

City of Tipton
City Council Agenda
Mon., May 3, 2021 6 p.m. * City Hall*

Roll Call

Corey ten Bensel, Co-Mo Connect – Water & wastewater EDA project regarding the virtual industrial park and headquarters

Unfinished Business

1. Approve the Minutes of the Open & Closed Meetings held April 12, 2021
2. Department Review
 - A. Public Works
 1. Yard Waste in Right of Ways
 2. Horseshoe Pits
 3. Water System Inspection Report
 - B. Police – Code Enforcement Report
 - C. Administration
 1. American Rescue Plan
 2. Public Wi-Fi at Park

Any Other Unfinished Business

New Business

1. Bill 21-02, Business License
2. Bill 21-03, Park Hours
3. Bill 21-04, Mobile Homes, Modular Homes and RV Regulations

Any Other New Business

Accounts Payable

Adjourn

Posted at City Hall on April 28, 2021 at 10 a.m.

AN ORDINANCE TO AMEND SECTION 605 OF THE CITY CODE REGARDING BUSINESS AND OCCUPATIONAL LICENSES IN THE CITY OF TIPTON, MISSOURI.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Aldermen of the City of Tipton, Missouri as follows:

Section 1. Amend Section 605.020, Application of Regulations, to include the following:

- A. The City Clerk shall establish an application to be completed by the prospective licensee; said application shall include, at a minimum, the following information:
 1. The nature of the enterprise;
 2. Each address at which business will be conducted;
 3. Type of business ownership (individual, partnership, corporation, LLC);
 4. Name of each owner, partner, or corporate officer;
 5. Missouri State sales tax number and copy of the sales tax license;
 6. A statement stating the applicant is current on obligations due to the City of Tipton, including taxes of any kind;
 7. A contractor is required to provide proof of workmen's compensation insurance as defined under the MO Worker's Compensation Statutes.
- B. If the applicant is not compliant with the compliance set forth above, or is unable to provide proof of such compliance the license will not be issued or renewed.
- C. A for-profit organizer of a festival or trade show shall obtain a license for such event, which shall cost twenty-five dollars (\$25) per one event, unless otherwise exempt. The organizer shall be responsible for and pay a business license fee of five dollars (\$5) for each individual vendor at such event (unless vendor already has a city license). The organizer will be responsible for and pay the vendor fees due to the City within forty-eight (48) business hours after commencement of the event. The organizer will notify the City Clerk of the pending event upon advertisement or announcement of such event or within twenty-one (21) days of the event, whichever comes first.
- D. Craft vendors will be required to meet the requirements of this Section in the event said vendor participates in, organizes, or sells at three non-exempt events in a calendar year.
- E. The operator of an enclosed antique mall must meet the qualifications of this section; individual stall or floor vendors are not required to meet the requirements.

Section 2. Amend Section 605.050, Exceptions to Chapter Provisions

- A. The exemption stating no person whose business' gross income is seven thousand five hundred dollars (\$7,500) or less per calendar year shall be removed.
- B. No license shall be required if the business is owned and operated by someone under the age of eighteen (18) years.
- C. Festivals, fundraisers and like events sponsored by and advertised as an activity substantially benefitting a not-for-profit 501c3, a school, or community-wide fundraiser or benefit will be exempt from business license requirements.

Section 3. Taxes & Obligations to Be Paid in Connection with City Occupation Licenses

- A. The City shall require any business where goods are sold at retail, prior to issuance of or renewal of any City license required for conducting business, to provide a statement from the

Missouri Department of Revenue showing the applicant has no tax due under Sections 143.191 to 143.265, RSMo., or Sections 144.010 to 144.510, RSMo.

- B. The City, through its duly authorized employees, may receive and/or perform the inspection or audit of the records of the State of Missouri pertaining to the requirement that all retail merchants be current in the payment of sales and use tax before obtaining or renewing a business license. The authorized employee shall comply with Sections 144.121, 114.122 and 32.057 RSMo. relating to the strict confidentiality of all records of the Missouri Department of Revenue. Misuse of information obtained by the employee, or access of the records for any proper purpose, shall be grounds for disciplinary action, including termination.
- C. The Mayor is hereby authorized and directed to execute any document required by the Missouri Department of Revenue relating to the City's request for information of local license issuance and renewal and no tax due. Further, the Mayor and Board are authorized to designate an individual(s) to receive or request the information from the Missouri Department of Revenue.

Section 4. Procedure for License Renewal

The City Clerk's office shall notify the holder of any license issued under this Article of the date of expiration of such license by giving notice thereof in person or by mail thirty (30) days after the date of expiration of the license; provided that the failure of the City Clerk to so notify such holder of a license shall not excuse any licensee for failure to make a timely renewal of such license. The city Clerk may defer the issuance of a license to a merchant or business and refer the application to the City Marshal for investigation if the Clerk believes that issuance of the license would violate this Article or any other City ordinances, and the Clerk shall not issue a license if the issuance thereof would constitute a violation. No license required under the provisions of this Article shall be issued by the City Clerk to any person until all personal and real estate taxes, merchant's or manufacturer's ad valorem taxes, licenses or permit fees due and unpaid and all penalties thereon and any other financial obligations due from the person to the City have been paid. The applicant must include the sales tax license number issued by the State of Missouri and a tax clearance letter from the Missouri Department of Revenue as evidence that the debts have been satisfied. All licenses shall be due and shall renew annually on January 1 of each year.

Section 5. This Ordinance shall be in full force and effect from and after its passage.

Read two (2) times and passed this ____ day of _____.

Yeas:

Nays:

Joe Lutz, Mayor

ATTEST:

Jennifer Schmidt, City Clerk

**AN ORDINANCE TO ESTABLISH CITY PARK HOURS AND THE EFFECTIVE DATE
HEREOF.**

NOW, THEREFORE, BE IT ORDAINED, by the Board of Aldermen of the City of Tipton,
Missouri as follows:

Section 1. Park Hours

- A. The Tipton Park shall be closed to public use between the hours of 11 p.m. to 5 a.m. daily, unless otherwise posted.
- B. The Mayor or his/her assignee may issue permits for individuals or groups to use the park grounds during the hours listed as close.

Section 2. Any person in violation of these provisions shall be guilty of trespass of the first degree.

Section 3. This Ordinance shall be in full force and effect from and after its passage.

Read two (2) times and passed this ____ day of _____.

Yeas:

Nays:

Joe Lutz, Mayor

ATTEST:

Jennifer Schmidt, City Clerk

AN ORDINANCE OF THE CITY OF TIPTON, MISSOURI TO REPEAL ORDINANCE 94-03 REGARDING MOBILE HOME REGULATIONS, AND ESTABLISHING NEW DEFINITIONS AND REGULATIONS FOR MANUFACTURED HOMES, MODULAR HOMES, CAMPERS AND RECREATIONAL VEHICLES, STANDARDS AND PLACEMENTS OF SUCH.

NOW, THEREFORE BE IT ORDAINED by the Board of Aldermen of the City of Tipton, Missouri as follows:

Section 1. Definitions

- A. **Manufactured Home** – A factory-built structure built on a permanent chassis, built to the Manufactured Home Construction & Safety Standards (HUD Code) and displays a red certification label on the exterior of each transportable section. In the traveling mode, is 8 feet or more in width, or 40 feet or more in length, or when erected on site contains 325 or more square feet, equipped with necessary dwelling service connections for a household.
- B. **Modular Home** – A dwelling intended for, constructed for, and used entirely for residential purposes as a site-built home. A site-built home does not have a permanent chassis.
- C. **Camper (also known as a travel trailer)** – A factory built structure which, in the traveling mode, has dimensions less than that of a manufactured home, is designed for human occupation and is capable of movement by being pulled behind a motor vehicle.
- D. **Recreational Vehicle** – Any motor vehicle equipped with living space and amenities found in a home.
- E. **Mobile Home Park** – Any parcel of land consisting of two (2) or more acres upon which two (2) or more manufactured homes, occupied for dwelling or sleeping purposes are located, regardless of whether or not a charge is made for such accommodation.
- F. **RV Park** - Any parcel of land in which two or more campsites are designated primarily for temporary occupancy by recreational vehicles for travel, recreational or vacation uses. Such parks shall be construed to include those parks having sites for tent camping as well as for RV campers. Also referred to as “campground”.

Section 2. Construction Standards

- A. **Manufactured Home** - A manufactured home must meet the following minimum standards:
 - 1. The structure must have siding material consisting of wood or wood products, stucco, brick, rock, horizontal lap steel, aluminum or vinyl.
 - 2. Roofing material must consist of composition asphalt shingles, fiberglass shingles, wood shakes, metal, baked tiles or crushed rock.
 - 3. Roof area must have a projecting eave with an overhand of at least one (1) foot measured from the vertical side of the home. When attached carports, garages, porches or similar structures are integral part of the home, this overhang or projecting eave requirement may be waived (when the necessary structure is attached to the home). All roof structures must have an eave projection.
 - 4. The structure must have proper guttering attached.
 - 5. The structure must have skirting attached made of at least five-sixteenths (5/16) inch thick cement fiber board or at least one and one-half (1.5) inch thick foam backed vinyl.
 - 6. The structure may not be built onto, or be attached to any other structure.
 - 7. The manufactured home must not be more than ten (10) years old.

B. Modular Home - must meet the following minimum standards:

1. The structure must have a gable or hip roof pitch of no less than three (3) inches of vertical rise to every twelve (12) inches of horizontal run.
2. The structure must have had all axles, running gears, lights and towing apparatus permanently removed.
3. The structure must have siding material consisting of wood or wood products, stucco, brick, rock, horizontal lap steel, aluminum or vinyl.
4. Roofing material must consist of composition asphalt shingles, fiberglass shingles, wood shakes, baked tiles or crushed rock.
5. Roof area must have a projecting eave with an overhang of at least one (1) foot measured from the vertical side of the modular home. When attached carports, garages, porches or similar structures are integral part of the home, this overhang or projecting eave requirement may be waived (when the necessary structure is attached to the home). All roof structures must have an eave projection.
6. The structure must have proper guttering attached.
7. The structure may not be built onto.
8. The modular home must not be more than ten (10) years old.

Section 3. Location

- A. Manufactured homes which meet the requirements, are hereby prohibited from being parked or installed on any parcel of real estate situated within the City, except in a Mobile Home Park.
- B. Modular Homes may be located or permanently placed on a residential lot as long as the requirements set forth below are met:
 1. Occupied as a single-family dwelling,
 2. Be placed in accordance with any setback requirements existing in the City,
 3. Only one (1) modular home may be located on any one (1) residential lot.
 4. The modular home shall be attached to a permanent perimeter foundation, which must be properly enclosed. The foundation must meet all manufacturer's specifications for support with a vapor barrier in place. The owner of the modular home shall be responsible for notifying the Building Inspector of the construction of the foundation and the Building Inspector provided opportunity to inspect the foundation in advance of placement of the modular home thereon. The foundation material shall consist of continuous concrete, brick flagstone, poured concrete or masonry suitable for the outer portion of a finished residence. The foundation and façade shall have permanently installed venting; deletion or omission of venting is not allowed. Minimum crawl space shall be eighteen (18) inches under the entire modular home.
 5. The modular home shall have permanent steps set at all entrances to the home.

Section 4. Non-Conformity

- A. All existing occupied manufactured homes located on an individual lot shall be permitted to remain in place so long as occupied, but provided that it may not be replaced unless made to conform to the requirements set forth.
- B. Any such existing manufactured home shall be removed when unoccupied for a period in excess of 120 days, including when the structure is uninhabitable due to fire, wind, or other casualty. The owner of such real estate parcel shall replace it with a structure of at least equal square footage or the original home.

Section 5. Campers and RV's

- A. A camper or RV shall not be occupied as a permanent or temporary residence within the City unless permission is received from the Board of Aldermen when the property owner is building a new home within the Tipton city limits. Requirements for permit of temporary residence in a camper or RV include the following:
 - 1. The property owner has a plan showing the timeline progression stages with a projected completion date from start to finish, not to exceed six (6) months.
 - 2. The camper or RV may not be occupied prior to fourteen (14) days before the construction start date.
- B. A camper or RV may be stored on a personal residence provided the following criteria are met:
 - 1. The camper or RV owner and property owner are the same person.
 - 2. There is no visible rust, stains, weather checked tires or partially attached molding.
 - 3. Only one (1) camper or RV may be stored by an owner and only one (1) may be stored on any lot, parcel or property.
 - 4. Campers and RV's shall be kept weed and grass free.
 - 5. No utilities shall be hard wired to the camper or RV.
- C. Transient Employees – An employee who is performing job duties, while away from his/her permanent residence may reside in a camper or RV for a period not to exceed six (6) months; such camper and RV may be parked in a mobile home park.
- D. RV parks are not permitted within the Tipton city limits.

Section 5. Zoning

The Board of Aldermen shall act as the Zoning Commission and shall appoint a five (5) member Board of Adjustment as set forth in RSMo. 89.

Section 6. Penalty

Any person, firm or corporation violating any of the terms of this Ordinance shall be deemed guilty of a misdemeanor and shall be fined not more than five hundred dollars (\$500).

Section 7. Effective Date

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

Read two times and passed this _____ day of _____.

Yeas:

Nays:

Joe Lutz, Mayor

Attest:

Jennifer Schmidt, City Clerk