

ORDINANCE NO. 216

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE VILLAGE OF WARDSVILLE, MISSOURI; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE OF ORDINANCES; PROVIDING PENALTY FOR THE VIOLATION THEREOF; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

Be it ordained by the Board of Trustees of the Village of Wardsville as follows:

Section 1. That the code of ordinances, consisting of Titles I, Government Code; Title II, Public Health, Safety And Welfare; Title III, Traffic Code; Title IV, Land Use; Title V, Building And Construction; Title VI, Business And Occupation; each inclusive, is hereby adopted and enacted as the "Code of Ordinances of the Village of Wardsville"; which shall supersede all other general and permanent ordinances of the Village passed on or before September 30, 2014, to the extent provided in Section 3 hereof.

Section 2. That all provisions of such code shall be in full force and effect from and after the effective date of this ordinance as set forth herein.

Section 3. That all ordinances of a general and permanent nature of the Village adopted on final passage on or before September 30, 2014, and not included in such Code or recognized and continued in force by reference therein, are hereby repealed from and after the effective date of this ordinance, except those which may be specifically excepted by separate ordinance, and except the following which are hereby continued in full force and effect, unless specifically repealed by separate ordinance:

- a. Ordinances promising or guaranteeing the payment of money for the Village, or authorizing the issuance of any bonds or notes of the Village or any other evidence of the Village's indebtedness, or authorizing any contract or obligation assumed by the Village;
- b. Ordinances levying taxes or making special assessments;
- c. Ordinances appropriating funds or establishing salaries and compensation, and providing for expenses;
- d. Ordinances granting franchises or rights to any person, firm or corporation;
- e. Ordinances relating to the dedication, opening, closing, naming, establishment of grades, improvement, altering, paving, widening or vacating of streets, alleys, sidewalks or public places;
- f. Ordinances authorizing or relating to particular public improvements;

- g. Ordinances respecting the conveyances or acceptance of real property or easements in real property;
- h. Ordinances dedicating, accepting, or vacating any plat or subdivision in the Village or any part thereof, or providing regulations for the same;
- i. Ordinances annexing property to the Village;
- j. Ordinances zoning specific property, authorizing special use permits and establishing conditions on the use of specific properties;
- k. Ordinances dedicating, accepting, or vacating any plat or subdivision in the Village or any part thereof, or providing regulations for the same;
- l. Zoning ordinances not previously repealed and not contained in this code.

That the repeal provided for in this Section shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance.

That the repeal provided for in this Section shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance, nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to such date.

Section 4. That any and all additions and amendments to such Code when passed in such form as to indicate the intention of the Board of Trustees to make the same a part thereof shall be deemed to be incorporated in such Code so that reference to the "Code of Ordinances of the Village of Wardsville", shall be understood and intended to include such additions and amendments.

Section 5.

a. Whenever in this Code or any other ordinance of the Village, or in any rule, regulation, notice or order promulgated by any officer or agency of the Village under authority duly vested in him or it, any act is prohibited or is declared to be unlawful or an offense or misdemeanor or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, and no specific penalty is provided for the violation thereof, upon conviction of a violation of any such provision of this Code or of any such ordinance, rule, regulation, notice or order, the violator shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the County jail not exceeding ninety (90) days or by both such fine and imprisonment; provided, that in any case wherein the penalty for an offense is fixed by a Statute of the State, the statutory penalty, and no other, shall be imposed for such offense. Other specific penalties for individual offenses and violations are set forth herein, and shall apply over these general punishment guidelines.

b. Every day any violation of this Code or any other ordinance or any such rule, regulation, notice or order shall continue shall constitute a separate offense.

c. Whenever any act is prohibited by this Code, by an amendment thereof, or by any rule or regulation adopted thereunder, such prohibition shall extend to and include the causing, securing, aiding, or abetting of another person to do said act. Whenever any act is prohibited by this Code, an attempt to do the act is likewise prohibited.

Section 6. That in case of the amendment by the Board of Trustees of any Section of such Code for which a penalty is not provided, the general penalty as provided in Section 5. of this ordinance shall apply to the Section as amended; or in case such amendment contains provisions for which a penalty other than the aforementioned general penalty, is provided in another Section in the same Chapter, the penalty so provided in such other Section shall be held to relate to the Section so amended, unless such penalty is specifically repealed therein.

Section 7. That a copy of such Code shall be kept on file in the office of the Village Clerk, preserved in electronic form or in such other form as the Village Clerk may consider most expedient. It shall be the express duty of the Village Clerk, or someone authorized by said officer, to insert in their designated places all amendments and all ordinances or resolutions which indicate the intention of the Board of Trustees to make the same part of such Code when the same have been printed or reprinted in page form, and to extract from such Code all provisions which from time to time may be repealed by the Board of Trustees. This copy of such Code shall be available for all persons desiring to examine the same.

Section 8. That it shall be unlawful for any person to change or alter by additions or deletions, any part or portion of such Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Village of Wardsville to be misrepresented thereby. Any person violating this Section shall be punished as provided in Section 5. of this ordinance.

Section 9. It is hereby declared to be the intention of the Board of Trustees that the sections, paragraphs, sentences, clauses and phrases of this ordinance and the Code hereby adopted are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance or the Code hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance or the Code hereby adopted.

Section 10. This ordinance and the Code adopted hereby, shall become effective October 1, 2014.

FIRST READING by the Board of Trustees of the Village of Wardsville, this
_____ day of _____, 2014.

SECOND READING & FINAL PASSAGE by the Board of Trustees of the Village of
Wardsville this _____ day of _____, 2014.

Chairman of the Village of Wardsville

ATTEST:

Village Clerk