

ORDINANCE NO. 11313

AN ORDINANCE AMENDING CHAPTER 30, "UNIFIED DEVELOPMENT ORDINANCE", OF THE
CODE OF THE CITY OF LIBERTY, CLAY COUNTY, MISSOURI

BE IT ORDAINED by the City Council of the City of Liberty, Missouri as follows:

SECTION I

That Section 30-78.3. – Height and Area Exceptions, of the City Code of the City of Liberty, Missouri is hereby amended as follows:

Replace:

Sec. 30-78.3. - Required yard exceptions.

1. For residential districts R-1A through MU inclusive, porches, excluding fully enclosed porches, may protrude a maximum distance of eight (8) feet into the front yard setback.
2. For district RN, garages attached to a primary dwelling and accessed by a side entry may protrude a maximum distance of five (5) feet into the front yard setback for garages, as set forth in Article VII.

With the following:

Sec. 30-78.3. - Required yard exceptions.

1. For residential districts R-1A through MU inclusive, porches, excluding fully enclosed porches, may protrude a maximum distance of eight (8) feet into the front yard setback.
2. For district RN, garages attached to a primary dwelling and accessed by a side entry may protrude a maximum distance of five (5) feet into the front yard setback for garages, as set forth in Article VII.
3. For residential districts R-1A through MU inclusive, decks, excluding enclosed decks, may protrude a maximum distance of eight (8) feet into the rear yard setback and the portion encroaching into the setback may be up to 1/3 the width of the house.

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SECTION II

That Section 30-17 – Definitions of the City Code of the City of Liberty, Missouri is hereby amended as follows:

Replace:

Sec. 30-17 – Definitions.

Deck.	An open, unroofed platform that is typically made of natural or composite lumber and is attached to a house or other building.
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Porch.	A covered entrance of semi-enclosed space projecting from the facade of a building; may be open sided, screened, or glass enclosed.
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Short-term loan establishment.	An establishment which:
	a. Engages in the business of providing money to customers on a temporary basis, wherein such loans are secured by post-dated check, paycheck, or car title;
	b. Provides an extension of credit made at an annual percentage rate (as defined in accordance with federal law) in excess of forty-five (45) per cent; or
	c. Is registered as a lender under state or federal law. This classification does not include a state or federally chartered bank, savings and loan association, credit union, or mortgage broker or originator.
	This classification does not include nonprofit organizations exempt from taxes under Section 501(c)(3) of the Internal Revenue Code of 1986 as amended, nor does it include organizations certified as Community Development Financial Institutions by the U.S. Treasury. Further, this classification does not include the businesses of licensed pawnbrokers or establishments selling consumer goods, including consumables, where the loans or the cashing of checks or money orders are incidental to the main purpose of the business. This classification does include, but is not limited to, check cashing stores, payday loan stores, and car title loan businesses.

With the following:

Sec. 30-17 – Definitions.

Porch.	A covered entrance of semi-enclosed space projecting from the facade of a building; may be open sided or screened.
Deck.	A roofed or unroofed platform that is typically made of natural or composite lumber and is attached to a house or other building; may be open sided or screened.

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Short-term loan establishment.	Any establishment or business that engages in short term loan transactions as defined in Chapter 7, Sec. 7-30.
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SECTION III

That Section 30-81.1. – Accessory structures, in all districts of the City Code of the City of Liberty, Missouri is hereby amended as follows:

Replace:

Sec. 30-81.1. - Accessory structures, in all districts.

- (2) Fences, provided they are constructed of chain link, wood, wrought iron, masonry, decorative wire, or composite or synthetic materials appropriate to the general character of the neighborhood, in accordance with the following provisions:
- a. In residential districts, fences may be permitted in accordance with the following:
 - (i) Front yard: fence may not exceed four (4) feet in height and shall be uniformly open to an extent equal to but not less than fifty (50) per cent of its surface area. Prior to the installation of a front yard fence, the written consent of all abutting property owners, including directly across the street, is required;
 - (ii) Side and rear yard street side elevations: a fence adjacent to any public street shall be no greater than five (5) feet in height and must also be uniformly open or perforated;
 - (iii) Side and rear yard: Maximum height is six (6) feet; and
 - (iv) No fence shall impede vision of traffic on adjacent streets, alleys, and drives.
 - b. Fences using electrified wire, barbed wire, or razor wire are not allowed for use on residential property.
 - c. In commercial and industrial districts, fences shall be allowed in the rear and side yard only and no fence shall be more than six (6) feet in height.
 - d. There shall be no limitation on height for fences used for agricultural lots in the A, agricultural district.

With the following:

Sec. 30-81.1. - Accessory structures, in all districts.

- (2) Fences, provided they are constructed of chain link, wood, wrought iron, masonry, decorative wire, or composite or synthetic materials appropriate to the general character of the neighborhood, in accordance with the following provisions:
- a. In residential districts, fences may be permitted in accordance with the following:
 - (i) Front yard: fence may not exceed four (4) feet in height and shall be uniformly open to an extent equal to but not less than fifty (50) per cent of its surface area. Front yard fences may only be picket, wrought iron, or steel or aluminum designed to mimic the look and function of wrought iron;

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- (ii) Side yard street side elevations: a fence adjacent to any public street shall be no greater than five (5) feet in height and must also be uniformly open or perforated to an extent equal to but not less than fifty (50) per cent of its surface area;
 - (iii) Side and rear yard: Maximum height is six (6) feet; and
 - (iv) No fence shall impede vision of traffic on adjacent streets, alleys, and drives.
- b. Fences using electrified wire, barbed wire, or razor wire are not allowed for use on residential property.
 - c. In commercial and industrial districts, fences shall be allowed in the rear and side yard only and no fence shall be more than six (6) feet in height.
 - d. There shall be no limitation on height for fences used for agricultural lots in the A, agricultural district.

SECTION IV

The City Council finds and declares that, prior to any action on the amendment herein described, all requirements pertaining to notices and hearings have been fulfilled.

SECTION V

This Ordinance shall be in full force and effect from and after its passage by the City Council and approval by the Mayor.

PASSED by the City Council this 9 day of November, 2020.

MAYOR

ATTEST:

DEPUTY CITY CLERK

APPROVED by the Mayor this 9 day of November, 2020.

MAYOR