorized herein shall be prescribed by the board, shall be listed in the Schedule of Fees, and may be changed from time to time.

SECTION 3. APPROVAL OF RESERVATIONS FOR PARK FACILITY USAGE

1. Reservation of specified facilities of a village park by any individual, club or group for an event shall only be approved upon the application of a responsible adult representing that individual, club or group; and said adult shall be responsible for cleanup of the grounds, buildings, restrooms, equipment and facilities of the park and for repair of any damage thereto attributable to their usage. A reservation for park facilities shall not provide

exclusive use of the open grounds, open play equipment or restrooms of the park, except as specifically authorized by the chairman or the clerk.

2. The board may set a fee for use to reserve specified facilities of a village park for an event. The fee may be higher for applicants residing outside Jameson city limits. Payment shall be made at the time the reservation is approved.
3. Residents of the village have first priority to reserve village park facilities for an event, on a first-come first-served basis.
4. The chairman or the clerk shall be responsible for approving or denying applications to reserve facilities of a village park, collecting any fees, inspecting for cleanup and damage, and requiring any needed cleanup or repairs.
5. Reserved.
6. Should any individual, club or group fail to clean up or repair as required, further event use of any village park or facility may be denied.

SECTION 4. NUISANCE - ABATEMENT - PROHIBITIONS ON PARK USE

1. Any person who vandalizes, places graffiti upon or otherwise willfully damages the grounds, buildings, restrooms, equipment or facilities of a village park creates a nuisance and shall abate such nuisance in accordance with the provisions of a village abatement order. Such person may also be prohibited from entering any village park, in addition to other penalties set forth for such acts.
2. Any person who repeatedly violates any park rule or condition for use of the park may be prohibited from entering any village park, in addition to other penalties set forth for such acts.

SECTION 5. GENERAL PROVISIONS; ABATEMENT AND PENALTIES

The provisions set forth in the General Provisions Ordinance shall apply to the interpretation, implementation and enforcement of this ordinance, and violations shall be subject to applicable penalties and abatement and collection procedures set forth therein.

PROPERTY MAINTENANCE

AN ORDINANCE governing the maintenance of property within the Village of Jameson, prohibiting any public nuisance upon the premises of such property and rights-of-way, and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. DUTY TO MAINTAIN PROPERTY AND RIGHTS OF WAY

It shall be the duty of every person owning, leasing, occupying or having charge of any premises in the village to maintain such premises and any right-of-way, ditch and alley adjacent to such premises in accordance with the provisions of this ordinance; and such person shall not permit such premises, right-of way, ditch or alley to be kept or maintained in any manner causing substantial diminution in the value of other property in the neighborhood in which such premises are located, nor cause, keep or permit any nuisance thereon.

SECTION 2. DECLARATION OF NUISANCE

A violation of any provision of this ordinance is hereby declared a public nuisance and is subject to abatement and prosecution accordingly.

SECTION 3. DEFINITIONS

For the purposes of this ordinance the following definitions shall apply:

1. *ALLEY* - Regarding the duty to maintain an alley adjacent to a property, the term alley shall be understood to mean one-half of the alley nearest to the property.
2. *DEBRIS* - Includes but is not limited to rubbish, trash, garbage, metal, cans, wire, glass, rocks, bricks, ashes, soot, weed cuttings, portions of vehicles, vehicle parts, machinery parts, scrap or salvage material, broken furniture, appliances, junk, old clothing, or unsightly or discarded material of any nature or substance whatsoever.
3. *RIGHT-OF-WAY* - The portion of land along the side of the roadway established for public use.

SECTION 4. DEBRIS AND ACCUMULATED MATERIALS

1. No person owning, leasing, occupying or having charge of any premises in the village shall keep or permit upon such premises or upon any alley, right-of-way, or ditch adjacent to such premises:
 - a. Debris of any kind which creates a health, safety or fire hazard;
 - b. Heavy waste accumulations such as brick, lumber, broken concrete, dirt and plaster, sand or gravel, vehicle frames or parts, and other bulky heavy materials; and
 - c. Waste oils or fluids from vehicles, garages or filling stations.

SECTION 5. WEEDS, BRUSH AND GRASS

It shall be the responsibility of every person owning, leasing, occupying or having charge of any premises in the village of Jameson to mow and control weed growth on such premises, alleys, rights-of-way, or ditches adjacent to such premises so as to prevent health, safety and fire hazards. The requirement to mow shall not apply along highways maintained by the state, in pastures used for grazing livestock, fields used for haying or similar purposes, or on naturally forested vacant land. As used herein, vacant land shall mean unimproved land having no man-made structures except fencing.

SECTION 6. OBSTRUCTING TRAFFIC

No person owning, leasing, occupying or having charge of any premises in the village shall place or permit upon such premises any vehicle, building, fence, tree, vegetation, junk, or any thing of any kind that obstructs the free passage or overhead clearance of vehicle or foot traffic upon any street, alley, or right-of way adjacent to such premises.

SECTION 7. OTHER HEALTH & SAFETY HAZARDS

1. No person owning, leasing, occupying or having charge of any premises in the village shall keep or permit upon such premises or upon any alley, right-of-way, or ditch adjacent to such premises:
 - a. Any substance or thing which emits or causes foul, obnoxious, unhealthful or disagreeable odor or effluvia in the neighborhood where it exists.
 - b. Any vehicle whatsoever which presents a health, safety or fire hazard, a hazard to children, harbors tall grass, weeds or other vegetation, discharges fluids or affords a breeding or nesting place for mosquitoes, flies, rodents, rats or other vermin.
 - c. Any stable, pen or place in which any horse, cow, swine or other animal or fowl is kept, from which any offensive smell escapes or in which manure or liquid discharges of such animal or fowl collects or accumulates.
 - d. Any carcass or part of a dead animal remaining exposed twenty-four (24) hours after death.
 - e. Any well, cistern, vault, excavation, or cellar left uncovered, open, exposed and without sufficient protection or warning signs.
 - f. Any building or other structure of any kind kept or maintained or permitted to be kept or maintained in a condition which creates a health, safety or fire hazard.
 - g. Anything kept, maintained, placed or found in or upon any public or private place which creates a health, safety or fire hazard.

SECTION 8. GENERAL PROVISIONS; ABATEMENT AND PENALTIES

The provisions set forth in the General Provisions Ordinance shall apply to the interpretation, implementation and enforcement of this ordinance, and violations shall be subject to applicable penalties and abatement and collection procedures set forth therein.

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VEHICLES

AN ORDINANCE prohibiting the abandonment of any vehicle; prohibiting the parking, storage or leaving of abandoned, inoperable or unlicensed vehicles on public streets and rights-of-way; providing for the establishment of No Parking zones; prohibiting parking, storing or leaving any vehicle on public streets and rights-of-way under certain circumstances; limiting and regulating inoperable and unlicensed vehicles upon any premises in the village; establishing a vehicle-related business exemption; authorizing the towing and impoundment of vehicles; and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. DEFINITIONS

For purposes of this ordinance the following definitions shall apply:

1. *MOTOR VEHICLE* - Any self-propelled vehicle not operated exclusively upon tracks.
2. *VEHICLE* - Any machine or portion of a machine designed for travel along the surface of a street, the ground or water, including but not limited to motor vehicles, trailers, buggies, watercraft, tractors, riding lawn mowers and other equipment, except those designed to be operated exclusively by human power.
3. *ABANDONED VEHICLE* - Any unattended vehicle left upon public property, or upon private property without the consent of the owner, or in any place or condition prohibited by state law or village ordinance.
4. *INOPERABLE VEHICLE* - Any vehicle which is wrecked, dismantled, missing major components such as an engine, transmission, window glass, body panel, steering wheel, or instrument panel, having one or more missing or flat tires, or which cannot be moved under its own power, or which is an unlicensed vehicle.
5. *UNLICENSED VEHICLE* - Any vehicle which is designed to travel upon public streets but cannot be legally operated thereon because it is without a lawfully affixed unexpired license plate or temporary permit.

SECTION 2. PROHIBITIONS

1. No person shall abandon a vehicle anywhere in the village.
2. No person shall park, store or leave:
 - a. Any abandoned or inoperable vehicle, nor any trailer or vehicle on which or in which is located such a vehicle, upon any public street or public right-of-way for more than forty-eight hours.
 - b. Any vehicle in a manner which interferes with the movement of traffic for which the street was designed or which causes a safety hazard.
 - c. Any vehicle upon any public street or public right-of-way, or any place marked by the posting of temporary or permanent NO PARKING signs. Such signs may be posted

for the purpose of street maintenance, snow removal, construction, or other purpose determined by the board. No vehicle shall be subject to towing under this provision until such signs have been in place for forty-eight hours or until the owner has been notified verbally or in writing to remove the vehicle. Once such signs have been in place for forty-eight hours, immediate towing of any vehicle found in these locations is authorized.

SECTION 3: INOPERABLE VEHICLES LIMIT

1. No person shall park, store or leave more than one inoperable vehicle in view upon any premises in the village. Up to three additional inoperable vehicles may be kept upon the premises if such vehicles are enclosed within a building or screened from view by a tight board or other screen fence at least six feet high.
2. A vehicle-related business may apply to the board for an exemption from this section. Such application will be considered on a case by case basis. The exemption shall not be approved until the applicant has signed the application agreeing to the conditions determined by the board.
 - a. The board may impose conditions for the maintenance of vehicles on the premises of the business, including but not limited to placement in an orderly alignment and on a surface free of weeds, junk and hazards; a maximum number of vehicles; and the locations where vehicles may be placed without a screen fence. In no case shall the exemption permit more than one unscreened inoperable vehicle in the front or side areas of a building occupied or designed to be occupied as a residence
 - b. Any such exemption shall expire one year from approval or upon a specified date for annual renewals. A renewal may be denied if any provision of a previous exemption has been violated, and may contain additional requirements.
 - c. Falsification of any information on an application for exemption shall be grounds to deny or revoke the exemption.
 - d. Violation of any provision of an approved exemption shall be deemed an offense and may be prosecuted accordingly; and flagrant or repeat violations shall be grounds to revoke the exemption, upon thirty days notice by certified mail or posting upon the premises.
 - e. The board may establish application and renewal fees, which shall be the same for all applicants. Such fees shall be listed in the schedule of fees and may be changed from time to time.

SECTION 4. TOWING AND IMPOUNDMENT OF VEHICLES

1. Any vehicle found in a place or condition prohibited by this ordinance shall be subject to towing at the owner's expense to a place of safety for storage, notification and disposition in accordance with the provisions of state law, and the owner shall be solely responsible for all costs associated with the removal and storage of the vehicle. These costs shall be in addition to any fines or penalties that may be imposed.
2. When a vehicle is found in a place or condition prohibited by this ordinance, a designated officer of the village is hereby authorized to order a tow directly, through law enforcement, or to seek an order in municipal court ordering towing of any such vehicle from public or private property.

SECTION 5: ESTABLISHMENT OF NO PARKING ZONES

1. The following are hereby established as permanent No Parking:

a. _____

b. _____

SECTION 6. GENERAL PROVISIONS; ABATEMENT AND PENALTIES

The provisions set forth in the General Provisions Ordinance shall apply to the interpretation, implementation and enforcement of this ordinance, and violations shall be subject to applicable penalties and abatement and collection procedures set forth therein.

FAILURE TO PAY

AN ORDINANCE declaring the nonpayment of financial obligations to the Village of Jameson as an ordinance violation, establishing procedures to enforce the collection of such financial obligations, and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. FINDINGS

The Board of Trustees of the Village of Jameson finds that in order for the village to be financially sound and able to provide the services required for the public health and welfare of the inhabitants and the maintenance and police of the village, it is necessary for those who incur financial obligations to the village to pay such obligations; and further finds that failure to timely pay such obligations shifts those personal obligations unduly to the taxpayers who must shoulder the cost of unpaid bills.

SECTION 2. VIOLATION AND PROCEDURE

1. Failure to pay a lawful financial obligation due to the village within the time and in the amounts lawfully prescribed is hereby declared a violation and may be prosecuted accordingly.
2. When a financial obligation remains unpaid sixty days from the date of the first billing, and due notice of delinquency having been given, a violation notice and summons to municipal court may thereafter be served upon any or all parties liable for payment of the bill, for failure to pay a financial obligation due to the village.
3. The municipal court shall order those persons found guilty of failure to pay a financial obligation to the village to pay the amounts owing forthwith or upon such schedule as the court may determine, and may impose such fines, penalties and costs as the court deems just and necessary.

SECTION 3. NO LIMIT ON OTHER REMEDIES

Nothing in this ordinance shall limit or deny the authority of the village to seek other remedies for the collection of unpaid financial obligations, whether exercised concurrently or independently.

SECTION 4. GENERAL PROVISIONS; ABATEMENT AND PENALTIES

The provisions set forth in the General Provisions Ordinance shall apply to the interpretation, implementation and enforcement of this ordinance, and violations shall be subject to applicable penalties and abatement and collection procedures set forth therein.

MISCELLANEOUS OFFENSES

AN ORDINANCE prohibiting miscellaneous acts within the Village of Jameson, and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. VIOLATIONS OF PUBLIC PROPERTY AND PROPERTY OF OTHERS

1. It shall be unlawful for any person to:
 - a. Discharge, throw or place any foul or dirty water, filth, ashes, soot, garbage, trash, debris or rubbish of any kind whatsoever, animal or vegetable matter, offal, fluids from vehicles, glass, wire, nails, tacks, cans, or any other substance on or in any public street, right-of-way, drain, place or facility or on, in or near any pond, pool or well.
 - b. Throw, place or discharge any thing or substance whatsoever upon the premises of another or upon the alley, sidewalk or right-of-way adjoining such premises without the consent of the property owner or occupant.
 - c. Burn any thing of any kind in any ditch or upon any village street, alley, or right-of-way; *except that entirely combustible materials may be burned in a ditch.*

SECTION 2. RESIDING IN A VEHICLE

1. It shall be unlawful for any person to occupy as a residence in the village any vehicle, whether operable or inoperable, or any vehicle or trailer designed to provide temporary living quarters such as travel trailers, camping trailers, fifth-wheel trailers, semi trailers, motor homes, recreational vehicles, truck campers and the like.
 - a. Any such trailer which has been established as a residence by connection to all utilities, and which was placed and located legally in the village prior to the adoption of this ordinance, shall be permitted to remain at that location so long as it is henceforth kept and remains in compliance with all health, safety and nuisance ordinances.
2. A property owner shall, upon application to the village, be authorized to occupy as a temporary residence a travel trailer, camping trailer, fifth-wheel trailer, motor home or recreational vehicle for up to 180 days during the construction or renovation of a residence upon which continuous progress is underway. Such temporary residence shall be equipped with suitable sanitation facilities connected to the public sewer system or shall otherwise provide for the disposal of sewage and liquid wastes in a sanitary manner, which shall prevent the disposal of such sewage and liquid wastes onto or into the ground or into any drainage system in the village which is not properly connected to the public sewer system.
 - a. The use of such vehicle as a residence shall immediately cease when the residence is suitable for use or the permit expires, whichever comes first. The permit may only be

extended or renewed when continuous progress is underway and completion is expected in a specified time.

SECTION 3. GENERAL PROVISIONS; ABATEMENT AND PENALTIES

The provisions set forth in the General Provisions Ordinance shall apply to the interpretation, implementation and enforcement of this ordinance, and violations shall be subject to applicable penalties and abatement and collection procedures set forth therein.

SMALL TOWNS COOPERATION

AN ORDINANCE adopting a cooperative agreement with other small towns in Daviess County for the purposes of sharing resources for common services, establishing a joint board for the management of such shared resources, and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. FINDINGS AND PURPOSE

The board of trustees of the Village of Jameson finds that the best interests of the citizens of this village are served by cooperating with other small towns in Daviess County to share resources for common services, as authorized by RSMo 70.220. Such services may include ordinance development, legal advice, municipal court staffing, staff training, animal control and other common services needed to fulfill the duties placed upon the governing body of this town to protect the public health and welfare and establish the regulation, maintenance and police of this town, which services may be obtained at significantly lower costs by sharing the costs with other small towns.

SECTION 2. ADOPTION OF AGREEMENT

1. The attached Small Towns Cooperative Agreement is hereby adopted, and the Village of Jameson hereby agrees to abide by the provisions of such agreement. Any amendment to such agreement shall be submitted to each participating town board and shall require the agreement of a majority of participating town boards for approval.
2. The Village of Jameson hereby consents to the establishment of a joint cooperation board, and shall appoint a member to the joint board from among the members of the board of trustees, its employees, or the citizens of the village.
3. The initial term of the agreement shall be from May 1, 2011 until Dec 31, 2012, and the agreement shall automatically renew for additional one year periods unless either this village or the joint board shall give thirty days written notice of termination by the first day of December of 2012 or any year thereafter.
4. The chairman is hereby authorized and shall sign the Small Towns Cooperative Agreement on behalf of the Village of Jameson.

MUNICIPAL DIVISION OF CIRCUIT COURT

AN ORDINANCE establishing a municipal division of circuit court for the Village of Jameson, Missouri pursuant to Missouri Revised Statutes, and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. VIOLATIONS - TO BE HEARD BY ASSOCIATE CIRCUIT JUDGE

The Village of Jameson, Missouri, a fourth class village, hereby elects to have all violations of its municipal ordinances heard and determined by an associate circuit judge (hereafter judge) of the Circuit Court of Daviess County, Missouri, the county in which the Village of Jameson is located.

SECTION 2. MUNICIPAL DIVISION - CIRCUIT COURT

The division of the Circuit Court of Daviess County, Missouri, which hears and determines violations of the ordinances of the Village of Jameson shall be known as the "Jameson Municipal Division of the Circuit Court of Daviess County, Missouri" (hereafter Jameson Municipal Division).

SECTION 3: Reserved

SECTION 4. CLERK - MUNICIPAL DIVISION

The village shall appoint a person to serve as clerk of the Jameson Municipal Division, and shall fix and determine a salary.

SECTION 5. BAILIFF

At such times as the judge is hearing and determining violations of the ordinances of the village, the village shall provide a bailiff to the court.

SECTION 6. COURTROOM

The judge shall hear and determine violations of the ordinances of the village in a courtroom provided by the county.

SECTION 7. PROSECUTIONS - ON INFORMATION

All prosecutions for violations of the village ordinances shall be instituted by information and shall be based upon a notice of violation. Proceedings shall be in accordance with the Supreme Court Rules governing practices and procedures in proceedings before municipal judges.

SECTION 8. WARRANTS - HOW ISSUED AND EXECUTED

All warrants issued by a judge hearing violations of village ordinances shall be directed to a designated officer for ordinance enforcement of the village or to the sheriff of Daviess County. The warrants shall be executed by a designated officer for ordinance enforcement at any place within the limits of the village or by the sheriff at any place within the limits of Daviess County, and not elsewhere, unless the warrants are endorsed

in the manner provided for warrants in criminal cases, and when so endorsed, shall be served in other counties, as provided for in warrants in criminal cases.

SECTION 9. ATTORNEY TO PROSECUTE VIOLATIONS

The village shall appoint an attorney to prosecute violations of village ordinances on behalf of the village before the judge hearing such violations. The village shall determine the compensation of the attorney and the expenses to be paid. Such compensation and expenses shall be paid by the village.

SECTION 10. JUDGE TO BE TRIER OF FACT

In any trial for the violation of an ordinance of the village, all issues of fact shall be tried by the judge.

SECTION 11. RECOGNIZANCES AND FORFEITURES

In case of a breach of any recognizance entered into before a judge hearing violations of the ordinances of the village, the same shall be deemed forfeited and the judge shall cause the same to be prosecuted against the principal and surety, or either of them, in the name of the Village of Jameson as plaintiff. All monies recovered in such action shall be paid over to the village treasury to the general revenue fund of the Village.

SECTION 12. VILLAGE ORDINANCES - EVIDENCE

It shall be the duty of the village clerk to properly certify and maintain a complete copy of the ordinances of the village on file with the clerk of the Jameson Municipal Division, which shall constitute prima facie evidence before the court.

SECTION 13. COURT COSTS - FILING FEES

1. The Jameson Municipal Division shall adopt a schedule of standard court costs and filing fees consistent with such court costs and fees as required or permitted by law and Supreme Court Rule, which schedule of costs and fees shall be adopted by the Jameson Board of Trustees by ordinance.
2. In the event a defendant pleads guilty or is found guilty, the judge shall assess the court costs aforesaid against the defendant. In the event a defendant is acquitted or the case is dismissed, the judge shall not assess costs against the village.

SECTION 14. PROCEDURE - FINES AND COSTS - REPORTING

The Jameson Municipal Division shall utilize the Justice Information System (JIS). The court clerk shall collect and transmit fines and costs, report all transactions and manage all cases in accordance with the procedures established for JIS, and is hereby authorized to collect outstanding fines and costs through the Missouri Courts Tax Offset Program as administered under the procedures of JIS.

SECTION 15. FINE - INSTALLMENTS ALLOWED - COMMUNITY SERVICE

1. The Jameson Municipal Division shall adopt a schedule of standard fines and penalties consistent with such fines and penalties as required or permitted by law and Supreme Court Rule, which schedule of fines and penalties shall be adopted by the Jameson Board of Aldermen by ordinance.

2. When a fine is assessed for violation of an ordinance, it shall be within the discretion of the judge to provide for the payment of the fine on an installment basis under such terms and conditions as he may deem appropriate.
3. When in his judgment it seems advisable, the judge may order the performance of a designated amount of free work for a public or charitable purpose approved and supervised by the municipality, in lieu of or in addition to a fine.

SECTION 16. GENERAL PROVISIONS

The provisions set forth in the General Provisions Ordinance shall apply to the interpretation, implementation and enforcement of this ordinance.

ADMINISTRATIVE WARRANTS

AN ORDINANCE establishing procedures and requirements for the issuance of administrative warrants by the municipal court, relating to enforcement of housing, property, and health and safety ordinances and regulations for the Village of Jameson, and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. PURPOSE AND FINDINGS

The Board of Trustees of the Village of Jameson finds that, after other avenues are exhausted, it may be necessary from time to time to enter upon private property to abate a nuisance or enforce village housing, property, or health and safety ordinances and regulations; and

In Camara v. Municipal Court of the City and County of San Francisco, 387 U.S. 523 (1967) the U.S. Supreme Court recognized that administrative warrants allow cities to enforce their ordinances and regulations while ensuring that the constitutional rights of private property owners and occupants are secured;

Therefore, when probable cause exists and a property owner or occupant has refused the village access to enter his premises, or when an owner cannot be reasonably located, it is in the best interests of the community and its citizens for the village to seek a warrant from the municipal court judge ordering entry upon such premises to abate a nuisance or enforce village housing, property, or health and safety ordinances and regulations.

SECTION 2. DEFINITION

ADMINISTRATIVE WARRANT - A written order of the municipal judge commanding the entry of village officials on or into private property and authorizing such action as required to enforce village housing, property, or health and safety ordinances or regulations when such entry is otherwise authorized by Missouri law. Such warrant may be issued for the search or inspection of any property, place or thing, and the seizure, photographing, copying or recording of property or physical conditions found thereon or therein to determine or prove the existence of violations of any such ordinance or regulation, or to abate a nuisance or enforce the provisions of any such ordinance or regulation.

RESIDENCE - A structure designed and used or intended for use as a dwelling for humans, equipped with connections for hookup to water, sewer, and electricity.

SECTION 3. RESIDENCES

No administrative warrant shall be applied for or executed inside a residence, unless such residence is abandoned or no owner or legal occupant can be identified and contacted through reasonable effort, which shall include a search of the land records of the Recorder of Deeds of Daviess County as needed.

SECTION 4. ISSUANCE OF WARRANT

1. The municipal judge having jurisdiction to determine violations against the ordinances of the village may issue an administrative warrant when:
 - a. The property or place to be entered or the thing to be seized is located within the village; and
 - b. The owner or occupant of the property or place to be entered or the thing to be seized has refused to consent to same after official request by the village, or after reasonable effort such owner or occupant is not available to consent; and
 - c. The village establishes probable cause to determine that a public nuisance or a violation of a specified village housing, property, or health and safety ordinance or regulation may exist.
2. Any such warrant shall be directed to a designated officer for ordinance enforcement of the village or to the sheriff of Daviess County and shall be executed by such officer within the village limits and not elsewhere.

SECTION 5. APPLICATION FOR WARRANT

1. An attorney or designated officer for ordinance enforcement of the village may make application to the municipal judge for the issuance of an administrative warrant.
2. The application shall:
 - a. Be in writing;
 - b. State the time and date of the making of the application;
 - c. Identify the property or places to be entered, searched, inspected or seized in sufficient detail and particularity that the officer executing the warrant can readily ascertain it;
 - d. State that the owner or occupant of the property or places to be entered, searched, inspected or seized has been requested by the village to allow such action and has refused to consent to such action, or after reasonable effort such owner or occupant is not available to consent to such action, and shall contain details of efforts to obtain consent or locate such owner;
 - e. State facts sufficient to show probable cause for the issuance of a warrant to search or inspect for violations of a specified village housing, property, or health and safety ordinance or regulation or that entry or seizure is necessary to enforce such specified ordinance or regulation;
 - f. Be verified by the oath or affirmation of the applicant; and
 - g. Be signed by the applicant and filed in the municipal court.
3. The application may be supplemented by a written affidavit verified by oath or affirmation. Such affidavit shall be considered in determining whether there is probable cause for the issuance of a warrant and in filling out any deficiencies in the description of the property or place to be searched or inspected. Oral testimony shall not be considered.

SECTION 6. HEARING AND PROCEDURE

1. The municipal judge shall hold a non-adversary hearing to determine whether probable cause exists to inspect or search for violations of any ordinance or regulation, or to enforce any such ordinance or regulation.
 - a. The municipal judge shall determine whether the action to be taken by the village is reasonable in light of the facts stated, and shall consider the purposes of the ordinance or regulation sought to be enforced and such other factors as may be appropriate, including but not limited to the known or suspected violation of any relevant village ordinance or regulation. The standard for issuing a warrant need not be limited to actual knowledge of an existing violation of a village ordinance or regulation.
 - b. If it appears from the application and any supporting affidavit that there is probable cause to enter the property to determine or prove the existence of violations of any village housing, property, or health and safety ordinance or regulation or to enforce the provisions of such ordinance or regulation, then a warrant shall immediately be issued.
 - c. The warrant shall be issued in the form of an original and two copies, and the application, any supporting affidavit and a copy of the warrant as issued shall be retained in the records of the municipal court.

SECTION 7. CONTENTS OF WARRANT

4. The warrant shall:
 - a. Be in writing and in the name of the village;
 - b. Be directed to a designated officer for ordinance enforcement of the village or to the sheriff of Daviess County;
 - c. State the time and date the warrant was issued;
 - d. Identify the property or places to be entered in sufficient detail and particularity that the officer executing the warrant can readily ascertain it;
 - e. Command that the described property or places be entered, and authorize such action as required to enforce village housing, property, or health and safety ordinances or regulations, abate a nuisance, or determine or prove the existence of violations of such ordinances or regulations;
 - f. Direct that any evidence of violations of village ordinances or regulations found therein or thereon, or any property seized pursuant thereto, or a description of such property seized, be returned, within ten days after the date of the issuance of the warrant, to the clerk of the municipal court, to be dealt with according to law;
 - g. Be signed by the judge who issued it, with his title of office indicated; and
 - h. May be issued by facsimile or other electronic means.

SECTION 8. EXECUTION AND RETURN OF WARRANT

1. A warrant issued under this ordinance shall be executed only by an designated officer for ordinance enforcement, provided, however, that other designated officials may accompany the officer, and the warrant shall be executed in the following manner:

- a. The warrant shall be executed by conducting the search, inspection, entry or seizure as commanded, and shall be executed in daylight hours, as soon as practicable and in a reasonable manner.
 - b. The officer shall give the owner or occupant of the property searched, inspected or entered upon a copy of the warrant. If no such person is present, the officer shall leave the warrant at the site of the search in a conspicuous place.
 - c. If any property is seized incident to the search, the officer shall give the person from whose possession it was taken, if the person is present, an itemized receipt for the property taken. If no such person is present, the officer shall leave the receipt at the site of the search in a conspicuous place.
2. A copy of the itemized receipt of any property taken shall be delivered to the prosecuting attorney for the village within two working days of the search.
 3. Trash, debris and other public nuisances which have little or no apparent cash value, and which still remain upon a property after due notice has been given of a required abatement, may be removed during village abatement and disposed of immediately as solid waste unless an applicable ordinance specifies otherwise or the item is needed for evidence. Hazardous waste shall be disposed of in accordance with state law. Property with an apparent cash value exceeding fifty dollars per item which is seized shall be disposed of in accordance with an applicable village ordinance.
 4. The officer may summon as many persons as he deems necessary to assist him in executing the warrant, and such persons shall not be held liable as a result of any illegality of the search and seizure.
 5. The officer shall act upon any warrant in good faith believing the warrant to be valid, with all the powers authorized for acting upon a valid warrant, unless the invalidity of the warrant is apparent on its face.
 6. A warrant shall expire if it is not executed and the required return made within ten days after the date of the issuance of the warrant.
 7. After execution of the warrant, the warrant and a return thereon signed by the officer making the search shall be delivered to the municipal court in the following manner:
 - a. The return shall show the date and manner of execution and the name of the possessor and of the owner, when not the same person, if known, of the property or places searched or seized.
 - b. The return shall be accompanied by any photographs, copies, or recordings made, and by any property seized, along with a copy of the itemized receipt of such property required by this section; provided, however, that seized property may be disposed of as provided herein, and in such a case a description of the property seized shall accompany the return.
 - c. The court clerk, upon request, shall deliver a copy of the return to the possessor and the owner, when not the same person, of the property searched or seized.

SECTION 9. WARRANT INVALID, WHEN

1. A warrant shall be deemed invalid:
 - a. If it was not issued by the municipal judge;
 - b. If it was issued without a written application having been filed and verified;
 - c. If it was issued without sufficient probable cause in light of the goals of the ordinance or regulation to be enforced and such other factors as may be appropriate;
 - d. If it was not issued with respect to property or places in the village;
 - e. If it does not describe the property or places to be searched, inspected, entered upon or seized with sufficient certainty;
 - f. If it is not signed by the judge who issued it; or
 - g. If it was not executed and the required return made within ten days after the date of the issuance of the warrant.

SECTION 10. GENERAL PROVISIONS; ABATEMENT AND PENALTIES

The provisions set forth in the General Provisions Ordinance shall apply to the interpretation, implementation and enforcement of this ordinance.

ORDINANCE REPEALS

AN ORDINANCE repealing all ordinances adopted by the Village of Jameson before January 1, 2011, with specified exceptions.

WHEREAS, the Board of Trustees of the Village of Jameson finds within its ordinances some that are obsolete, superseded or unenforceable, now, therefore

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1: ORDINANCES REPEALED

All ordinances enacted by the Board of Trustees of the Village of Jameson prior to January 1, 2011 are hereby repealed, except for the following:

ORDINANCE #202. Lead and Copper Ban in Public and Private Drinking Water Plumbing

ORDINANCE #202-2. Back-flow and Cross Connection Control Ordinance.

SECTION 2: ADDITIONAL REPEALS

On the date of passage of this bill [June 15, 2017], the following ordinances are hereby repealed:

ORDINANCE #202. Lead and Copper Ban in Public and Private Drinking Water Plumbing

ORDINANCE #202-2. Back-flow and Cross Connection Control Ordinance.

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ELECTRICITY FRANCHISE

AN ORDINANCE of the Village of Jameson, Missouri, extending a franchise contract with Farmers' Electric Cooperative, Inc. to supply the Village of Jameson, Missouri, with electricity within said city for a period of twenty (20) years.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI AS FOLLOWS:

THIS AGREEMENT, made and entered into this 24th day of October, 2013, between the FARMERS' ELECTRIC COOPERATIVE, INC., a corporation of the State of Missouri with its principal office in the City of Chillicothe, Livingston County, Missouri, hereinafter referred to as Party of the First Part, and the VILLAGE OF JAMESON, MISSOURI, a municipal corporation organized under the laws of the State of Missouri, hereinafter referred to as Party of the Second Part;

WITNESSETH:

WHEREAS, Party of the First Part, has provided service to customers within the corporate limits of Party of the Second Part; and

WHEREAS, the parties hereto also desire to clarify the parties' responsibilities.

NOW, THEREFORE, the parties hereto agree as follows:

1. That First Party, its successors and assigns, are hereby granted, for a term of twenty (20) years from July 1, 2013, the right, privilege, authority and franchise to construct, operate and maintain within the corporate limits, as the same now exist or may hereafter be extended or otherwise changed, of the Village of Jameson, Missouri, an electric light and power system, including all facilities necessary to operate a general power and light business for the purpose of transmitting, distributing and selling electric energy for domestic, commercial, industrial, municipal and other purposes in said Village of Jameson, Missouri, and to produce or supply such electric energy by manufacture, generation purchase or otherwise, and to transmit and distribute said electric energy by means of underground or overhead lines or otherwise, and for any or all of said purposes the First Party is authorized to construct, locate, operate and maintain all necessary poles, conductors, wires, conduits, anchors, guys, apparatus, equipment and attachments of every kind and description necessary in the operation of such electric system in, along, over, under and across the streets, avenues and alleys in the Village of Jameson, Missouri; and also including the right for said First Party during said period to erect, maintain and operate along, over, under and across the streets, avenues, or alleys in the Village of Jameson, Missouri, within First Party's said designated service territory, transmission lines through the Village of Jameson, Missouri, for the purpose of supplying individuals, corporations and communities, within said designated service territory inside the Village of Jameson, Missouri, with electric energy and power.
2. All poles, wires and other facilities of the First Party shall be placed and maintained so as not to unnecessarily interfere with the ordinary travel and use of said streets, alleys and other public places within said designated service territory of said Village of Jameson; and said First Party, its successors and assigns, shall hold Second Party free and harmless

from all damages resulting from the negligence of First Party in the erection, maintenance or operation of said electric system within said designated service territory of said Village of Jameson, Missouri.

3. Within its designated service area, the First Party shall furnish sufficient electric energy to consumers to maintain adequate light and power during twenty-four (24) hours of each day, provided, however, that the First Party shall not be responsible for interruption or stoppage of service caused by Acts of God, fire, wind, ice, floods, strikes, war, orders of civil or military authority, unavoidable accidents or other causes reasonably beyond the control of the First Party.
4. During the period of this franchise, electric rates of the First Party, its successors and assigns, shall be as fixed and determined by the Board of Directors of said First Party; different rates and charges may be established for different classifications of service, provided that consumers within the same service classification shall be charged the same rate, provided, however, that said First Party shall have the right to charge a reasonable penalty if bills are not paid within fifteen (15) days following their due date. Connect and disconnect policy of First Party shall be as fixed and determined from time to time by First Party's Board of Directors.
5. The said First Party, its successors and assigns, shall have the right to discontinue the service of supplying electricity to any patron or consumer, when such patron or consumer shall violate or refuse to comply with the bylaws, rules or policy of the First Party relating to such service, or when the bill for such service is in arrears.
6. All facilities installed by the First Party under the terms of this Agreement shall be designed and erected to comply with the Safety Rules for the installation and maintenance of electric supply and communication lines of the National Electrical Safety Code as promulgated by the National Bureau of Standards, United States Department of Commerce, and all wire erected by the First Party shall be at least eighteen (18) feet above the ground at street and alley crossings.
7. The First Party, its successors and assigns, shall pay to Second Party, as a franchise fee, a sum equal to 5% of the gross receipts derived by First Party from the sale of electric energy within said designated service territory of said City during the period covered by this franchise.

Said payment shall be made quarter-annually and shall be made to the Treasurer of Second Party within forty-five (45) days following the end of each three (3) month service period, commencing with the date that service is first supplied by the First Party to Second Party, and said payment shall be accomplished by a statement of gross receipts of the First Party from said sale of electric energy for said period. Any duly authorized official of Second Party shall at reasonable times have the right to inspect the books and records of First Party to determine the accuracy of such statements.

The fee herein imposed shall be in lieu of any occupation license fee or taxes other than ad valorem taxes and sales taxes.

8. The First Party is hereby granted the right to trim trees upon and overhanging the streets, avenues, alleys and other public places of Second Party so as to prevent the branches of such trees from contacting or otherwise interfering with the wires and equipment of First Party.

9. This Agreement shall be a binding agreement between the parties hereto, from and after its passage by the Board of Trustees, and upon being signed by the Chairman and the Clerk of the Village of Jameson, Missouri.
10. All provisions of this Agreement shall be binding upon the First Party, its successors and assigns, and upon Second Party, its successors and assigns.
11. This Ordinance shall remain on file with the Village of Jameson, Missouri for public inspection at least thirty (30) days before final passage or adoption. The effective date of said Ordinance shall be the date upon which the Bill approving the Ordinance is signed by the Chairman or person exercising the duties of the Chairman's office.

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BUDGET AND FINANCES

AN ORDINANCE setting forth policy and procedures for budget and financial preparation, reporting, management, and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. FISCAL YEAR

The fiscal year of the Village of Jameson, Missouri shall, as previously, begin January 1 and end the following December 31.

SECTION 2. BUDGET REQUIRED - CONTENTS

1. The board shall cause to be prepared an annual budget, which shall contain a complete financial plan for the next fiscal year. The following shall be included in the budget:
 - a. A budget message to describe the important features of the budget and to point out any major changes from the previous year.
 - b. An estimate of revenues which are expected to be received during the year from all sources with a comparative statement of the revenues for the previous two (2) years, itemized by year, fund and source.
 - c. An estimate of proposed expenditures during the year, with a comparative statement of expenditures for the previous two (2) years, itemized by year, fund, activity and object.
 - d. The amount of money required to pay any interest, amortization, or redemption charges payable during the year.
 - e. A general budget summary.
2. Total expenditures in the budget shall not exceed total estimated revenues plus any unencumbered balance or less any deficit estimated from the previous year.

SECTION 3. BUDGET OFFICER

1. The budget shall be prepared under the supervision of a budget officer designated by the board.
2. The village clerk is hereby designated as the budget officer.
3. The budget officer, after reviewing spending requests and revenue estimates with other village officers, shall prepare a budget for the village and present it to the board for approval by a majority vote of the board prior to the beginning of the next fiscal year, along with any explanatory material needed.

SECTION 4. REVISIONS TO PROPOSED BUDGET

The board may revise, alter, increase or decrease the items contained in the proposed budget, but such revisions shall not result in a deficit budget.

SECTION 5. ADOPT BUDGET AND REVENUE MEASURES PRIOR TO FISCAL YEAR

Prior to the beginning of the fiscal year, the board shall adopt the budget and shall adopt such orders, motions, resolutions, or ordinances as may be required to produce the revenues estimated in the budget.

SECTION 6. INCREASES IN APPROVED BUDGET

1. After the budget is approved, the total amount of spending from any fund may be increased only by a formal action approved by a majority vote of the board, and shall include the facts and reasons making the increase necessary.
2. Unencumbered budget balances may be transferred from one classification to another, except as limited by law.

SECTION 7. DEBT LIMITED

Total short-term village debt shall not exceed anticipated revenues for any budget year without approval of the village voters as required by law.

SECTION 8. MONTHLY REPORTS TO THE BOARD

1. The clerk shall submit to the board for review and approval a monthly report detailing all deposits and expenditures, together with invoices, receipts, and the most recent bank statements of all accounts.
2. Each board member present at the meeting shall initial the report, which shall be retained with the Minutes as a permanent record.

SECTION 9. SEMIANNUAL FINANCIAL STATEMENTS

The chair shall, in January and July of each year, cause to be prepared a correct semiannual statement of all income and expenditures of the village during the preceding six (6) months, which shall be published in a newspaper printed in the village or posted in six (6) of the most public places in the village, or in as many public places as practicable, by the tenth (10th) day of the month.

SECTION 10. ANNUAL REPORT TO STATE AUDITOR

Annually following the end of the fiscal year, the budget officer shall prepare and submit to the Missouri State Auditor a complete report of the financial transactions of the village in the summary form required by the State Auditor.

SECTION 11. OTHER REPORTS

The budget officer shall prepare any budget report as may be required by a state or federal agency or other public or private financial agency for the purpose of maintaining or obtaining grants and loans or other purposes of the village.

SECTION 12. HANDLING OF FUNDS

1. In accordance with a written contract satisfactory to the board and signed by the chairman, all village funds shall be deposited in the village depository, and said depository shall send to the village monthly or in accordance with the policy of the depository a statement detailing all transactions and interest earned on each established account.

2. All income shall be maintained in separate accounts or tracked as separate funds in at least the following Funds: General, Street, Sewer, Water, Utility Deposits. Savings accounts may be established as needed, including for short-term reserves for the separate Funds. Certificates of Deposit may be established to hold funds designated for longer-term reserves for the separate Funds.
3. All checks and other similar instruments received shall be immediately endorsed restrictively for deposit to the appropriate village account.
4. Upon receipt of any payment not accompanied by a remittance form, a receipt shall be immediately prepared which shall include the amount and the check number or an indicator of payment in cash. Such receipt shall be maintained for financial tracking and village records.
5. All funds received shall be deposited at least weekly; except that when the amount of funds exceeds \$500, the funds shall be deposited no later than the following banking day.
6. The clerks are authorized to pay bills and obligations as needed. Every check and expense shall be listed by date, check number, payee and amount on the monthly report to the board.
7. There shall be two (2) signatures required on every check, and the two signers shall not be related within the fourth degree of consanguinity to each other.

SECTION 13. MONTHLY RECONCILIATIONS

Each month, the clerk shall reconcile deposits and checks to the bank statements and resolve any discrepancies.

SECTION 14. GENERAL PROVISIONS

The provisions set forth in the General Provisions Ordinance of the village shall apply to the interpretation and implementation of this ordinance.

PROCUREMENT AND DISPOSAL

AN ORDINANCE setting forth policy and procedures for procurement of supplies, equipment and services through the open market or competitive bidding; for sale or disposal of personal property no longer deemed useful to the village; and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. PURPOSE AND DUTY

1. All persons granted purchasing authority by the board shall seek to obtain supplies, equipment and services in the best interests of the village, with due regard for cost, quality, availability, and other factors deemed pertinent to identifying the best choice.
2. Persons authorized to sell or dispose of personal property deemed no longer useful for the village shall do so with due regard to the potential income versus the cost of making the sale (e.g. advertising, work hours, etc.). Donation to a public entity or charity may be considered.

SECTION 2. AUTHORIZED EXPENDITURES

1. The following expenditures are hereby authorized without prior approval from the board, provided such expenditures are within budget parameters, do not exceed the total amounts specified below in any period between two regular board meetings, are documented and receipts obtained, and the documentation and an explanation of the purpose of the expenditure is presented at the next regular meeting of the board:
 - a. The village clerk, up to \$500 from unrestricted funds and up to \$2,000 from restricted road funds.
 - b. The utility clerk, up to \$1,500 from water funds and up to \$1,500 from sewer funds.

SECTION 3. EMERGENCY PURCHASES

In case of an apparent emergency which requires the immediate purchase of supplies, equipment or services exceeding the authorized amount, the purchaser shall contact the chair or the village clerk for approval to proceed with the purchase. If neither can be reached with reasonable effort, the purchase may be made without such approval, and the purchaser shall inform the chair or the clerk as soon as practicable thereafter. The circumstances of an emergency purchase shall be recorded in the Minutes of the next regular board meeting.

SECTION 4. OPEN MARKET PROCEDURE

1. All purchases of supplies, equipment and services for which competitive bidding is not required may be made on the open market.
 - a. Where practicable, open market purchases exceeding \$500 shall be based on two or more comparative prices, excepting those where satisfactory prior experience with a vendor or service provider is a primary consideration.
 - b. Prices may be obtained by comparative shopping, telephone, internet, or other methods of price comparison. Posting or advertising is not required.

2. Procurement of contractual services of an ongoing nature shall be authorized in advance by the board, and the board shall determine the method based on the service needed.
 - a. Options include but are not limited to direct requests, posting, advertising, and competitive bidding.
 - b. The terms of any such contract shall be set by the board, and the contract may be renewed or continued for as long as the board shall determine.

SECTION 5: COMPETITIVE BIDDING

When competitive bidding is required by state or federal law or by contract, the village shall comply with all specifics required for that particular bid. When no such conditions apply, or when the board opts to utilize competitive bidding even though it is not required, the following procedures shall be followed:

1. The bid request and notice shall include:
 - a. A description of the item or service requested;
 - b. Instructions for obtaining bid documents and specifications;
 - c. Bids shall be written and sealed, and clearly marked on the outside with the bid title;
 - d. The village reserves the right to reject any or all bids.
 - e. The deadline for receipt of bids; and
 - f. The time and place where the bids will be opened.
2. Bids shall be solicited one time, at least ten days prior to the last day set for receipt of the bids, either by posting the bid notice at the regular place of posting for meetings and two other public places in the village or by publishing one time in a newspaper serving the village. In addition:
 - a. Any person who has submitted a written request to the village clerk for notification of such a bid shall be mailed a bid notice.
 - b. Requests for sealed bids may also be solicited by mail, phone, or other methods of direct request.
3. Sealed bids shall be opened in public at the stated time and place, and shall be read aloud in pertinent part.
 - a. The Board of Trustees may award the bid immediately upon opening, after interviews or negotiations, or at a later date with notice given to all bidders.
 - b. The bid shall be awarded to the lowest responsible (best) bidder, except that the village reserves the right to reject any or all bids if there is no responsible bidder or the prices are too high.
 - c. If there is more than one lowest responsible bidder (a tie), the bid shall be awarded to a resident of the village. If neither or more than one of the tied bidders are village residents, then the bid shall be awarded at a public meeting by a coin toss or by the drawing of lots, at the board's option.

4. The village clerk shall keep a record of all competitive bids. If the bid was not awarded to the lowest bidder, the reason shall be stated in the Minutes of the board.

SECTION 6. LOWEST RESPONSIBLE (BEST) BIDDER

1. No person who is in default on the payment of any tax, fee, or financial obligation due the village shall be considered a responsible bidder.
2. In determining the lowest responsible (best) bidder, the following shall be considered in addition to price:
 - a. The bidder's ability, capacity, and skill to perform the contract;
 - b. Whether the bidder can perform the contract or provide service promptly, or within the time specified, without delay or interference;
 - c. The bidder's character, integrity, reputation, judgment, experience, and efficiency;
 - d. The bidder's quality of performance of other contracts, including previous and existing compliance with laws and ordinances relating to the contract or services.
 - e. The bidder's financial resources and ability to perform the contract;
 - f. The quality, availability and adaptability of the property or services to the particular use required.
 - g. The bidder's ability to provide future maintenance and service; and
 - h. The number and scope of conditions attached to the bid.

SECTION 7. AUTHORIZED SALES

1. Sales of real property (land and buildings) and personal property deemed no longer useful to the village shall be approved by a majority vote of the board. The method for sales or disposal of such property shall be determined by the board based on the type of item for sale. Options include but are not limited to direct request quotes, posting, advertising, public auction, competitive bidding, and donation to a public entity or charity.
 - a. Real property shall be sold by competitive bidding or public auction.
 - b. Where practicable, sales of personal property exceeding \$500.00 deemed value shall be based on two or more comparative quotes if sold on the open market.
 - c. If an item deemed no longer useful cannot be sold or donated with reasonable effort, such item may be disposed of as junk.
2. The proceeds from sales of items from inventory, less the cost of the sale, shall be returned to the fund from which the inventory came.

SECTION 8. SALES BY BID

1. If the board chooses to use competitive bidding for a sale even though bidding is not otherwise required, it shall be conducted under the provisions of this ordinance governing competitive bidding.
2. In case of a sale, all references found in this ordinance to the lowest bidder or price shall apply to the highest bidder or price.

3. A bid for an item being sold by the village shall be awarded to the highest bidder, provided that such bidder tenders payment as required in the bid. If payment is not tendered as required, the bid may be awarded to the next highest bidder.

SECTION 9. CONFLICT OF INTEREST

No elected official of the village shall be employed by the village, nor sell, lease, or rent any real or personal property to the village, nor perform any work for the village, for compensation in excess of \$500 per transaction or \$5,000 per year, except through the contract award or bidding process in which the elected official or the official's business is the lowest bidder.

SECTION 10. GENERAL PROVISIONS

The provisions set forth in the General Provisions Ordinance of the village shall apply to the interpretation, implementation and enforcement of this ordinance.

Informational Notes:

Some things that require competitive bidding:

Projects utilizing state or federal grants or general obligation bonds

Insurance, every 6 years [RSMo 376.696]

(If purchasing from a broker, they should be regularly reviewing and requesting bids)

Health Insurance, every 3 years [RSMo 67.150]

Special Assessments [RSMo 88]

Construction Management Services [RSMo 8.679]

Waterworks erection, purchase of revenue bonds [RSMo 91.170]

No elected official of the city shall, individually or through any business in which he has a substantial (more than 10%) interest, perform a service for the city for more than \$500 per transaction or \$5000 per year, nor sell, rent or lease property to the city for more than \$500 per transaction or \$5000 per year, except through the contract award or bidding process in which the official or business is the lowest bidder. [RSMo 105.458]

A qualifications-based process is required for procurement of architectural, engineering and land surveying services [RSMo 8.285-8.291]

PROPERTY TAXES

AN ORDINANCE setting forth policy and procedures regarding the collection and use of property taxes, and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. TAX TO BE IMPOSED

There shall be levied, assessed and collected annually on the assessed value of all real estate and personal property subject to taxation by the laws of this state, such taxes as permitted by state law and as may be necessary to pay the expenses of the village and to pay the interest on any bonds now issued or that may hereafter be properly approved.

SECTION 2. TAX BASED ON COUNTY ASSESSMENT

The value assessed by the Daviess County Assessor upon all real estate and personal property within the limits of the Village of Jameson shall be the assessed valuation upon which village property tax collections shall be based.

SECTION 3. COLLECTION BY COUNTY COLLECTOR

The board is hereby authorized to enter into an agreement with Daviess County to collect ad valorem property taxes on such terms and conditions as the Daviess County Commission and the Jameson Board of Trustees shall agree, and to pay compensation to the county for such collection from the proceeds of such taxes at the rates specified in the agreement.

SECTION 4. TAX RATES SET BY ORDINANCE; PUBLIC HEARING

1. Annually, prior to Sept. 1, the board shall by ordinance set the ad valorem property tax rates for that year, which shall be calculated to produce substantially the same revenues as required in the annual adopted budget, and which shall not exceed the maximum rate authorized by state law.
2. The board shall hold a public hearing prior to setting the property tax rates. Notice of the public hearing shall contain the date, time and place of the hearing and the information required for presenting to the board as specified herein, and shall be published in a newspaper or posted in three public places within the village at least seven days prior to the hearing.
3. Before the board fixes its rate of taxation, the budget officer of the village shall present the following information to the board:
 - a. The assessed valuation by category of real, personal and other tangible property for the current and preceding fiscal years;
 - b. For each rate to be levied, the amount of revenue required from the property tax as specified in the annual adopted budget;
 - c. The tax rates proposed to be set for the various purposes of taxation;

- d. The increase in tax revenue due to an increase in assessed value as a result of new construction and improvement; and
 - e. The increase, both in dollar value and percentage, in tax revenue as a result of reassessment if the proposed tax rate is adopted.
4. The village clerk shall notify the Daviess County Clerk of the amount of the approved tax rates by Sept 1, on such forms as may be required by the State Auditor.

SECTION 5. DISTRIBUTION

The village clerk shall distribute the proceeds from the collection of current and delinquent property taxes proportionally to the village funds to which such taxes are due, with due regard for any obligations to debt service and any other earmarked obligations.

SECTION 6. RE-LEVY PERMITTED

In case the board has attempted to levy any tax or assessment for improvements or for the payment of interest on bonds issued and outstanding or other evidences of debt, which tax or assessment may be void in consequence of failure to comply with the requirements of law, the board shall have power to re-levy and re-assess any such tax or assessment.

SECTION 7. GENERAL PROVISIONS

The provisions set forth in the General Provisions Ordinance of the village shall apply to the interpretation, implementation and enforcement of this ordinance.

MOTOR VEHICLE TAXES

AN ORDINANCE directing all proceeds from the state motor vehicle tax to the road fund to be used for road and street purposes, and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. DISTRIBUTION; USE

All proceeds received by the village from the distribution of the state tax on motor vehicle fuel, vehicle sales, and vehicle fee increases shall be directed to the road fund, to be used for construction, maintenance, repair, policing, signing, lighting and cleaning roads and streets and for the payment of principal and interest on indebtedness on account of road and street purposes, pursuant to the Missouri Constitution, Art. IV, Sec. 30(a).

SECTION 2. GENERAL PROVISIONS

The provisions set forth in the General Provisions Ordinance of the village shall apply to the interpretation, implementation and enforcement of this ordinance.

SAFETY TRAINING REQUIREMENTS

AN ORDINANCE TO COMPLY WITH SECTION 150.230: SAFETY TRAINING REQUIREMENTS, CHAPTER 150: PROCUREMENT POLICY, TITLE I. GOVERNMENT CODE FOR THE JAMESON WATER SYSTEM PROJECT COMMUNITY DEVELOPMENT PROJECT BLOCK GRANT #2012-PF-032.

WHEREAS, in 2008, the Missouri General Assembly adopted HB 1549, creating additional requirements affecting public works contracts by requiring all contractors and subcontractors doing work on a project to provide and require its on-site employees to complete a ten (10) hour course in Construction Safety and Health approved by Occupational Safety and Health Administration ("OSHA") or a similar program approved by the Missouri Department of Labor Relations, which is at least as stringent as an approved OSHA program.

WHEREAS, the City of Jameson engages in contracts within the scope of work defined in Section 292.675, RSMo, and this ordinance is adopted for the following project: JAMESON WATER SYSTEM PROJECT, COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT #2012-PF-032

BE IT ORDAINED by the Council of the City of Jameson, Missouri, as follows:

Title I. Government Code, Chapter 150: Procurement Policy, Section 150.230: Safety Training Requirements is hereby adopted, which shall read as follows:

Section 150.230, Safety Training Requirements

- A. The Project approved by this Ordinance is subject to the requirements of Section 292.675, RSMo, which requires its on-site employees to complete a ten (10) hour course in construction safety and health approved by the Occupational Safety and Health Administration ("OSHA") or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA program. The training must be completed within sixty (60) days of the date work on the Project commences. On-site employees found on the worksite without documentation of the required training shall have twenty (20) days to produce such documentation.
- B. The request for bids for this Project shall specify the requirement of Section 292.675, RSMo.
- C. The contract awarded for this Project shall specify the requirement of Section 292.675, RSMo, and shall include a notice of the penalties for contractor's failure to comply with that statute.

This Ordinance shall be in full force and effect upon its passage.

FAIR HOUSING***AN ORDINANCE PROVIDING "FAIR HOUSING" FOR THE VILLAGE OF JAMESON, MISSOURI, DEFINES DISCRIMINATORY HOUSING PRACTICES, AND CREATES A FAIR HOUSING COMMITTEE.***

BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. - Declaration of Policy

The Village Council of the Village of Jameson hereby declares it to be the public policy of the Village of Jameson to eliminate discrimination and safeguard the right of any person to sell, purchase, lease, rent, or obtain real property without regard to race, color, religion, sex, handicap, familial status, or national origin. This ordinance shall be deemed an exercise of the police powers of the Village of Jameson for the protection of the public welfare, prosperity, health, and peace of the people of Jameson, Missouri.

SECTION 2. - Definitions

For the purpose of this ordinance the following terms, phrases, words, and their derivations shall have the meaning given herein unless the context otherwise indicates.

- a. Person shall include any individual, firm, partnership, or corporation.
- b. Aggrieved Person shall include any person who is attempting to provide housing for himself and/or his family in the Village of Jameson, Missouri.
- c. Discriminate shall mean distinctions in treatment because of race, color, religion, sex, handicap, familial status, or national origin of any person.

SECTION 3. - Discriminatory Practices

It shall be a discriminatory practice and a violation of the ordinance for any person to:

- a. Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, handicap, familial status, or national origin of any person.
- b. Discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, handicap, familial status, or national origin.
- c. Make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination.
- d. Represent to any person because of race, color, religion, sex, handicap, familial status, or national origin, that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

- e. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood or a person or persons of a particular race, color, religion, sex, handicap, familial status, or national origin.
- f. Discriminate in the sale or rental of housing on the basis of a handicap of that buyer or renter; a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or any person associated with that buyer or renter. The design and construction of new multi-family dwellings containing four (4) or more units is required to meet certain adaptability and accessibility requirements in accordance with Section 804 of the 1988 Fair Housing Amendments Act.
- g. Discriminate in the sale or rental of housing on the basis of familial status or because a family has children, exempting certain types of buildings that house older persons (e.g. Section 202 housing) in accordance with Section 807 of the 1988 Fair Housing Amendments Act.

SECTION 4. - Discrimination in the Financing of a House

It shall be unlawful for any bank, building and loan association, insurance company, or other corporation, association, firm, or enterprise whose business consist in whole or in part in the making of commercial real estate loans, to deny a loan to a person applying therefore for the purpose of purchasing, constructing, repairing, or maintaining a dwelling, to discriminate against any person in the fixing of the amount or conditions of such loan, because of the race, color, religion, sex, handicap, familial status, or national origin of such person, or of any person therein associated in connection with such financing.

SECTION 5. - Administration

- a. There is hereby created a Fair Housing Committee whose membership shall consist of five members, who shall be appointed by the Chairman of the Village with the approval of the Village Council.
- b. Every complaint of a violation of this ordinance shall be referred to a Fair Housing Committee. The Fair Housing Committee shall forthwith notify the person against whom the complaint is made. The identity of the aggrieved person shall be made known to the person against whom the complaint is made at that time. If the Fair Housing Committee, after investigation, finds there is no merit to the complaint, the same shall be dismissed. If the Fair Housing Committee finds that there is merit in the complaint, in their opinion, then and in that event, the Fair Housing Committee will endeavor to eliminate the alleged discriminatory practice by conference and conciliation.
- c. If the Fair Housing Committee is unable to eliminate the alleged discriminatory practice by conference and conciliation, then and in that event, the Fair Housing Committee shall forward said complaint to the Village Attorney for handling. The final determination of whether to prosecute in Municipal Court on said complaint shall be left to the Village Attorney.
- d. Nothing in this ordinance shall be construed in such manner as to limit administrative enforcement mechanisms and recourse against alleged discriminatory housing practices through the U.S. Department of Housing and Urban Development, as specified under Section 810 of the Fair Housing Act as amended effective March 12, 1989, or through the Missouri Commission on Human Rights, as specified in applicable state statutes.

SECTION 6. - Enforcement

- a. Any person convicted in Municipal Court of a violation of this ordinance shall be punished by a fine of (not more than) \$100, or by confinement in the Village jail for (not more than) 3 days, or both such fine and imprisonment.
- b. The Village Attorney, instead of filing a complaint in Municipal Court of said Village, may, as an alternative remedy, seek to have the alleged discriminatory practices abated by an action for an injunction to be maintained in the appropriate Circuit Court of the State of Missouri.

SECTION 7. - Severability

If any section, subsection, paragraph, sentence, clause, or phrase of these standards shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance which shall continue in full force and effect. The this end, the provisions of this ordinance are hereby declared to be severable.

SECTION 8. - Savings Clause

This ordinance shall not affect violations of any other ordinance, code, or regulation of the Village of Jameson existing prior to the effective date hereof. Any such violations shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes, or regulations in effect at the time the violation was committed.

ANNEXATION BY PWSD #2

AN ORDINANCE AUTHORIZING THE ANNEXATION OF THE VILLAGE OF JAMESON, MISSOURI BY DAVIESS COUNTY PUBLIC WATER SUPPLY DISTRICT NUMBER TWO AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH DAVIESS COUNTY PUBLIC WATER SUPPLY DISTRICT NUMBER TWO WHICH PROVIDES FOR THE TERMS AND CONDITIONS OF SAID ANNEXATION AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF TRUSTEES AND CLERK OF THE VILLAGE OF JAMESON TO EXECUTE THE SAME BY AND ON BEHALF OF SAID VILLAGE.

BE IT ORDAINED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS, TO WIT:

Section 1. That the Board of Trustees hereby authorizes the annexation of the Village limits by Daviess County Public Water Supply District No. 2 under the authority granted pursuant to Section 247.030(1) RSMo. and authorizes the chairman of the Board of Trustees to execute such documents required to bring about such annexation to include but not limited to an entry of appearance and a consent judgment in the declaratory judgment action required by Section 247.040(1) RSMo. to finalize the annexation.

Section 2. That the proposed Intergovernmental Agreement be entered into by and between the Village of Jameson, Missouri, and Daviess County Public Water Supply District No. 2, a copy of which is attached hereto and made a part hereof, being labeled as Exhibit A, is hereby approved.

Section 3. The Chairman of the Board of Trustees and Clerk of the Village of Jameson, Missouri, are hereby authorized and directed to execute said Intergovernmental Agreement and all documents provided for therein by and on behalf of the Village of Jameson, Missouri.

Section 4. This Ordinance shall be in full force and effect immediately from and after its passage and approval.

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ORDINANCE #2012-06

Passed Apr 19, 2012; Amended Oct 18, 2012; Oct 24, 2013; Sep 18, 2014; May 21, 2105;
Aug 20, 2015; Nov 17, 2016; Apr 20, 2017; Sep 21, 2017; Apr 12, 2018; Oct 18, 2018

SCHEDULE OF FEES, FINES, TAXES, RECURRING COSTS AND PAYMENTS

AN ORDINANCE setting forth a schedule of fees, fines, and recurring costs and payments prescribed by the board, and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI AS FOLLOWS:

SECTION 1. AUTHORIZATION B SUBJECT TO CHANGE

1. Fees, fines, costs, and recurring payments authorized by law or ordinance and prescribed by the board shall be listed herein, and may be changed from time to time in accordance with law and as the board shall determine by amendment to this ordinance.
2. This ordinance shall be known as the Aschedule of fees.@

SECTION 2. SCHEDULE OF FEES

FEES

<u>Charge for/Purpose</u>	<u>Fee</u>	<u>Authoriz.</u>
Abatement of ordinance violation/nuisance.....	Varies	2011-03
Animal Control (dog):.....		2011-04
Pickup, transport, admin, impound	Varies by location of holding	
Holding	Varies by location of holding	
Voluntary release		
Business Exemption from limit on inoperable/unlicensed vehicles	\$10 per year	2011-06
Check charge for returned check/insufficient funds	\$25 per check	2011-03,2011-07
Late charge for delinquent bill	10% of bill per month	2011-03
Copies, standard.....	10 cents/ page+17 cents/minute employee search/copy time	2011-03
Copies, certified	50 cents/page + 17 cents/minute employee search/copy time	2011-03
Park reservation fee for specified facilities.....	\$0	2012-01
Sewer Fees:		2011-07
New service hookup (<i>with existing connection</i>)	\$35	
New service hookup (<i>without existing connection</i>)	\$125	
Street repair/gravel.....	\$250	
Service monthly, <=1,000 gallons water usage	\$28	
Service monthly, each 1,000 gallons water usage over 1,000 gallons	\$8	
Security deposit before service begins	\$100	
Late charge for delinquent bill:		
If not paid by 16 th of the month.....	10% of bill	
If not paid by the 25 th of the month.....	additional \$2.50	
Shutoff and capping fee	\$50	
Disconnect fee when disconnected for delinquency	\$250	

TAXES & TAX RATES

<u>Purpose</u>	<u>Amount</u>	<u>Authoriz.</u>
License Tax, Electricity Franchise.....	Quarterly 5% of gross receipts	115
Property Tax Rate 2018	0.5000 General Fund; 0.2056 Temp Gen Rev 0.7056	RSMo 80.090 (27); State Certification

FINES AND COURT COSTS

<u>Purpose</u>	<u>Fine/Cost</u>	<u>Authoriz.</u>
Fine (in 12 mo, incl. court costs), up to #1 \$200, #2 \$275, #3 \$350, #4+ \$450		2011-03
Court Costs (Clerk, Court Automation, Crime Victims, POST).....	\$30.50	2011-02

RECURRING COSTS AND PAYMENTS

<u>Paid to/Purpose</u>	<u>Amount</u>	<u>Authoriz.</u>
Employees:		2011-09

General Fund

Village Clerk, part time.....	\$275 per month
Hourly work as required.....	\$7.85 per hour

Road Fund

Snow removal, part time	\$10 per hour
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Sewer Fund

Sewer Operator, part time	\$550 per month
Sewer Clerk, part time.....	\$275 per month
Hourly work as required.....	\$7.85 per hour

Other:

Expense reimbursement	per actual bill as approved	2012-03, 2011-09
Mileage reimbursements55 cents per mile as approved	2012-03, 2011-09
STCB/Muni Court Clerk, Prosecuting Attorney, expenses.....	\$33.25 month	2011-01, Agrmt
Village Board Member/Chair stipend for serving in office....	\$5 per mtg attended	2012-03

SECTION 3. GENERAL PROVISIONS

The provisions set forth in the General Provisions Ordinance shall apply to the interpretation, implementation and enforcement of this ordinance.

AUTHORIZATION TO SIGN WATERWORKS WAIVER AND CONSENT

AN ORDINANCE authorizing the Chair of the Jameson Board of Trustees to sign the Waiver and Consent Regarding the Waterworks System of the Village of Jameson, Missouri, agreeing with the USDA, to allow the Village and the Public Water Supply District #2 of Daviess County to proceed with the design, construction and financing of a new waterworks system by the District to serve the Village, and to do all acts necessary to carry out the terms of the agreement; and related matters.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF JAMESON, MISSOURI, AS FOLLOWS:

SECTION 1. The Chair of the Jameson Board of Trustees is hereby authorized to sign the Waiver and Consent Regarding the Waterworks System of the Village of Jameson, Missouri, agreeing with the USDA, to allow the Village and the Public Water Supply District #2 of Daviess County to proceed with the design, construction and financing of a new waterworks system by the District to serve the Village, and to do all acts necessary to carry out the terms of the agreement.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 4. If any section, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance, and each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, sentences, clauses, or phrases be declared unconstitutional.