

BILL NO.	<b>24-08</b>	FIRST READING	<b>04-16-2024</b>
INTRODUCED BY	<b>Ogilvie</b>	SECOND READING	<b>06-04-2024</b>
ORDINANCE NO.	<b>24-08</b>	PASSED	<b>06-04-2024</b>

**AN ORDINANCE AMENDING SECTION 425.070 OF THE MUNICIPAL CODE OF THE CITY OF LAKE LOTAWANA TO AMEND FENCING REQUIREMENTS IN THE LAKESIDE RESIDENTIAL ZONING DISTRICT**

**WHEREAS**, the City of Lake Lotawana (“City”) desires to amend the Municipal Code of the City of Lake Lotawana (“Code”); and

**WHEREAS**, the City desires to amend the Code to allow a greater fence height within the lakeside residential zoning district.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF LAKE LOTAWANA, MISSOURI**, that:

**Section 1.**

Section 425.070.C shall be amended and read as follows:

Height. Fences shall not exceed six (6) feet in height in residential districts except where used for public utilities, public or private schools, or public or private recreation facilities. Fences in the "LR" District shall not exceed forty-eight (48) inches in height.

**Section 2.** The sections, paragraphs, sentences, clauses, and phrases of this ordinance shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this ordinance are valid, unless the court finds the valid portions of this ordinance are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

**Section 3.** This Ordinance shall be governed by and construed in accordance with the applicable laws of the State of Missouri.

**Section 4.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

**PASSED AND ADOPTED** by the Board of Aldermen of the City of Lake Lotawana, Missouri, this 4<sup>th</sup> day of June, 2024.

The aye and nay votes recorded as follows:

Neighbors -	Aye	Carlson -	Aye
Rase -	Aye	Antey -	Aye
Ogilvie -	Aye	Sanders Hall -	Absent

APPROVED this 4<sup>th</sup> day of June, 2024

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MAYOR, Tracy Rasmussen

ATTEST:

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CITY CLERK, Lauran Kurtz