

BILL NO. 201803  
ORDINANCE NO. 150.020

*TO BE CODIFIED AS SECTION 150.020*

AN ORDINANCE ENACTING SECTION 150.020 OF THE CODE OF  
HAWK POINT, MISSOURI,  
REGARDING COMMERCIAL SETBACKS, PARKING, AND SIGNS.

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF HAWK POINT,  
MISSOURI, THAT SECTION 150.020 SHALL BE ENACTED TO READ AS FOLLOWS:

**150.020**

**A. Definitions**

- (1) "Board" means the Hawk Point Board of Aldermen.
- (2) "Commercial Building" means all commercial/industrial structures which are intended for carrying on any commercial/industrial enterprise.
- (3) "Right-of-way" means a State, County, or City road right-of-way or easement intended for public travel.
- (4) "Setback" means the minimum distance between any portion of any Commercial Building and a right-of-way boundary or centerline as hereinafter described.

**B. Setback**

- (1) Minimum Setback, 50-foot Right-of-Way. The minimum Commercial Building setback from any right-of-way 50 feet in width or less shall be 50 feet from the right-of-way centerline.
- (2) Minimum Setback, Greater than 50-foot Right-of-Way. The minimum Commercial Building setback from any right-of-way greater than 50 feet in width shall be 25 feet from the near boundary of the right-of-way.
- (3) Setbacks Not Bounded by Rights-of-Way. All setbacks for buildings not bounded by rights-of-way shall be 25 feet from the property line.
- (4) Reduced Setback Permits. Where topography or other considerations make desired setbacks less than the minimum provided by subsections (1) through (3) of this section, the owner of the subject land may apply to the Board for a reduced setback permit permitting a reduction of setbacks to the distance specified on the permit.

**B. Parking**

Prior to issuing a building permit for a Commercial Building, the Board shall determine the number of off-site parking spaces required for the intended use of the Commercial Building. The building permit shall state the number required.

**C. Signs**

Any signage for a Commercial Building shall require pre-approval of the Board of Aldermen. The owner of the subject land shall submit a sign plan with the building permit application which shall be reviewed with the building permit and accepted or rejected. Any addition or modifications of permanent signs after the initial construction will require additional review of the Board of Aldermen.

Savings Clause.

Except as expressly set forth herein, nothing contained in this ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant, or otherwise nullify any other ordinance of the city, or the requirements thereof, whether or not relating to or in any manner connected with the subject matter hereof.

Severability Clause.

If any term, condition, or provision of this ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provisions which had been held invalid is no longer invalid, said provisions shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Effective Date.

This ordinance shall be in full force and effect from and after the date of its passage and approval.

Passed and approved by the Board of Aldermen of the City of Hawk Point, Missouri, on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

CITY OF HAWK POINT

\_\_\_\_\_  
Robert Henebry, Mayor

ATTEST:

\_\_\_\_\_  
Samantha Shelton, City Clerk