

2024 ADOPTING ORDINANCE

BILL NO. 1394

ORDINANCE NO. 1357

An ordinance adopting and enacting a new Code of Ordinances of the City of Troy; 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 Aldermen of the City of Troy as follows:

Section 1. That pursuant to Section 71.943 of the Revised Statutes of Missouri, the codification of ordinances, as set out in Titles I through VII, each inclusive, of the “Code of Ordinances of the City of Troy” is hereby adopted and enacted as the “Code of Ordinances of the City of Troy”; which shall supersede all other general and permanent ordinances of the City passed on or before December 18, 2023, 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 City adopted on final passage on or before December 18, 2023, and not included in such Code or recognized and continued in force by reference therein, are hereby repealed from and after the effective date of this ordinance, except those which may be specifically excepted by separate ordinance, and except the following which are hereby continued in full force and effect, unless specifically repealed by separate ordinance: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 City, or authorizing the issuance of any bonds or notes of the City or any other evidence of the City’s indebtedness, or authorizing any contract or obligation assumed by the City;
- 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 City or any part thereof, or providing regulations for the same;

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- i. Ordinances annexing property to the City;
- j. All zoning and subdivision ordinances not specifically repealed and not included herein;
- k. Ordinances establishing TIF districts or redevelopment districts;
- l. Ordinances relating to traffic schedules (i.e. stop signs, parking limits, etc.);
- m. All ordinances relating to personnel regulations (i.e. pensions, retirement, job descriptions and insurance, etc.);
- n. Ordinances authorizing the establishment of industrial development corporations;
- o. Ordinances establishing tax rates for the City.

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 Aldermen 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 City of Troy" shall be understood and intended to include such additions and amendments.

Section 5.

- a. Whenever in this Code or in any ordinance or resolution of the City any act is prohibited or is made or declared to be unlawful or an offense, or whenever in such Code, ordinance or resolution the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor and where no penalty for such offense is fixed by Statute, the violation of any such provision of this Code or any ordinance or resolution shall constitute a misdemeanor and shall be punished by a fine of not less than one dollar (\$1.00) and not more than five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days or both, recoverable with costs of suit. Each day any violation of any provision of this Code or of any such ordinance or resolution shall continue shall constitute a separate offense.
- b. In addition to the penalty hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of this Code or any such ordinance or resolution shall be deemed a misdemeanor and may be, by the City, abated as provided by law, and each day that such condition continues shall be regarded as a new and separate offense.
- c. Any Section in the Code which authorizes the imposition of a lesser penalty shall not be amended by this Section but shall be and remain the same.

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- d. In any case where any ordinance or section of this Code shall not provide a greater penalty for a second or subsequent conviction for a violation thereof, any person violating the same who shall previously have been convicted of a violation hereof shall be subject to a fine of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) for each offense and imprisonment not exceeding three (3) months or both such fine and imprisonment.
- e. When imprisonment is ordered, it may be served in the County Jail as the Municipal Judge may direct. Whenever any punishment provided by this Code or other ordinance shall exceed that provided for the same offense by State law, the punishment Section of such ordinance or Code Section shall be void in so far as its punishment exceeds the State limits, and the maximum punishment provided by State law shall be imposed hereby.

Section 6. That in case of the amendment by the Board of Aldermen 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 City Clerk, preserved in looseleaf form or in such other form as the City Clerk may consider most expedient. It shall be the express duty of the City 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 Aldermen 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 Aldermen. 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 City of Troy 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 Aldermen 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 April 15, 2024.

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PASSED by the Board of Aldermen of the City of Troy this 15th day of April 2024.

APPROVED by the Mayor of the City of Troy this 15th day of April 2024.



Mayor of the City of Troy

ATTEST:



Kaitlyn Knickmeyer, Interim City Clerk

Journal of “ayes” and “nays”

First reading

Board Member	Votes	
	Aye	Nay
Gary Leifert	X	
Kay Diekemper	X	
Rachel Dunard	X	
Steve Jones	X	
David Norman	X	
Harold Horner	X	

Journal of “ayes” and “nays”

Second reading

Board Member	Votes	
	Aye	Nay
Gary Leifert	X	
Kay Diekemper	X	
Rachel Dunard	X	
Steve Jones	X	
David Norman	X	
Harold Horner	X	