

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SECTION 510.030 OF THE CITY ORDINANCES, TO CREATE PROCEDURES FOR ACCEPTING STREETS INTO THE CITY PUBLIC ROAD SYSTEM, DIRECTLY BY THE BOARD OF ALDERMEN WHEN CERTAIN CONDITIONS HAVE BEEN MET.

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

Section 1. That Section 110.300 is hereby amended with amendments as set forth below with new material set out in red to read as follows:

- A. All applications shall be submitted on forms provided by the City.
- B. All applications shall be reviewed by the Planning Commission and forwarded to the Board of Aldermen with their recommendations.
- C. **Exceptions: Roads considered for acceptance into city inventory are not required to go through the Planning Commission for approval and may be brought directly to the Board of Aldermen for approval when all the following conditions are met:**
 - i. **The road meets city design guidelines standards, or the Board of Aldermen has previously waived application to city design guideline standards for the road in question,**
 - ii. **The road has been previously created in a plat recorded with the Recorder of Deeds for either Camden or Miller County,**
 - iii. **The construction improvements have previously been approved by the Board of Aldermen.**
- D. The Board of Aldermen shall direct the City Clerk to schedule a public hearing for the purpose of receiving comments concerning the application.
- E. After consideration of the comments and documentation received during the public hearing, the Board of Aldermen may approve the application if they are of the opinion, it is in the best interest of the city.

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: November 18, 2021 READ SECOND TIME: December 2, 2021

I hereby certify that Ordinance No.21.77 was duly passed on December 2, 2021 by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 5

Nays: 0

Abstentions: 0

Absent: 0

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

12.2.21

Date



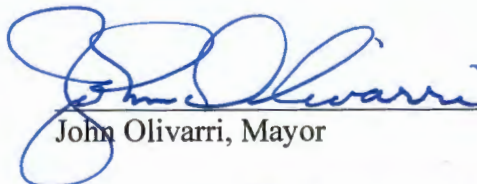
Tara Berreth, City Clerk

Approved as to form:



Edward B. Rucker, City Attorney

I hereby approve Ordinance No.21.77.



John Olivarri, Mayor

12.2.21

Date



Tara Berreth, City Clerk