

BILL NO. 17-98

ORDINANCE NO. 4989

AN ORDINANCE AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU, MISSOURI, BY EXTENDING THE MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS FOR CONSTRUCTION PROJECTS USING SHIPPING CONTAINERS AS BUILDING MATERIALS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. Section 7-28(19) of the Code of Ordinances of the City of Cape Girardeau, Missouri, relating to "Building materials", reading as follows:

(19) Section R104. *Duties and Powers of the building official.*

R104.11.2 *Moratorium.* All other provisions of this Code to the contrary notwithstanding, no building permit shall be issued for construction projects utilizing shipping containers as building materials from April 17, 2017, until July 17, 2017, except on applications received by the City on or before April 7, 2017.

is hereby repealed in its entirety, and a new Section 7-28(19) is hereby enacted in lieu there, in words and figures, to read as follows:

(19) Section R104. *Duties and Powers of the building official.*

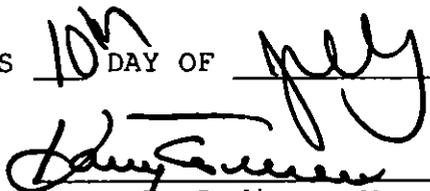
R104.11.2 *Moratorium.* All other provisions of this Code to the contrary notwithstanding, no building permit shall be issued for construction projects utilizing shipping containers as building materials until October 14, 2017, except on applications received by the City on or before April 7, 2017.

ARTICLE 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

ARTICLE 3. The City Council intends to consider an ordinance to further regulate construction projects using shipping containers in building materials. The Council determines that such action is necessary to preserve the public peace, property, health, safety and morals. The Council further determines that while the imposition of further building regulations are under consideration it is highly probable that numerous applications for building permits will be filed using shipping containers as building materials. Accordingly, it is hereby declared an emergency exists as provided for in Section 3.15 of the City Charter for the City of Cape Girardeau, Missouri, in that the immediate preservation of the public peace, property, health, safety and morals requires that an extension be placed on the moratorium on the issuance of building permits for construction projects using shipping containers as building materials until October 14, 2017.

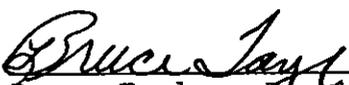
ARTICLE 4. Pursuant to Section 3.15(c) of the Charter of the City of Cape Girardeau, Missouri, this measure is adopted as an emergency measure because it constitutes a Bill concerning the immediate preservation of public peace, property, health, safety or morals. Accordingly, this ordinance will take effect immediately upon its passage and approval.

PASSED AND APPROVED THIS 10th DAY OF July, 2017.



Harry E. Rediger, Mayor

ATTEST:



Bruce Taylor, Deputy City Clerk

