

BRIEF SUMMARY OF CODE CHANGES DURING RECODIFICATION PROJECT

Cape Girardeau, MO

Globally

- Entire code was renumbered consecutively and consistently, and a uniform style applied. Grammatical, typographical, and style errors were corrected. Chapter organization was retained, and chapters were not renumbered.
- Fees throughout the code were replaced with a reference to a separate city fee schedule to facilitate annual review and update of fees without the necessity of numerous code text changes (and related supplementation costs).
- Department names and titles of city officers and employees were corrected as necessary.
- Outdated editorial notes were removed and editorial state law references were updated as necessary.
- Forms were removed from the code and referred to as “on file” in the appropriate city office to facilitate forms update from time to time in the future.
- Definitions, penalty provisions, and severability provisions throughout the code that merely duplicated Chapter 1 provisions (applicable to the code in its entirety) were deleted.
- Obsolete provisions, requiring action within a now expired time period, were deleted.
- Short titles of chapters and article were removed as unnecessary after codification of ordinances.
- A consistent style was applied to throughout the code and chapter, article, division and section titles were corrected as necessary to facilitate improved indexing.

Charter

- Unchanged.

Chapter 1, General Provisions

- Definitions and an ordinance “saving” section, preventing code adoption from repealing certain classes of ordinances, were added. Forms are added to those categories of ordinance and ordinance attachments that are saved from repeal.
- Section was added describing method of supplementing the code.
- General penalty section was modified to conform to current state law.
- Metes and bounds descriptions of wards and ward boundaries were replaced and referred to as “on file” in the city clerk’s office.

Chapter 2, Administration

- In Art. IV, Conflicts of Interest, definitions were conformed to RSMo 105.450 et seq.
- Conflicting sections regarding residency requirement for police officers was resolved by removing "state law requires that police officers be residents of the state at the time of initial appointment as employees of the city" and substituting "police officers shall be residents of this state or an adjoining state."
- Art. VI, Housing Authority, was deleted since there is currently no city housing authority.

Chapter 3, Air Pollution

- Obsolete section regarding duties of superintendent of the defunct bureau of smoke prevention was deleted. The bureau was repealed in 1998.
- Obsolete time for compliance section is deleted.

Chapter 4, Airport

- Unchanged except for global changes detailed above, if any.

Chapter 5, Alcoholic Beverages

- Throughout this chapter, provisions were conformed to current state statutes.
- Provision regarding window display of liquor was deleted based on repeal of RSMo 311.350.
- Section regarding handling of alcohol by persons 18 or older was conformed to RSMo 311.300.
- Section regarding sales near school or churches was conformed to RSMo 311.080.

Chapter 6, Animals and Fowl

- Section regarding animal abuse was conformed to RSMo 578.012.
- Section regarding animal neglect was conformed to RSMo 578.009.

Chapter 7, Buildings

- Articles within this chapter were moved within the chapter per staff recommendations for better overall chapter organization.
- A definition of "contractors" was added delineating the various types of contractors.

Chapter 8, Reserved

Chapter 9, Cemeteries

- Unchanged except for global changes detailed above, if any.

Chapter 10, Emergency Management

- Unchanged except for global changes detailed above, if any.

Chapter 11, Fire Prevention and Protection

- Unchanged except for global changes detailed above, if any.

Chapter 12, Floodplain Management

- Unchanged except for global changes detailed above, if any.

Chapter 13, Health and Sanitation

- Provisions regarding excess and other prohibited weed growth were moved into this chapter from the solid waste chapter.
- Means of provided notice to abate and time for abatement were conformed to RSMo 67.398 in several sections, i.e., posting of property required and ten rather than seven days allowed for abatement.

Chapter 14, Housing

- Protected classes throughout the chapter were updated to conform to current state law.

Chapter 15, Licenses and Business Regulations

- Section regarding method of computation for levy of ad valorem tax on merchants was conformed to RSMo 150.040.
- Section regarding bond for merchants was deleted.
- Definitions in Art. X, Cigarettes, were conformed to RSMo 149.011 et seq.

Chapter 16, Municipal Court

- Unchanged except for global changes detailed above, if any.

Chapter 17, Offenses

- Numerous sections in this chapter were conformed to the state statutes from which they are derived.

Chapter 18, Parks and Recreation

- Unchanged except for global changes detailed above, if any.

Chapter 19, Reserved

Chapter 20, Police

- Unchanged except for global changes detailed above, if any.

Chapter 21, Reserved

Chapter 22, Solid Waste

- Provisions regarding excessive and otherwise prohibited weed growth were moved from this chapter to the health chapter.
- Provisions regarding control of runoff water and removal of dirt/mud related deposits from city streets were moved to the stormwater management chapter.

Chapter 23, Stormwater Management

- Runoff water and dirt/mud removal provisions moved into this chapter from the solid waste chapter as noted above.
- Staff changes to section 23-15 were implemented removing summons procedure and requiring referral of violation to city attorney.
- Staff changes to section 23-16 were implemented providing police chief with authority, upon city manager's direction, to order immediate abatement of nuisances posing immediate threat.

Chapter 24, Streets and Sidewalks

- Art. IX, Streets, from Chapter 25, Development Code, was moved into this chapter.

Chapter 25, Development Code

- No changes other than inserting Art. IX, Streets, from Chapter 25, Development Code, into this chapter as noted above.
- Staff corrections to the height and surface requirement table in section 25-161 were implemented.

Chapter 26, Traffic

- Numerous sections in this chapter were conformed to the state statutes from which they are derived.
- Traffic schedules formerly appendices to this chapter were moved to the end of the code as Appendix A.
- Skateboards were added to the restrictions on the use of skates, coasters, etc.
- Section 26-404 regarding insurance identification cards was conformed to RSMo 303.024 except for portions regarding inspectors.

Chapter 27, Manufactured Homes and Travel Trailers

- Chapter was renamed to change "mobile homes" to "manufactured homes" to conform to current state statutes. A similar change was made to each reference to "mobile homes" throughout the chapter.

- The statutory definition of “manufactured home” was substituted for the definition of “mobile home”.

Chapter 28, Urban Development

- Unchanged except for global changes detailed above, if any.

Chapter 29, Water and Sewer

- Unchanged except for global changes detailed above, if any.

Chapter 30, Zoning

- “Mobile home” is changed to “manufactured home” throughout this chapter and the statutory definition of “manufactured home” is substituted for the definition of “mobile home”.
- Staff made cosmetic changes to this chapter such as reorganizing the list of districts into alphabetical order and adding missing hyphens to district designations.
- Staff removed section 30-56 as unnecessary.