

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING CHAPTER 245: SECTION 245.060 PARKS ADVERTISING; OF THE CITY CODE FOR VARIOUS PURPOSES AS SET FORTH.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI AS FOLLOWS:

Section 1. Within the City Code there are hereby enacted new Sections with material repealed and replacing set forth below with new material set out in **RED** and deleted material struck as follows:

Section 245.060. Park Advertising.

Event Advertising And Signage. Only banners and signs for permitted events shall be allowed within the City's parks or on City property and must be approved by the Parks and Recreation Department. Approval shall be done through the park use application for permit process.

1. Banners and signs for permitted events shall only be temporary in use and not permanently constructed, installed or built on City property.
2. **Event** Applicant agrees to comply with all City codes, applicable laws and regulations.
3. The City reserves the right to edit advertising for content. All advertising shall be approved by the Parks and Recreation Department.

B. *Park Advertising.* The City's advertising program will allow businesses various opportunities to advertise at either Osage Beach City Park or Peanick Park.

1. *Terms of agreement.*
 - a. Businesses shall contract with the City for advertising space and will be reserved on a first-come, first-**served** basis and shall be subject to the terms of the contract.
 - b. Minimum term of advertising shall be for at least one (1) year and shall include first right of refusal or opportunity to enter into a new contract.
 - c. Rates are non-exclusive, allowing competing products or services to purchase advertising.
 - d. Rates are due and payable upon receipt of invoice by the City. Annual fees are due **at the beginning** of each calendar year.
 - e. If the City has, or will acquire, naming rights to a city facility, such naming rights may impact the ability of a competitive advertiser in that City facility and/or in the areas associated directly with that facility.
 - f. Advertising contracts shall be based on available advertising space, advertising product, ad copy and graphics.
 - g. The City reserves the right to edit advertising for content. All advertising shall be approved by the Parks and Recreation Department.
 - h. The City Administrator or his/her designee shall have the authority to enter into a one (1) year advertising contract pursuant to the terms and conditions set out in this

Code.

This Section shall not obligate or compel the City Administrator to execute any contract.

2. Rates. The City will charge advertising at an annual rate. ~~Exhibit A contains annual pricing information and will be kept on file by City staff as authorized by City Administrator.~~ The City Administrator or his or her designee reserves the right to adjust annual ~~may set or adjust~~ rates and/or program details at the beginning of each calendar year at the discretion of the City Administrator or his/her designee as set by policy.

Section 2. Severability

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or degree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 3. Repeal of Ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 4. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: March 20, 2025 READ SECOND TIME: April 3, 2025

I hereby certify that Ordinance No. 25.70 was duly passed on April 3, 2025, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 6 Nays: 0 Abstentions: 0 Absent: 0

This Ordinance is hereby transmitted to the Mayor for his signature.

April 3, 2025
Date

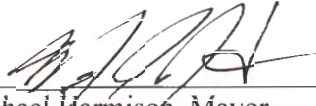
Tara Berreth
Tara Berreth, City Clerk

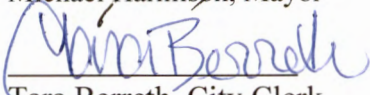
Approved as to form:

Cole Bradbury
Cole Bradbury, City Attorney

I hereby approve Ordinance No.25.20.

April 3, 2025
Date



Michael Harmison, Mayor


Tara Berreth, City Clerk