

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE, CHAPTER 14, OF THE INDEPENDENCE CITY CODE PERTAINING TO DONATION BINS.

WHEREAS, the Unified Development Ordinance was approved by the City Council on June 15, 2009, by Ordinance No. 17339 and became effective on July 1, 2009; and,

WHEREAS, after its adoption, policy issues to be addressed were discovered, and it was decided to revise these items; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the request on December 12, 2023, and rendered a report to the City Council recommending the text amendment to the UDO be approved by a vote of 0-7; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on February 7, 2024, and rendered a decision to approve the changes to the Unified Development Ordinance; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the request is consistent with the review criteria in Section 14-701-01-F.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 14-422-03 of Chapter 14, Unified Development Ordinance, is hereby amended to read as follows:

14-422-03 Maximum bin area

Bins are limited to maximum height of seven feet with a maximum area of 25 square feet made of metal, steel or other durable material. Bins that exceed this maximum height or area shall be considered ~~an accessory~~ **a non-residential** building and comply with the standards of Section 14-400-~~506~~-01.

SECTION 2. That Section 14-422-10 of Chapter 14, Unified Development Ordinance, is hereby added to read as follows:

14-422-10 Enforcement

The provisions of this article shall be enforced by code enforcement personnel or their abatement contractor for donation bins found to be in violation. As there may be an immediate danger to the health, life, safety, and welfare of any person due to improper donation bins, the Code Official shall have the power to order the recovery, abatement, or collection of such dangerous condition without a notice or hearing.

SECTION 3. That Section 14-422-11 of Chapter 14, Unified Development Ordinance, is hereby added to read as follows:

14-422-11 Abatement

The Code Official shall have the authority to abate any donation bin on public or private property as allowed by law and pursuant to this article that do not comply with these regulations. The recovery of the abatement costs shall be processed as outlined in City Code Section 4.01.002(109.5.1).

SECTION 4. That all other parts and provisions of the City Code shall be in full force and effect unless previously or subsequently amended or repealed.

SECTION 5. That correction of any scriveners' errors identified within these articles are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Words struck through are being removed by this ordinance and words underscored and bolded are being added by this ordinance.